

Pharmacist suspended

David Rands, diploma 2606, defrauded PharmaCare

In February 2005, pharmacist David Rands pleaded guilty in provincial court to charges of fraud over \$5,000 contrary to Section 380(1) (a) of the Criminal Code. Mr. Rands was sentenced to imprisonment for two years less a day, and was released after four months due to good behaviour. On February 22, 2006 a College of Pharmacists of B.C. discipline panel held a hearing to determine the consequences of Mr. Rands' conviction.

The discipline panel reviewed a summary of the charges and relevant information presented by the college lawyer and Mr. Rands' lawyer. Mr. Rands defrauded the Ministry of Health's PharmaCare program of \$471,001 over a seven-month period between November 1999 and June 2000. He knowingly used an incorrect Product Identification Number (PIN) to bill PharmaCare for methadone dispensed to patients on the methadone program; the PIN for a narcotic compound for pain control was used, rather than the methadone-maintenance PIN.

Additionally, Mr. Rands billed PharmaCare for both the standard dispensing fee for providing a narcotic compound for pain and the monthly capitation fee that was then in place for methadone-maintenance prescriptions. Mr. Rands also grossly overcharged PharmaCare for the methadone (\$0.50/ml versus the \$0.26/ml allowed by PharmaCare).

In reviewing the case, the panel considered the following: pharmacists hold a position of trust; PharmaCare expects pharmacists to use the correct PIN or DIN when filling a prescription; the public assumes tax dollars will not be

diverted into an individual's pockets; and patients trust that all entries into their PharmaNet records will accurately reflect their medication history. By altering the PIN for methadone, all of Mr. Rands' methadone patients ended up with inaccurate medication records, which could have placed them at risk.

The panel found that Mr. Rands significantly breached the trust that is afforded to health professionals. It did not accept Mr. Rands' argument that intimidation by his partner and the hope that PharmaCare would quickly catch the incorrect billing led to his silence about the fraud. The panelists agreed with the judge's view that Mr. Rands' silence enabled the fraud to continue. In addition, they found Mr. Rands' actions contravened value one of the Code of Ethics:

A pharmacist respects the professional relationship with the patient and acts with honesty, integrity and compassion.

Mr. Rands' behaviour was found to be inexcusable and unacceptable.

The panel did consider a number of mitigating factors in this case: Mr. Rands pleaded guilty, accepted full responsibility for his actions, served jail time, and made full restitution of the monies owed to PharmaCare. He also significantly contributed to the practice of pharmacy for more than 30 years and this was his first serious offence. Mr. Rands' record with the college had been unblemished and he is truly remorseful for his actions.

The panel decided to suspend Mr. Rands' registration as a pharmacist for a period of 12 months commencing February 22, 2006. He will also be responsible for discipline-hearing costs.

PDAP ORIENTATION ANYONE?

Sessions underway across B.C.

Have you logged on to the college's website to register for a PDAP orientation session? If you were selected to take part in Cycle 2, join your colleagues at one of the sessions listed below. Pharmacists from Vancouver Island, the Kootenays, and the Lower Mainland have already attended a session in their area to find out more about taking part in the college's continuous quality assurance program.

All orientation sessions:

- Are free to attend.
- Take place from:
 - 6:30-7:00 p.m. (light supper).
 - 7:00-9:30 p.m. (orientation session).
- Are facilitated by a practising B.C. pharmacist and a professional facilitator.
- Provide an overview of the PDAP process, along with supporting materials.



www.bcpharmacists.org

PDAP

Orientation Sessions

15 May	Burnaby, Executive Hotel & Conference Centre
16 May	Surrey, Sheraton Guildford
30 May	Victoria, Harbour Towers Hotel & Suites
1 June	Kelowna, Ramada Lodge Hotel
5 June	Burnaby, Executive Hotel & Conference Centre
7 June	Vancouver, Holiday Inn Vancouver Centre
8 June	Terrace, Best Western Terrace Inn
12 June	Abbotsford, Ramada Plaza & Conference Centre