



## Discipline Hearing Conducted



**A**t a discipline hearing held on 4 October 2001, Daniel Mooring of Prince George (Diploma #03201), pled guilty to negligence with respect to his conduct and lack of supervision and control of his employees related to a number of unauthorized accesses to PharmaNet patient records.

In the fall of 1999, a member of the public informed the College that PharmaNet patient record printouts belonging to himself and two family members listed 130 accesses under Mr. Mooring's name. These accesses were unrelated to their health care, as the family members were not patients of Mr. Mooring's pharmacy. On further investigation, it was determined that between 1 January 1997 and 31 December 1999, unauthorized PharmaNet patient record accesses were made under Mr. Mooring's name to the records of 20 people on 549 occasions.

These accesses were made by the pharmacist or by persons under his supervision and control. The accessed records belonged to people who had never been patients of the pharmacy. The accesses were not the result of inquiries made by prescribing physicians.

Mr. Mooring described that his practice is located in a medical building where he and his staff receive frequent prescription pricing inquiries from the general public and physicians. He stated that he used his own profile to calculate prescription prices for convenience and because he was not familiar with the prescription

pricing capabilities of his local pharmacy software. Mr. Mooring instructed his staff to use their own profiles in responding to similar requests. Due to the configuration of his local pharmacy software, a PharmaNet patient record was retrieved immediately upon initiating the pricing of a prescription on the local software using this method.

Mr. Mooring reported that some of the unauthorized accesses he made were errors in selecting the wrong patient name from a scroll list that included his own name. Other unauthorized accesses were made by a technician who acknowledged accessing the records of acquaintances.

In determining the penalty, the panel noted:

Mr. Mooring's actions and his failure to properly supervise the technicians under his control reflects ... not a nefarious or odious purpose but rather an unauthorized method of performing his usual daily practice as a pharmacist. While that fact cannot be overlooked, the privacy issues at stake concerning PharmaNet access are indeed serious and it is incumbent upon all pharmacists in British Columbia to not only recognize this privacy interest but to ensure that their actions, whether through an intentional act or through negligence, do not deprive British Columbians of this right of privacy. Given all the circumstances, Mr. Mooring is ordered to pay:

- ▶ A fine of \$1,500
- ▶ The costs and disbursements of the investigation and proceedings, to a maximum amount of \$5,000.

## Advanced Notification Needed For Renovations And Relocations

If you're planning a pharmacy renovation or relocation, our office needs a generous lead-time. Pharmacy managers need to ensure that they notify the College office two to three months before construction begins. Please request the necessary forms from our staff.

In addition to submitting the notification form and change fee, you need to provide a proper diagram (scale 1/4 inch equals 1 foot) for College approval.

If the pharmacy telecommunication line needs to be moved, we will notify Pharmacare once the diagram is approved,



so that arrangements can be made for the reconnection. Pharmacare requires a minimum of eight weeks notice in advance of your anticipated completion date.

If your pharmacy is relocating to a different site (with a new physical address), our office will issue a new pharmacy license once a

pre-opening inspection is conducted. It is important to know that relocated pharmacies cannot open for business until after a successful pre-opening inspection site visit and report have been completed.

If your renovations don't involve a change of address, a site inspection will take place as soon as possible following the renovation.

For further information, you're welcome to contact us at (604) 733-2440.