

Discipline Decision

Vi Tran

Pursuant to the Amended Notice of Hearing dated the 11th day of October, 2013, it was alleged that Vi Tran, being a pharmacist under the provisions of *The Pharmaceutical Act*, C.C.S.M., C. P60 (*The "Act"*), and a registrant of the College was guilty of unskilled practice of pharmacy or professional misconduct, or both, as described in Section 35 of the *Act*, in that in his role as pharmacist and/or pharmacy manager at the Health Central Pharmacy located at 489 St. Mary's Road, Winnipeg, Manitoba, he entered a plea of guilty to the following, in that he:

- On or about March 18, 2013, offered for sale, sell and/or dispense an expired drug product, Serophene, to patient "W.S." in contravention of section 26 of the Pharmaceutical Regulation, Man Reg 56/92 (the "Regulation") and sections 2 and 7 of the MPhA Code of Ethics (the "Code");
- failed to remove all expired drugs from the public or selling area of the pharmacy in accordance with section 26 of the Regulation, sections 2 and 7 of the Code and sections 1.3 of the MPhA Community Standards of Practice (the "Standards");
- failed to prepare an incident report and advise "W.S.'s" prescribing physician of the medication incident in accordance with sections 9.2 and 9.6 of the Standards;
- submitted a bill to "W.S.'s" insurance provider for the refill Serophene provided to patient "W.S." to replace the expired drug product, and thereby failed to seek only fair and reasonable remuneration for his services in accordance with sections 2 and 4 of the Code;
- failed to properly store and label drug products in the dispensary and in the narcotic safe in a safe and secure manner in accordance with section 2 of the MPhA Pharmacy Standards (Minimum Pharmacy Site Requirements) (the "Site Requirements"), standard 1 of the Standards and section 43 of the Narcotic Control Regulations, C.R.C., c. 1041;
- stored non-medical items in the medication refrigerator of the pharmacy in contravention of section 2 (i) of the Site Requirements and standard 1 of the Standards;
- failed to ensure that a licensed pharmacist was present in the pharmacy at all times in which the practice of pharmacy was being engaged in accordance with section 51 of the Act;

On June 25, 2014, the Discipline Committee accepted Mr. Tran's guilty plea to counts 1 through 7, and agreed that the sanctions contained in the joint recommended disposition should serve to satisfy that the public's interest is protected and the public's confidence is retained. Furthermore, the Committee finds, that Mr. Tran is guilty of unskilled practice and professional misconduct, and pursuant to section 37(1)(a) and section 38(1)(a) of the Act, orders that:

- (a) Mr. Tran be fined in the amount of \$1,000.00; and
- (b) Mr. Tran pay a contribution to the costs of the College for the investigation and hearing in the amount of \$3,000.00.

Mr. Tran has complied with the orders stated.