Communiqué

31 March 2017

The Victorian Pharmacy Authority (the "Authority") met on 14 March 2017 at the Authority offices.

Recent Panel Hearings

The Victorian Pharmacy Authority held two panel hearings in February 2017.

Hearing 1

Two pharmacists in partnership were reprimanded for carrying on a pharmacy business without the premises being registered and without the owners having been granted a licence to carry on the business at those premises. The owners had lodged the appropriate applications but failed to submit the required notifications and pay the associated registration and licence fees.

Comment. Licensing of eligible persons to carry on a pharmacy business and registration of premises are cornerstones of the *Pharmacy Regulation Act 2010* and are fundamental to the legislative regime and the Authority's policies and guidelines. These are in the public interest as their absence undermines the suitability of premises and the practice of pharmacy in Victoria. The Act (section 21) provides penalties of 240 penalty units (approx. $37,300) in the case of a natural person and 1,200 penalty units (approx. $186,500) in the case of a body corporate. In this case the pharmacists had relied on others to submit the required notifications and highlights that owners are ultimately responsible for ensuring legislative requirements are met.

Hearing 2

Two pharmacists in partnership were cautioned in that following an inspection, there were failures:

(a) in recording accurately all transactions of Schedule 8 poisons;

(b) in storing methadone in accordance with the Drugs, Poisons and Controlled Substances Regulations 2006;

(c) to maintain a temperature data logger in accordance with the Authority's Guidelines;

(d) in keeping records of transactions of Schedule 8 poisons in a timely manner;

(e) in restricting the display of Schedule 3 poisons containing codeine to one shelf facing of the smallest commercial package of each product in accordance with the Authority's Guidelines;

(f) in ensuring that the confidentiality of discussions between the pharmacist and the client; and

(g) in remedying deficiencies noted at a previous inspection by (i) omitting to initial filling records of dose administration containers; and (ii) not providing an additional or larger safe to store Schedule 8 poisons.

Comment. There were two general aspects to this hearing. The first (a to f) centres on poor housekeeping and regulatory deficiencies and the second (g) on making a false certification on the inspection report that is returned to the Authority.

The Authority wishes to make clear that it views false certifications seriously. Certifying an inspection report is not a mere formality. The licensee or a person authorised by the licensee – usually the pharmacist regularly and usually in charge – must ensure that all deficiencies listed in the report have

been rectified before it is signed and returned to the Authority. It is dishonest to do otherwise. Similarly, when returning a “Notice of Completion” (of new premises or renovations), it is essential that the utilities are connected and operating, the premises are fully equipped and that security meets the Authority’s Guidelines before the Notice is signed and returned.

Toni Riley
Chair
31 March 2017