

The Charge

A panel of the Health Practitioners Disciplinary Tribunal (the Tribunal) convened on 14 May 2025 to hear disciplinary charges laid by a Professional Conduct Committee (PCC) of the Pharmacy Council of New Zealand (the Council) against a health practitioner.

The charges are summarised below and alleged that the Pharmacist:

1. Falsely identified himself to a Medsafe auditor twice.
2. Practised outside of his scope.

The conduct reflected by the two charges was interconnected. The pharmacist, [Mr I], falsely identified himself because he had dispensed medication whilst unsupervised.

Background

On 18 August 2023, Mr I was employed as an intern pharmacist. Being subject to the intern pharmacist scope of practice, Mr I was required to practise under the supervision of a registered Pharmacist.

Contrary to that requirement, whilst in sole charge of a pharmacy, Mr I administered a “consume on premises” dose of methadone to a pharmacy client. Shortly afterwards, an auditor from the New Zealand Medicines and Medical Devices Safety Authority (Medsafe) conducted an unannounced inspection audit at the pharmacy.

The auditor observed that pharmacy activities were being conducted by Mr I as the sole staff member of the pharmacy, including the supply of methadone. When the Medsafe auditor engaged with Mr I, Mr I falsely introduced himself by providing the name of the pharmacy's owner. When challenged on this, Mr I gave the auditor a fictitious name and falsely stated that he was a trainee technician enrolled at Open Polytechnic.

Finding

Finding on charge 1: The Tribunal finds Mr I liable for professional misconduct on Charge 1 on account of professional malpractice (s 100(1)(a)) and conduct likely to bring discredit to the profession (s (100(1)(b)).

Finding on charge 2: Charge 2 concerns the dispensing of methadone by Mr I. Because this was not undertaken by Mr I under the supervision of a registered pharmacist, it was outside the terms of his scope of practice.

Penalty

The Tribunal ordered:

- The disclosure of the Tribunal's decision to his current employer and any other employer in the pharmacy profession for a period of 18 months.
- The practitioner must undertake a 6-month mentoring programme approved by the Pharmacy Council, with monthly practice reviews directed at the provision of support and pastoral care.
- The practitioner must make payment of costs of \$12,545.52, being 20% of PCC and Tribunal's costs.
- Censure

The full decision of the Tribunal can be found at: <1479Phar25633P.pdf>