



College of Pharmacists of Manitoba NEWSLETTER

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Safety IQ Feature

Dive into the significance of the Safety Self-Assessment (SSA) in identifying gaps and enhancing the safety culture within pharmacies. More on [page 6](#).

Advancing Pharmacy Regulation Under the RHPA

Learn more about CPhM's RHPA transition, upcoming pharmacy regulation changes, and the Regulatory Reform Project information webinar on [page 4](#).

Our purpose is to regulate the pharmacy profession with a commitment to excellence in person-centred, evidence-informed, and timely pharmacy care for all people. We serve the public interest by ensuring all pharmacy professionals are qualified to provide safe, ethical, and culturally sensitive care, free from all forms of racism, including Indigenous-specific racism. Through inclusivity, collaboration, and a dedication to integrity and accountability in our regulatory practices, we create an equitable environment that protects and prioritizes the public's best interests.

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**The mandate of the
CPhM is to serve and
protect the public interest**

This Newsletter is published four times per year by the College of Pharmacists of Manitoba (CPhM) and is forwarded to every pharmacy professional in the Province of Manitoba. Decisions of the CPhM regarding all matters such as regulations, drug-related incidents, etc. are published in the newsletter. The CPhM therefore expects that all pharmacy professionals are aware of these matters.



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Message from the Chair

Dear pharmacy professionals and members of the public,

As the leaves turn and we welcome the crisp air of fall, it's a natural time to pause, reflect, and prepare—for the season ahead, and for the critical role the pharmacy profession plays in keeping communities in Manitoba healthy.

Fall marks the beginning of a busy period for us all. It is vaccination season—a time when pharmacists in Manitoba step up once again to provide immunizations. Whether it is influenza, COVID-19, RSV, or other vaccines, our profession continues to play a frontline role in public health.

As the Chair of the College of Pharmacists of Manitoba (CPhM) Council, I want to acknowledge the incredible work that goes into this season and beyond. Pharmacists are valuable members of the interprofessional collaborative healthcare team in providing education and advice on medication and disease management, administering vaccines and prescribing for minor ailments. Pharmacists are also the most visible and accessible healthcare providers for many patients, which lends to the significance of the services you offer to the public.

This season marks a time of change and reflection, and with it comes the annual license renewal period. More than just a procedural task, this process serves as an opportunity to reaffirm our dedication to safe, competent, and ethical practice.

Whether you are refreshing your skills in immunization practices, expanding your scope of practice, or deepening your knowledge of emerging therapies, your ongoing learning directly benefits your patients, your community, and your professional growth.



I encourage you to read the Continuing Competency Matters section in the Friday Five publications. These regular updates highlight the changes that CPhM is making to enhance the continuing competency program—changes that reflect the evolving needs of the public and expectations of both pharmacy professionals and CPhM.

To every pharmacy professional working long days, juggling many demands, and providing excellent care to your patients—thank you. Your work matters. And your impact reaches far beyond the counter.

Sincerely,
Kathy Hunter

Feature Article: Advancing Pharmacy Regulation Under the RHPA: Regulatory Reform Project Information Webinar

On September 27, 2025, the College of Pharmacists of Manitoba (CPhM) hosted the first webinar in the Regulatory Reform Project series. The introduction webinar was intended to provide an overview of the Regulatory Reform Project and the key changes to CPhM's transition under *The Regulated Health Professions Act* (RHPA) and also served as an introduction to CPhM's two RHPA consultants Liz Ambrose and Leanne Matthes, who will help lead CPhM through this transition under the RHPA.

Leanne Matthes brings extensive experience in health profession regulation and governance, having led the College of Registered Nurses of Manitoba through its RHPA transition. Liz Ambrose offers a strong background in clinical practice and policy development, including working with Manitoba Health and various regulatory bodies. Further in-depth bios for Leanne and Liz can be found in [Friday Five \(September 12, 2025\)](#).

This webinar also featured Sheena Deane and Susan Balagus from the Canadian Association of Pharmacy Technicians (CAPT). CAPT plays a pivotal role in supporting and representing the pharmacy technician profession across Canada, ensuring their voices are included in the evolution of pharmacy practice and regulation.

Recap of Webinar:

The hour-long session provided pharmacy professionals with essential information about the RHPA transition process and future changes. It also introduced CAPT, the advocacy body for the pharmacy technician profession.

Pharmacy professionals were provided with the following information:

- What is the RHPA?
- How does regulation under the RHPA differ from the current single-profession statute?
- What is required to move pharmacy professionals from regulation under *The Pharmaceutical Act* to regulation under the RHPA?
- How will this affect pharmacy technicians?
- What does the proposed transition timeline look like?

During the webinar, attendees were invited to submit questions, many of which were addressed during the Q&A session at the end. Topics ranged from the regulation of pharmacy technicians to the differences between the *The Pharmaceutical Act* and RHPA for pharmacy owners. Questions were answered live, and a full Q/A list is now available on the CPhM website here <https://cphm.ca/advancing-pharmacy-regulation-under-the-rhpa-webinar-series/>, along with a recording of the webinar. Pharmacy professionals may access the information at any time.

About the Project:

As outlined in [CPhM's 2025-2027 Strategic Plan](#), priority two focuses on preparing for legislative changes that modernize pharmacy regulation and better align with Manitoba's evolving healthcare landscape.

This project will include, but is not limited to, the following:

1. Establishing Pharmacy Technicians as a regulated health profession under the RHPA, with a defined scope of practice, title protection, and regulatory obligations.

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2. Enabling pharmacy professionals to practice to their full scope in Manitoba
 3. Establishing the new college under the RHPA that will regulate both pharmacy professions; a new, inclusive name, recognizing both pharmacy professions, will be chosen.

CPhM Council will appoint an *ad hoc* committee to guide the work for regulatory reform. The committee will guide legislative and policy development and make recommendations to Council, ensuring that the legislative framework aligns with the goals of modern healthcare regulation under the RHPA. Throughout this project, there will be multiple consultation opportunities for pharmacy professionals to provide feedback.

This transition is part of CPhM's effort to modernize healthcare regulation, with the goal of ensuring safe, competent, inclusive, and public-centered pharmacy practice.

For more information about the Regulatory Reform Project and CPhM's transition to the RHPA, visit <https://cphm.ca/advancing-pharmacy-regulation-under-the-rhpa/>. This webpage will be regularly updated with important project details, future webinars, consultation opportunities, and video-recorded webinars.

In addition, CPhM has created a dedicated [FAQ page](#) about the RHPA and the future regulation of pharmacy professionals. This page will be regularly updated throughout the project and includes a contact form for [submitting any questions](#) about the project.



Safety Feature: Understanding the Role of SSA in Pharmacy Practice

The Safety Self-Assessment (SSA) plays a role in pharmacy practice by identifying gaps in safety processes and fostering a culture of continuous improvement. This tool allows pharmacy staff to critically examine all areas of their operations, from patient information collection to patient education. The goal is to proactively identify potential risks or inefficiencies before they result in medication incidents.

By completing SSA, pharmacies can uncover areas of concern such as outdated procedures, communication breakdowns, or staff training gaps. This helps pinpoint where changes are necessary to improve patient safety and reduce the likelihood of errors.

Implementing SSA is not just about compliance; it's about creating a culture of safety where all staff members feel empowered to speak up about concerns and contribute to solutions. Regular reviews of SSA results lead to the development of targeted improvement plans that address identified weaknesses.

Overall, the SSA is an important tool in building a strong safety culture within pharmacies, ensuring that practices evolve to meet both regulatory standards and the high expectations of patient care.

Latest from the Safety IQ Blog

The [Safety IQ Blog](#) features short, actionable articles to support continuous quality improvement in your pharmacy. Here are the latest posts:

- [Starting Strong: Onboarding Your Team to Safety IQ in a New Pharmacy](#)

Explore essential onboarding strategies for new pharmacy staff, including introducing Safety IQ principles, ensuring clarity about safety roles, and aligning team members with the pharmacy's safety goals from day one.

- [Collecting Critical Patient Information: Key to Preventing Medication Incidents](#)

Guest Author Eunice Valencia is a PGY-1 pharmacy resident at the Winnipeg Regional Health Authority. She received her Doctorate of Pharmacy (PharmD) from the University of Manitoba in 2024. Her residency experiences have provided her with a strong foundation in clinical practice, and she is passionate about identifying and developing strategies to optimize patient care and promote patient safety.



**Safety.
Improvement.
Quality.**

DISCIPLINE DECISIONS/SUSPENSIONS

Decision and Order of the Discipline Committee: Peter Kovac

Pursuant to a Notice of Hearing dated April 3, 2025, (the “Notice”) a hearing was convened by the Discipline Committee of the College of Pharmacists of Manitoba (the “College”) at the offices of Thompson Dorfman Sweatman LLP, 242 Hargrave Street, Suite #17, Winnipeg, Manitoba, R3C 0V1, on Wednesday, June 26, 2025, with respect to charges formulated by the College alleging that Peter Kovac (“Kovac”), being a pharmacist under the provisions of *The Pharmaceutical Act*, C.C.S.M. c. P60 (the “Act”) and a registrant of the College, is guilty of professional misconduct, conduct unbecoming a member, or have displayed a lack of knowledge or skill or judgment in the practice of pharmacy or operation of a pharmacy, or any of the above, as described in section 54 of the Act, in that, at Melita Super Thrifty Pharmacy, 112 Main Street, Melita, Manitoba (the “Pharmacy”):

1. On multiple occasions between December 2021 and February 2022, you failed to process prescriptions in a timely manner and/or failed to appropriately check logged prescriptions, in contravention of section 83 of *The Pharmaceutical Regulation*, Man Reg 185/2013 (the “Regulation”) and Statement VII of the *Code of Ethics* (the “Code”), or either of them;
2. In 2022, you failed to ensure that all medication incidents reports were documented, accessible, and available for regulatory review, in contravention of sections 3.2.6.1 and 4.1 of the *Medication Incidents and Near-Miss Events Practice Direction* (the “Incidents PD”), or either of them;
3. In 2021 and 2022, you failed to ensure that the Pharmacy was appropriately staffed to ensure safe and effective pharmacy practice, in contravention of section 56(1)14 of the Regulation and Statement III of the Code, or either of them;
4. Between September 2020 and July 2021, you prescribed as a continued care prescription and dispensed clonazepam and/or zopiclone to patient [REDACTED] in contravention of sections 83, 122(1) and 122(3) of the Regulation, and Statement VII of the Code, or any of them;
5. With respect to Patient [REDACTED], you:
 - a. Failed to document relevant clinical discussions and information on the patient profile in a readily accessible manner, in contravention of sections 2.3 and 4.1 of the *Patient Profiles Practice Direction*, and sections 2.1.1, 2.1.2 and 2.1.3 of the *Records and Information Practice Direction* (the “Records PD”), or any of them;
 - b. Between 2021 and 2022, dispensed or authorized the dispensing of narcotic medications, Tylenol #4®, hydromorphone, and fentanyl without determining, or alternatively, without documenting whether there was an actual or potential drug related problem or taking action to address the problem, in contravention of section 83 of the Regulation, sections 2.2.3 and 2.3 of the *Ensuring Patient Safety Practice Direction* (the “Patient Safety PD”), Recommendations 8 and 9 of the 2017 *Canadian Guideline for Opioids for Chronic Non-Cancer Pain*, and Statement VII of the Code, or any of them;

6. With respect to Patient [REDACTED], you, between 2020 and 2022, dispensed or authorized the dispensing of oxycodone with no or insufficient intervention with the prescribing physician, taking into account the high dosages of the opioids ordered, in contravention of section 83 of the Regulation, sections 2.2.3 and 2.3 of the Patient Safety PD, Recommendations 8 and 9 of the 2017 *Canadian Guideline for Opioids for Chronic Non-Cancer Pain*, and Statement VII of the Code, or any of them;
7. With respect to Patients [REDACTED], [REDACTED] and [REDACTED] between October 2020 and March 2022, you dispensed or authorized the dispensing of benzodiazepines and opioids, including M3P drugs, without ensuring that the prescriptions met all prescription requirements, in contravention of section 37 of the *Narcotic Control Regulations*, C.R.C. c.1041 (the "NCRs"), sections 69(4), 77 and 83 of the Regulation, the *Companion Document to the CPSM Standards of Practice for Prescribing Opioids and Benzodiazepines and Z-Drugs*, and the *Ensuring Safe Access to M3P Prescriptions during the COVID-19 Outbreak* document, or any of them;
8. As pharmacy manager, you failed to appropriately train and supervise pharmacy assistants in contravention of sections 65(1) and 68(2) of the Regulation and sections 2.10.1, 2.10.2 and 2.10.3 of the *Supervision Practice Direction* (the "Supervision PD"), or any of them;
9. As pharmacy manager, you failed to secure or appropriately document controlled drugs and substances in contravention of section 43 of the NCRs, subsection 72(1)(a) of the *Benzodiazepines and Other Targeted Substances Regulations*, SOR/2000-217, (the "BOTSRs"), section G.03.012 of the *Food and Drug Regulations*, C.R.C. c. 870 (the "FDRs"), and the *Narcotic and Controlled Drug Accountability Guidelines* (the "Guidelines"), or any of them, in that you:
 - a. Between August 2021 and March 2022, failed to ensure that all narcotic and controlled drugs had their perpetual inventory values verified every three months, in contravention of section 2.3.2.2 of the *Drug Distribution and Storage Practice Direction* (the "DDS PD"), sections 2.1.1, 2.1.2. and 2.1.3 of the Records PD, and the Guidelines;
 - b. Between 2021 and 2022, failed to ensure that all discrepancies in the perpetual narcotic and/or controlled drug inventory were investigated and the investigations documented in contravention of section 2.3.2.3 and 2.3.2.4 of the DDS PD, sections 2.1.1, 2.1.2 and 2.1.3 of the Records PD, and the Guidelines, or any of them;
 - c. Between 2020 and 2021, on multiple occasions, you failed to ensure that all unexplained shortages were reported to Health Canada OCS, in contravention of section 42 of the NCRs, section 2.3.2.5 of the DDS PD, and the Guidelines, or any of them;
 - d. Between 2020 and 2021, on multiple occasions, you failed to ensure that all unexplained shortages were reported to the College in contravention of section 2.3.2.5 of the DDS PD, and the Guidelines, or either of them;
 - e. Between 2021 and 2022, you permitted an unauthorized person or persons with access to the dispensary without the appropriate supervision of a pharmacist, in contravention of section 72(1)(a) of the BOTSRs, sections 51(c) and 65(2) of the Regulation, section 2.10.5 of the Supervision PD, and section 2.3.1 of the DDS PD, or any of them; and
 - f. Failed to ensure that the dispensary had secure drug storage, in contravention of 2.2.8 of the *Pharmacy Facilities Practice Direction* (the "Facilities PD") and section 2.3 of the DDS PD, or either of them;

10. Between 2021 and 2022, you permitted a person without the requisite skill, knowledge and judgment to work in the Pharmacy, in contravention of section 68(2) of the Regulation and Statements II and X of the Code, or any of them;
11. Between 2021 and 2022, you failed to keep the Pharmacy clean and organized, in contravention of section 2.2.1 of the Facilities PD and 2.1.2 of the Records PD, or either of them;
12. Between 2021 and 2022, you failed to maintain appropriate prescription files of M3P prescriptions, in contravention of section G.03.004 of the FDRs, section 40 of the NCRs, section 56(1)12 of the Regulation, 2.1.4.3.2 of the *Refill History Recording System Practice Direction* and section 2.1 of the Records PD, or any of them;
13. On multiple occasions, you failed to cooperate with the College, in contravention of Statement VIII of the Code; and
14. On multiple occasions, you failed to ensure that a pharmacist was present during the posted business hours of the Pharmacy in contravention of section 68 of the Act, section 2.4.1 of the *Lock and Leave Practice Direction* and Statement VII and IX the Code, or any of them.

The hearing into the charges convened on June 26, 2025. Mr. Jeffrey Hirsch and Ms. Sharyne Hamm appeared as counsel on behalf of the Complaints Committee (the “Committee”). Neither Kovak, nor anyone on his behalf, appeared despite having been served. Mr. Joseph A. Pollock appeared as counsel to the Discipline Committee (the “Panel”).

Background

1. A Notice of Hearing was issued to Kovac on or about April 3, 2025 (the “Notice”).
2. Kovac had been largely unresponsive to the College. He did not attend at the initial hearing date of May 14, 2025. That hearing proceeded in his absence, and the Panel heard evidence from Dr. Brent Booker regarding the following:
 - a. Kovac was a member of the College of Pharmacists of Manitoba from June 3, 1987, until he was interim suspended on April 26, 2022;
 - b. A complaint was received by the College on April 26, 2022, and a Registrar’s referral was made on April 27, 2022;
 - c. A referral was made by the Complaints Committee to the Discipline Committee on February 26, 2025;
 - d. Kovac was personally served with a copy of the Notice on April 14, 2025; and
 - e. Kovac was served with particulars of this matter on May 12, 2025.
3. On June 26, 2025, the College proceeded on the evidence outlined in the Affidavit of Emily Kaminsky, affirmed June 10, 2025. It was the position of the Committee that the affidavit evidence established the guilt of Kovac with respect to Counts 1 through 14 contained in the Notice.
4. The Committee asked the Panel to impose the following penalty:

- a. A fine in the amount of \$5,000.00; and
- b. A contribution to costs of the investigation and the hearing in the amount of \$12,500.00.

It was the submission of the Committee that:

- the proposed penalty would not only achieve each of the main principles of sentencing, including denunciation, punishment, and specific deterrence for Kovac, but that it would also addresses the principle of general deterrence to dissuade other registrants from engaging in similar misconduct;
- the proposed fine would denounce Kovac's conduct, and the publication of the decision would ensure that such denunciation is clearly communicated to the College's membership and to the public;
- the proposed contribution to costs of \$12,500.00 represented only a small percentage of the College's actual and anticipated costs;
- the proposed penalty would fall within a range of sentences for similar conduct arising from previous decisions; and
- taken together, the elements of the proposed disposition would illustrate to the public that the College strives to uphold the highest standards of practice in the public interest.

Decision

After reviewing the authorities, the documentary evidence, the affidavit of Emily Kaminsky, and hearing the submissions of counsel for the Committee, no one appearing for Kovac, the Panel:

1. finds that pursuant to section 54 of the Act, Kovac is guilty of professional misconduct, conduct unbecoming a member, and having displayed a lack of knowledge or skill or judgment in the practice of pharmacy or operation of a pharmacy as stated in counts 1 to 14 set out in the Notice;
2. accepts the submission of the Committee to impose a fine of \$5,000.00;
3. rejects the submission of the Committee that Kovac be ordered to pay a contribution to costs of the investigation and hearing in the amount of \$12,500.00; and
4. has determined that Kovac should be ordered to pay a contribution to costs of the investigation and hearing in the amount of \$20,000.00;

Lastly, the Panel hereby orders that the decision of this Panel is to be published and made available to the public, including publication of Kovac's name.

In making this decision, this Panel wishes to note the following:

1. the importance of accountability for all pharmacists and pharmacy managers;
2. Kovac was intentionally evasive in dealing with the College, thereby creating a lengthier and more costly process for the College and its members.
3. Although Kovac was suspended and subsequently decided to avoid all communications from the college, it is important to stress to him and others member of the College that ignoring the College and walking away from the profession will not absolve a member of the consequences of their previous actions.
4. The panel believes that this decision not only achieves each of the main principles of sentencing,



including denunciation, punishment, and specific deterrence for Kovac, but that it also addresses the principle of general deterrence to dissuade other registrants from engaging in similar misconduct.

5. The fine denounces Kovac's conduct, and the publication of the decision will ensure that such denunciation is clearly communicated to the College's membership and to the public.
6. The contribution to costs of \$20,000.00 represents only a small percentage of the College's actual and anticipated costs.
7. The disposition falls within a range of sentences for similar conduct arising from previous decisions.
8. Taken together, the elements of the disposition will illustrate to the public that the College strives to uphold the highest standards of practice in the public interest.

Order

This Panel hereby orders that Kovac:

1. is guilty of professional misconduct, conduct unbecoming a member, and having displayed a lack of knowledge or skill or judgment in the practice of pharmacy or operation of a pharmacy, as stated in counts 1 to 14 set out in the Notice;
2. pay a fine of \$5,000.00;
3. to pay a contribution to costs of the investigation and hearing in the amount of \$20,000.00.

Lastly, the Panel hereby orders that the decision of this Panel is to be published and made available to the public, including publication of Kovac's name.

DATED at Winnipeg, Manitoba this 11th day of July, 2025.

Per:
Martha Mikulak
Chair, Discipline Panel

DISCIPLINE DECISIONS/SUSPENSIONS

Decision and Order of the Discipline Committee: Michael Watts

Pursuant to a Notice of Hearing dated April 3, 2025, (the "Notice") a hearing was convened by the Discipline Committee of the College of Pharmacists of Manitoba (the "College") at the offices of Thompson Dorfman Sweatman LLP, 242 Hargrave Street, Suite #17, Winnipeg, Manitoba, R3C 0V1, on Tuesday, June 24, 2025, with respect to charges formulated by the College alleging that Michael Watts ("Watts"), being a pharmacist under the provisions of *The Pharmaceutical Act*, C.C.S.M. c.P60 (the "Act") and a registrant of the College, is guilty of professional misconduct, conduct unbecoming a member, or have displayed a lack of knowledge or skill or judgment in the practice of pharmacy or operation of a pharmacy, or any of the above, as described in section 54 of the Act, in that, at Brothers Pharmacy, 542 Selkirk Avenue, Winnipeg, Manitoba (the "Pharmacy"):

1. Between February 2022 and June 2022, you entered into an inappropriate relationship with a vulnerable patient, █████ in contravention of Statements VI, VII, VIII and X of the *Code of Ethics* (the "Code"), and the *Guideline for Professional Boundaries in Therapeutic Relationships* (the "Guideline"), or any of them; and
2. Between 2021 and 2022, you entered into an inappropriate relationship with a vulnerable and/or vulnerable former patient, █████ in contravention of Statements VI, VII, VIII and X of the Code, and the Guideline, or any of them.

The hearing into the charges convened on June 24, 2025. Mr. Jeffrey Hirsch and Ms. Sharyne Hamm appeared as counsel on behalf of the Complaints Committee (the "Committee"). Ms. Jackie Collins appeared on behalf of Watts. Mr. Joseph A. Pollock appeared as counsel to the Discipline Committee (the "Panel").

A Statement of Agreed Facts (the "Statement") was filed in which Watts admitted:

1. his membership in the College of Pharmacists of Manitoba (the "College").
2. the Notice was issued on April 3, 2025;
3. valid service of the Notice and that the College has complied with the requirements of sub-sections 46(2) and 46(3) of *The Pharmaceutical Act*, CCSM c. P60 (the "Act");
4. he had no objection to any of the Panel members, nor to legal counsel to the Panel on the basis of bias, a reasonable apprehension of bias, or a conflict of interest;
5. he graduated with his pharmacy degree from The University of Manitoba in 2006;
6. he has been registered as a pharmacist under the Act since June 29, 2006;
7. at all times material to this proceeding, he was a member of the College as a practising pharmacist in Manitoba;

8. on January 30, 2019, he was issued a censure as a result of a complaint alleging that he entered into an inappropriate relationship with a female employee and displayed other inappropriate behaviour with staff and patients;
9. on April 24, 2020, he was issued a reminder letter as a result of a complaint involving non-pharmacist staff dispensing and witnessing methadone doses;
10. on February 27, 2023, he was issued a reminder letter as a result of a complaint alleging an inappropriate relationship with a patient that took place in 2016, which advised him that he was to maintain a professional relationship with each patient and of his responsibilities and obligations to respect boundaries. The Complaints Committee closed this complaint and other than the reminder letter, no further action was initiated by the Complaints Committee;
11. he reviewed the Notice as well as this Statement, and admits the truth and accuracy of the facts in the Statement, and that the witnesses and other evidence available to the College would, if called and otherwise tendered, be substantially in accordance with these facts.

I. Plea

Watts tendered no evidence and made no submissions on the issue of professional misconduct, other than to admit that the conduct described in the Notice demonstrated professional misconduct, conduct unbecoming a member, and a lack of knowledge or skill or judgment in the practice of pharmacy as described in section 54 of the Act.

Watts entered a plea of guilty to Counts 1 and 2 as set out in the Notice. He agreed that his admissions and guilty pleas were voluntary, informed and unequivocal. He confirmed that he understood that by pleading guilty, he was giving up his right to contest the factual accuracy of the allegations made against him in the Notice.

Watts confirmed his understanding that even though a joint recommendation was made with respect to the appropriate sanction, the Panel - subject to the law applying to joint recommendations - was not bound to follow the joint recommendation, and that the Panel would determine the appropriate penalty after considering the evidence and the submissions of counsel.

Counsel for Watts and the Committee jointly agreed that Watts:

- (a) pay a fine of \$7,500.00;
- (b) would have a restriction on his pharmacist's license that he be prohibited from being pharmacy manager or preceptor for a period of two years from the date of the Discipline Committee's decision;
- (c) pay a contribution to costs of the investigation and hearing in the amount of \$15,000.00; and
- (d) pay the fine and costs within two years of the Panel's Decision and Order.

Counsel for the Committee submitted that the decision of the Panel ought to be published and made available to the public, including publication of Watts' name.

Counsel for the Committee submitted that Watts ought to be suspended from the practice of pharmacy for 8.5 months, with a credit for the 6 months and 25 days during which he had his license interim suspended. Counsel for Watts submitted that he ought to be suspended from the practice of pharmacy

for an additional 2 weeks beyond the 6 months and 25 days during which he had his license interim suspended.

II. Decision

After reviewing the authorities, documentary evidence, the Statement, and hearing the submissions of counsel for the Committee and Watts, the Panel:

1. finds that pursuant to section 54 of the Act, Watts is guilty of professional misconduct.
3. accepts Watts' plea of guilty to Counts 1 to 2 as set out in the Notice.
4. accepts the joint submission of counsel that Watts:
 - (a) pay a fine of \$7,500.00;
 - (b) will have a restriction on his pharmacist's license that he be prohibited from being a pharmacy manager or preceptor for a period of two years from the date of this Panel's Decision and Order;
 - (c) pay a contribution to costs of the investigation and hearing in the amount of \$15,000.00; and
 - (d) pay the fine and costs within two years of this Panel's Decision and Order.

The Panel accepts the submission of Counsel for the Committee that Watts be suspended from the practice of pharmacy for 8.5 months, with a credit for the 6 months and 25 days during which he had his license interim suspended.

Lastly, the Panel hereby orders that the decision of this Panel is to be published and made available to the public, including publication of Watts' name.

In making this decision, this Panel wishes to note the following:

1. The Panel's decision not only achieves each of the main principles of sentencing, including denunciation, punishment, and specific deterrence for Mr. Watts, but it also addresses the principle of general deterrence to dissuade other registrants from engaging in similar misconduct, while at the same time recognizing and providing for Mr. Watts' potential rehabilitation.
2. The Panel acknowledges that Mr. Watts' guilty plea reflects his acknowledgment of the seriousness of the charges, and that the Panel's order appropriately balances Mr. Watts' acknowledgment while reflecting the seriousness of the conduct which gave rise to those charges.
3. Mr. Watts has already completed the PROBE Ethics program since his initial suspension in 2022.
4. The fine and period of suspension denounces Mr. Watts' conduct, and the publication of the Decision will ensure that such denunciation is clearly communicated to the College's membership and to the public.
5. While the contribution to costs of \$15,000.00 represents only a small percentage of the College's actual and anticipated costs, it also reflects Mr. Watts' cooperation with the investigation and with the hearing.
6. The proposed penalty falls within a range of sentences for similar conduct arising from previous decisions.



7. Taken together, the elements of the proposed disposition will illustrate to the public that the College strives to uphold the highest standards of practice in the public interest. and will maintain the public's confidence in the profession's ability to properly supervise the conduct of its members.

III. Order

This Panel hereby orders that Watts:

1. is guilty of professional misconduct as set out in Counts 1 and 2 of the Notice.
2. pay a fine of \$7,500.00 within two years of this Order;
3. have a restriction placed on his pharmacist's licence that he be prohibited from being a pharmacy manager or preceptor for a period of two years from the date of this Panel's Decision and Order;
4. pay a contribution to costs of the investigation and hearing in the amount of \$15,000.00, within two years of this Order; and
5. be suspended from the practice of pharmacy for 8.5 months, with a credit for the 6 months and 25 days during which he had his license interim suspended, which suspension shall begin as of August 31, 2025.

Lastly, the Panel hereby orders that the decision of this Panel is to be published and made available to the public, including publication of Watts' name.

DATED at Winnipeg, Manitoba this 11th day of July, 2025.

Per:

Glenda Marsh

Chair, Discipline Panel

DISCIPLINE DECISIONS/SUSPENSIONS

Decision and Order of the Discipline Committee: Mohamad Al-Biaty

Pursuant to a Notice of Hearing dated May 24, 2024, (the "Notice") a hearing was convened by the Discipline Committee of the College of Pharmacists of Manitoba (the "College") at the offices of Thompson Dorfman Sweatman LLP, 242 Hargrave Street, Suite #17, Winnipeg, Manitoba, R3C 0V1, on Wednesday, May 28, 2025, with respect to charges formulated by the College alleging that Mohamad Al-Biaty ("Al-Biaty"), being a pharmacist under the provisions of *The Pharmaceutical Act*, C.C.S.M. c.P60 (the "Act") and a registrant of the College, is guilty of professional misconduct, conduct unbecoming a member, having displayed a lack of knowledge or lack of skill or judgment in the practice of pharmacy or operation of a pharmacy, or any of the above, as described in section 54 of the Act, in that, at Shopper Drug Mart #557, 302 North Railway St., Morden Manitoba, (the "Pharmacy"), in the capacity of a pharmacist and/or pharmacy manager:

1. [REDACTED]
2. As pharmacy manager, you failed to implement sufficient written pharmacy policies and procedures for patient counselling in contravention of sections 56(1) 1, 56(1)(13), and 73 of the Regulation, and sections 2.2.1, 2.14, 3.1 and 3.2 of the Practice Direction - Patient Counselling (the "Counselling PD"), or any of them;
3. As pharmacy manager, you failed to ensure that patient counselling and patient counselling refusals were documented in contravention of sections 56(1) 1, 56(1) 13 and 73 of the Regulation, and sections 2.2.1, 2.14, 3.1 and 3.2 of the Counselling PD, or any of them;
4. As pharmacy manager, you failed to ensure that controlled substance counts were conducted properly and accurately in contravention of section 43 of the *Narcotic Control Regulations*, C.R.C., c. 1041, (the "NCRs"), section G.03.012 of the *Food and Drug Regulations*, C.R.C., c. 870 (the "FDRs"), subsection 72(1)(a) of the *Benzodiazepine and Other Targeted Substances Regulation*, SOR/2000-217 (the "BOTSRs"), sections 2.3.1 and 2.3.2 of the Practice Direction – Drug Distribution and Storage (the "DDS PD"), sections 2.1.1, 2.1.2 and 2.1.3 of the Records PD, and the Narcotic and Controlled Drug Accountability Guidelines (the "Guidelines"), or any of them;
5. As pharmacy manager, you failed to ensure all controlled substances had their perpetual inventory values verified every three months in contravention of section 43 of the NCRs, section G.03.012 of the FDRs, subsection 72(1)(1) of the BOTSRs, sections 2.3.1 and 2.3.2.1, 2.3.2.2 of the DDS PD, sections 2.1.1, 2.1.2 and 2.1.3 of the Records PD, and the Guidelines, or any of them;
6. As pharmacy manager, on multiple occasions between December 29, 2022 and October 16, 2023, you failed to ensure that all discrepancies in the perpetual narcotic and/or controlled drug

inventory were investigated and the investigations documented in contravention of sections 2.3.2.3 and 2.3.2.4 of the DDS PD, sections 2.1.1, 2.1.2 and 2.1.3 of the Records PD, and the Guidelines, or any of them;

7. As pharmacy manager, on multiple occasions between December 29, 2022 and October 16, 2023, you failed to submit Loss and Theft Reports for Controlled Substances and Precursors to the Office of Controlled Substances, Health Canada, in contravention of section 42 of the NCRs, section G.03.013 of the FDRs, subsection 72(2) of the BOTSRs, and the Guidelines, or any of them; and
8. On multiple occasions between December 29, 2022 and October 16, 2023, as pharmacy manager, you failed to submit Loss and Theft Reports for Controlled Substances and Precursors to the College in contravention of section 2.3.2.5 of the DDS PD, and the Guidelines, or either of them.

The hearing into the charges convened on May 28, 2025. Mr. Jeffrey Hirsch and Ms. Sharyne Hamm appeared as counsel on behalf of the Complaints Committee (the “Committee”). Ms. Nicole Smith appeared on behalf of Al-Biaty. Mr. Joseph A. Pollock appeared as counsel to the Discipline Committee (the “Panel”).

A Statement of Agreed Facts (the “Statement”) was filed in which Al-Biaty admitted:

1. his membership in the College of Pharmacists of Manitoba (the “College”).
2. valid service of the Notice and that the College has complied with the requirements of sub-sections 46(2) and 46(3) of *The Pharmaceutical Act*, CCSM c. P60 (the “Act”).
3. he had no objection to any of the Panel members, nor to legal counsel to the Panel on the basis of bias, a reasonable apprehension of bias, or a conflict of interest.
4. he graduated with his pharmacy degree from the College of Pharmacy at the University of Manitoba in 2017.
5. he has been registered as a pharmacist under the Act since December 31, 2017.
6. at all times material to this proceeding, he was a member of the College as a practising pharmacist in Manitoba.
7. he reviewed the Notice as well as this Statement, and admits the truth and accuracy of the facts in the Statement, and that the witnesses and other evidence available to the College would, if called and otherwise tendered, be substantially in accordance with these facts.

I. Plea

Al-Biaty tendered no evidence and made no submissions on the issue of professional misconduct, other than to admit that the conduct described in the Notice demonstrated professional misconduct as described in section 54 of the Act.

Al-Biaty entered a plea of guilty to Counts 2 through 8 as set out in the Notice. He agreed that his admissions and guilty pleas were voluntary, informed and unequivocal. He confirmed that he understood that by pleading guilty, he was giving up his right to contest the factual accuracy of the allegations made against him in the Notice.

The Committee advised the Panel that it would be entering a stay of proceedings with respect to Count 1 of the Notice.

Al-Biaty confirmed his understanding that even though a joint recommendation was made with respect to the appropriate sanction, the Panel - subject to the law applying to joint recommendations

- was not bound to follow the joint recommendation, and that the Panel would determine the appropriate penalty after considering the evidence and the submissions of counsel.

Counsel for the Al-Biaty and the Committee jointly recommended that Al-Biaty:

- (a) pay a fine of \$4,000.00, payable within one year of the Panel's Decision and Order;
- (b) be required to take the College's Pharmacy Manager Training Program within 3 months of the Panel's Decision and Order;
- (c) pay a contribution to costs of the investigation and hearing in the amount of \$4,000.00, payable within one year of the Panel's Decision and Order; and

that there be publication of the conviction, penalty and circumstances of the offences, including publication of Al-Biaty's name.

II. Decision

After reviewing the authorities, documentary evidence, the Statement, and hearing the submissions of counsel for the Committee and Al-Biaty, the Panel has:

- 1. accepted the Committee's request to enter a stay of Count 1 set out in the Notice;
- 2. found that pursuant to section 54 of the Act, Al-Biaty is guilty of professional misconduct.
- 3. accepted Al-Biaty's plea of guilty to Counts 2 to 8 as set out in the Notice.
- 4. accepted the recommended disposition of legal counsel for the Committee and Al-Biaty, and ordered that that Al-Biaty:
 - (a) pay a fine of \$4,000.00, payable within one year of the Panel's Decision and Order;
 - (b) be required to take the College's Pharmacy Manager Training Program within 3 months of the Discipline Committee's Decision and Order;
 - (c) pay a contribution to costs of the investigation and hearing in the amount of \$4,000.00, payable within one year of the Panel's Decision and Order; and
 - (d) that there be publication of the conviction, penalty and circumstances of the offences, including publication of Al-Biaty's name.

In making this decision, the Panel wishes to emphasize the seriousness of these charges against Al-Biaty which include a failure to implement sufficient written pharmacy policies and procedures for patient counselling, including documentation of counselling and declining counselling, ensuring proper controlled substance counts, and documentation surrounding the control of narcotics and Benzodiazepines and other targeted substances ("BOTS"). The Panel would like this decision to act not only as a specific deterrent to Al-Biaty, but as a general deterrent to all pharmacists and pharmacy managers. The obligations of pharmacists and pharmacy managers with respect to patient counselling and controlling narcotics and BOTS cannot be taken lightly, and all proper steps need to be addressed to safely provide medications to the public.

In accepting this joint recommendation, the Panel considered the following factors:

- Al-Biaty inherited what has been referred to as a "hot mess" when he became Pharmacy Manager in Dec 2021, and says he was not properly trained. While the Panel recognized this as a contributing factor, it in no way absolved him from his responsibilities when he took on that role. There are clear written requirements in the Regulation that he had access to. Al-Biaty also worked as a staff pharmacist leading up to his tenure as the Pharmacy Manager, so he ought to have been fully aware of how the department was running;
- There were systemic issues in the pharmacy, in that there were 7 different managers over the

- course of 3 years;
- Al-Biaty cooperated with the College and investigator during the investigations that occurred over 3 years;
- Al-Biaty was willing to accept responsibility for his actions, pleading guilty to 7 counts brought against him by the Committee, thus avoiding the need for a lengthy hearing;

In arriving at this decision, the Panel is satisfied that this disposition should serve to act as a deterrent, both general and specific, while at the same time ensuring that the public's interest will be protected and the public's confidence maintained.

Order

This Panel hereby orders that:

1. Count 1 set out in the Notice is stayed;
2. pursuant to section 54 of the Act, Al-Biaty is guilty of professional misconduct, conduct unbecoming a member, and having displayed a lack of knowledge or skill or judgment in the practice of pharmacy or operation of a pharmacy, as stated in Counts 2 to 8 set out in the Notice.
3. Al-Biaty pay a fine of \$4,000.00, payable within one year of the Panel's Decision and Order;
4. Al-Biaty is required to take the College's Pharmacy Manager Training Program within 3 months of the Discipline Committee's Decision and Order;
5. Al-Biaty pay a contribution to costs of the investigation and hearing in the amount of \$4,000.00, payable within one year of the Panel's Decision and Order; and
6. there be publication of the conviction, penalty and circumstances of the offences, including publication of Al-Biaty's name.

DATED at Winnipeg, Manitoba this 31st day of July, 2025.

Per:
Martha Mikulak
Chair, Discipline Panel

In Memorium

In loving memory...

Randy Wong	6/1/2025
Marlene Sahulka	9/1/2025
Elizabeth Northcott	9/23/2025
Henry Calderon	10/3/2025