

Mr Simon Cooper - Phar18/425P

Charge

At a hearing held 11 – 14 March 2019 the Health Practitioner's Disciplinary Tribunal considered a charge laid by the Professional Conduct Committee (PCC) against Mr Simon Cooper (the pharmacist), of Hamilton.

The charge alleged that:

1. the pharmacist left a methadone stock bottle and/or patient doses on the dispensary counter overnight;
2. following the theft of the methadone the pharmacist failed or refused to comply with a request to complete a report;
3. the pharmacist left the pharmacy unattended by a pharmacist on a number of occasions;
4. during these absences the pharmacist asked colleagues to lie to their employer and/or patients as to his whereabouts;
5. the pharmacist failed to observe incorrect instructions had been included on a label and failed to check the dispensing;
6. having been advised of the labelling error the pharmacist failed or refused to complete an incident report as requested;
7. the pharmacist incorrectly prepared and dispensed certain tablets and /or failed to sign the prescription to indicate they had been checked;
8. at various times the pharmacist took money from the Pharmacy till or cash pot for his own use and without authorisation of his employer.

The charge was fully defended by the pharmacist.

Findings

Particulars 1 and 5 were each found to be misconduct. Separately they did not warrant disciplinary sanction. Leaving methadone on the counter overnight was a mistake and the error of failing to observe that incorrect instructions had been included on the label was a one-off incident. When considering both particulars together, the Tribunal found disciplinary sanction was warranted.

Particulars 2, 6 and 8 were not established. When considering Particular 8, taking money from the till, the Tribunal noted that senior personnel were aware from time to time of the pharmacist having done this and the Tribunal was prepared to conclude that their acquiescence could be taken by the pharmacist as authorisation from his employer.

Particulars 3, 4 and 7(a) were established and when considered both separately and together, warranted disciplinary sanction.

Penalty

The pharmacist was censured and conditions were imposed on his practice. The pharmacist was ordered to pay a total of \$35,400 as a contribution to the costs of the PCC and the Tribunal.

The Tribunal directed publication of its decision and a summary.

The full decision of the Tribunal can be viewed at [Phar18425P - Cooper](#)