

## Robert Becker

Pursuant to the Notice of Hearing dated the 9<sup>th</sup> day of October, 2013, it was alleged that Robert Becker, being a pharmacist under the provisions of *The Pharmaceutical Act*, C.C.S.M. c. P60 (“*The Act*”) and a registrant of the College of Pharmacists of Manitoba, 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 Paragon Nordic Pharmacy / Shoppers Drug Mart located at 328 Fischer Avenue, The Pas, Manitoba:

Mr. Becker entered a plea of guilty to the following:

1. on or about February 28, 2012, Mr. Becker dispensed a prescription for methyldopa instead of metronidazole for patient XX without confirming the accuracy of the prescription in accordance with sections 17(1)(g), 22.1(1) and 22.1(3) of the *Pharmaceutical Regulation*, Man Reg 56/92 (the “*Regulation*”) and sections 1.35(h), 7 and 9.1 of the *MPhA Community Standards of Practice* (the “*Standards*”) and sections 1, 6 and 8 of the *MPhA Code of Ethics* (the “*Code*”);
2. on or about May 7, 2013, Mr. Becker failed to confirm the accuracy of the drug to be dispensed, and dispensed a prescription for levetiracetam instead of levofloxacin for patient XX contrary to section C.01.041(1.1)(a) of the *Food and Drug Regulations*, C.R.C., c. 870, sections 17(1)(g) and 22.1(1) of the *Regulation*, sections 7 and 9.1 of the *Standards*, and sections 1 and 8 of the *Code*;
3. on or about May 10, 2013, upon being informed by patient XX that she had been prescribed and had ingested the wrong medication and upon dispensing the correct medication, Mr. Becker failed to advise the prescribing physician of the medication incident and change dispensing procedures to prevent the recurrence of the medication incident in accordance with section 14 of the *Regulation*, and sections 9.6 and 9.9 of the *Standards*.

In arriving at its decision, the Committee considered Mr. Becker’s complaints and discipline history with the College, and the previous restrictions imposed by the Complaints Committee. The Discipline Committee accepted a guilty plea to the three (3) counts, and pursuant to section 38 (c) *The Act* ordered that:

- a. Mr. Becker pay a fine of \$2,000.00 globally for these matters.
- b. Mr. Becker pay costs in the amount of \$8,000.00 as a contribution to the investigation and prosecution of these matters.
- c. Payment of the fine and costs be paid no later than December 31, 2015.
- d. Mr. Becker successfully complete the competency assessment initiated by the Complaints Committee;
- e. Should Mr. Becker fail to successfully complete the assessment in (d), the matter is referred to Council for consideration of remediation to create and assess competency to practice.
- f. Once the competency assessment is successfully completed, the following restrictions be placed on Mr. Becker’s pharmacist license:
  - i. Mr. Becker must complete six (6) months under the supervision of another pharmacist. For clarity, Mr. Becker may not practice as the sole pharmacist in the pharmacy for a period of six (6) months from the date of successful completion of the competency assessment; and
  - ii. Mr. Becker may not serve as a pharmacy manager for two (2) years from the date of successful completion of the competency assessment.

The decision was appealed to Council by Mr. Becker pursuant to section 42 of *The Act*. The Council’s decision was further appealed to the Courts pursuant to section 46 of *The Act*. The Discipline Panel’s original decision was upheld as outlined herein.