



## Discipline Hearing Conducted - John Evans (Diploma #6876)

At a Discipline Hearing held 4 May 2000, John Evans pled guilty to professional misconduct related to a large number of inappropriate accesses made to patient medication records on PharmaNet.

In the summer of 1999 the College received a complaint that John Evans had accessed a PharmaNet patient record for reasons unrelated to health care. In investigating this complaint, it was determined that between December 1997 and June 1999, Mr. Evans made a large number of PharmaNet accesses while working at one pharmacy. These accesses were made to profiles of people who had never been patients of the pharmacy. The accesses were not the result of inquiries made by the person whose record was accessed, or by physicians.

Mr. Evans admitted to the unauthorized accesses. He explained that he was familiarizing himself with the PharmaNet system and

that he did not recognize he was breaching confidentiality. Although he signed a Confidentiality Undertaking before beginning to use PharmaNet, he stated he did not read the document before signing it and did not clearly understand the concerns surrounding the privacy and confidentiality of PharmaNet records.

Mr. Evans ceased the practice of inappropriate access after reading of a previous case of inappropriate PharmaNet accesses, and has kept his own personal PharmaNet diary since that date. In this diary he records all accesses to PharmaNet that are not directly related to dispensing a prescription. He has expressed deep remorse for his actions. Nonetheless, the large number of accesses made to the PharmaNet records of public figures and private citizens of interest to Mr. Evans demonstrates a severe breach of his duties with

respect to the privacy and confidentiality of PharmaNet records.



Mr. Evans' actions were deemed to be serious and significant. His actions violated Value V of the Code of Ethics, sections 35(3) and 37(1) of the *Pharmacists, Pharmacy Operations and Drug Scheduling Act*, and the Council policy on appropriate uses of PharmaNet. This policy states that the appropriate uses of PharmaNet include dispensing a prescription, counselling a patient with regard to the patient's drug therapy, patient-specific drug usage evaluation, or claims adjudication and payment by any insurer providing drug coverage.

Mr. Evans was assessed a fine and required to pay the costs of the hearing and the investigation. The assessment totalled \$10,000.

## Proper Splitting Of Tablets

Pharmacists must provide appropriate medications in their proper form to their patients. Only drug products that are scored should be used for tablet splitting (i.e. into half or quarter tablets). Drugs that are not scored will likely not split properly to provide a uniform dose. Coated tablets can also present problems, because once the drug is split any effect the coating provides may be compromised.

Before splitting tablets, pharmacists must make sure that:

- ▶ the drug literature indicates splitting of the specific brand of tablet can be accomplished safely and effectively;
- ▶ if a change in the prescription occurs due to using a strength higher than originally called for, the prescriber must approve the change, and
- ▶ detailed patient counselling is provided to ensure the patient understands changes made to the prescription, and if the patient is responsible for tablet splitting, explain splitting techniques and tools.

## Council Highlights

The Council of the College of Pharmacists met on 16 June, to discuss topics of interest and concern.

- ▶ The Registrar was asked to contact the Ministry of Health to obtain further information concerning the reasons for the Ministry's letter about delaying its decision on the proposed by-law to prohibit the sale of tobacco products in pharmacies licensed after 1 June 2000. The request followed a presentation by representatives of the Canadian Association of Chain Drug Stores, who recommended that Council permit freedom of choice for pharmacists and pharmacies considering whether or not to offer tobacco products for sale from their establishments. The CACDS representatives also urged the Council to encourage the promotion of pharmacies as smoking cessation centres.

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