

Mr Terence Zelcer - Phar16/366D

Charge

The Director of Proceedings laid a charge against Mr Terence Zelcer, pharmacist of Christchurch (the Pharmacist). The charge related to the obligations of a pharmacist upon discovering incorrect drugs had been dispensed to a patient.

The first particular alleged that between 4 and 6 December 2013 knowing the patient had been dispensed cyclophosphamide 50 mg tablets instead of cyclosporine 50 mg capsules the Pharmacist did not:

- advise the patient that the medication dispensed in error was not the medication the patient had been prescribed; and/or
- ascertain how many of the incorrect tablets the patient had taken; and/or
- advise the patient's GP of the error and/or how many tablets the patient had taken in error; and/or
- advise the manager of the Pharmacy of the dispensing error.

The second particular alleged the Pharmacist misled the patient on 04 December 2013 when he told him that he had been dispensed in error on 15 October 2013 a discontinued product. He omitted to tell him the medication that had been dispensed was not the correct medication and he had not been taking the correct medication.

Finding

The hearing proceeded on the basis of an Agreed Summary of Facts. The Pharmacist admitted the particulars as alleged and that his conduct amounted to professional misconduct. The Tribunal is obliged under the Act to reach its own conclusion in relation to liability and it was quite satisfied that his conduct constituted professional misconduct.

Penalty

The Tribunal censured the Pharmacist and fined him the sum of \$5,000.00. Additionally, the Tribunal ordered the Pharmacist to pay a total of costs of \$8,934.47 to the Tribunal and \$10,249.80 to the DP.

The Pharmacist was ordered at his own cost:

- for a period of 12 months to practise under the mentorship of a Pharmacy Council approved Senior Pharmacist. The details of interaction with this mentor are to be recorded to the Council every three months; and
- to attend a course approved by the Pharmacy which relates to dealing with stressful or difficult situations.

The Tribunal directed that the decision and a summary of the decision be published.

The full decision of the Tribunal can be viewed at: [Phar16/366D - Zelcer](#)