

# Discipline Decision

## Discipline Decision: Jasmine Wong

Pursuant to the Notice of Hearing (the "Notice") dated October 3, 2013, a hearing was convened by the Discipline Committee of the College of Pharmacists of Manitoba (the "College") at the College offices, 200 Tache Avenue, Winnipeg, Manitoba, on November 7, 2013, with respect to charges formulated by the Registrar of the College alleging that Ms. Jasmine Wong, being a pharmacist under the provisions of *The Pharmaceutical Act*, SM 1991-92, c 28 ("*The Act*") and a registrant of the College, is guilty of professional misconduct, conduct unbecoming a member, or displayed a lack of skill or judgment in the practice of pharmacy or operation of a pharmacy, or any of the above, as described in section 35 of *The Act*, in that, in her role as pharmacy manager and/or pharmacist at the Four Rivers Pharmacy (now White Cross Pharmacy Wolseley) ("Four Rivers") located at 647 Broadway, Winnipeg, Manitoba, on multiple occasions, Ms. Wong:

1. [stayed];
2. between December 24, 2009, and September 13, 2010, failed to intervene and document interventions when alerted by the Drug Programs Information Network (DPIN) critical patient care codes for patients "XX" and "XX", or either of them, in accordance with section 20 of the Regulation, sections 1.7, 1.35 and 7 of the Standards and sections 1, 2 and 13 of the MPhA Code of Ethics (the "Code");
3. between December 24, 2009, and July 21, 2010, dispensed narcotics for patient "XX" with either no or insufficient intervention with the prescribing physician, taking into account the high dosages of narcotics and benzodiazepines ordered and the frequency of administration, in contravention of the duty to not fill a prescription unless the prescribed drug is consistent with standards of care and patient safety and, in contravention of section 53(1) of the Narcotic Control Regulations, C.R.C., c. 1041 (the "Narcotic Control Regulations"), sections 20(2)(v), 20(5) and 22.1(3) of the Regulation, section 7 of the Standards and sections 1, 2 and 13 of the Code;
4. on April 28, 2010, dispensed benzodiazepines for patient "XX" with either no or insufficient intervention with the prescribing physician, taking into account the high dosages of narcotics and benzodiazepines ordered and the frequency of administration, in contravention of the duty to not fill a prescription unless the prescribed drug is consistent with standards of care and patient safety and, in contravention of section 22.1(3) of the Regulation, section 7 of the Standards and sections 1, 2 and 13 of the Code;
5. [stayed];
6. [stayed];
7. while pharmacy manager of Four Rivers Pharmacy, another pharmacist or pharmacists at Four Rivers Pharmacy:
  - a. [stayed];
  - b. between December 29, 2009, and June 5, 2010, failed to intervene and document interventions when alerted by the DPIN critical patient care codes for patients "XX" and "XX", or either of them, in accordance

with section 20 of the Regulation, sections 1.7, 1.35 and 7 of the Standards and sections 1, 2 and 13 of the Code;

c. between December 29, 2009, and June 5, 2010, dispensed narcotics for patient "XX" with either no or insufficient intervention with the prescribing physician, taking into account the high dosages of narcotics and benzodiazepines ordered and the frequency of administration, in contravention of the duty to not fill a prescription unless the prescribed drug is consistent with standards of care and patient safety and, in contravention of section 53(1) of the Narcotic Control Regulations, sections 20(2)(v), 20(5) and 22.1(3) of the Regulation, section 7 of the Standards and sections 1, 2 and 13 of the Code;

d. between January 21, 2009, and March 29, 2010, dispensed benzodiazepines for patient "XX" with either no or insufficient intervention with the prescribing physician, taking into account the high dosages of narcotics and benzodiazepines ordered and the frequency of administration, in contravention of the duty to not fill a prescription unless the prescribed drug is consistent with standards of care and patient safety and, in contravention of section 22.1(3) of the Regulation, section 7 of the Standards and sections 1, 2 and 13 of the Code;

e. [stayed];

f. [stayed];

g. [stayed];

h. [stayed].

The hearing into the charges convened on November 7, 2013. Mr. Jeff Hirsch ("Mr. Hirsch") appeared as counsel on behalf of the Complaints Committee (the "Committee"). Mr. Jeffrey Rath attended as counsel on behalf of Ms. Wong. Mr. Hirsch then satisfied the Discipline Committee (the "Panel") that the College had jurisdiction to proceed with the hearing in accordance with sub-sections 28(1), 28(2), and 28(3) of *The Act*. The Panel then adjourned the hearing to reconvene at a later date. Several dates were cancelled with the consent of counsel for the Committee, the registrant and the Panel. The Panel reconvened on February 12, 2019.

On February 12, 2019, the Panel reconvened. Mr. Hirsch appeared as counsel on behalf of the Committee. Mr. Michael Cook appeared as legal counsel for Ms. Wong.

A Statement of Agreed Facts was filed in which Ms. Wong agreed with the following facts:

1. At the commencement of the hearing before the Panel on November 7, 2013, the Panel found, and Ms. Wong admitted, her membership in the College;
2. Ms. Wong, through her then-legal counsel, admitted and the Panel had found that the College had



