DISCIPLINE DECISION
Myles Haverluck

Pursuant to a Notice of Hearing dated the 12th day of January, 2011 (the "Notice"), it was alleged that Myles James Haverluck, being a pharmacist under the provisions of the Act and a registrant of the Association, 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 pharmacy manager of the Dauphin Clinic Pharmacy located at 622 - 3rd Street S.W., Dauphin, Manitoba, in or about July 2010 to August 2010, he did:

1. without the approval of the prescribing practitioner, facilitate or allow the dispensing on several occasions of the Sandoz Canada Inc. brand of amlodipine when that specific brand was not included as an interchangeable product under the Manitoba Drug Interchangeability Formulary (the "Formulary");
2. facilitate or allow the mislabeling on several occasions of the Sandoz Canada Inc. brand of amlodipine using the Drug Identification Number (the "DIN") for the Pfizer brand of amlodipine on the prescription labels and in the pharmacy's computer records;
3. facilitate or allow the misrepresentation of the DIN for the amlodipine that the pharmacy had dispensed in the pharmacy's billing statements to Manitoba Health;
4. without the approval of the prescribing practitioner, facilitate or allow the dispensing of the Cobalt Pharmaceuticals Inc. brand of atorvastatin when that specific brand was not included as an interchangeable product under the Formulary;
5. facilitate or allow the mislabeling of the Cobalt Pharmaceuticals Inc. brand of atorvastatin using the DIN for the Pfizer brand of atorvastatin on the prescription labels and the pharmacy's computer records; and
6. facilitate or allow the misrepresentation of the DIN for the atorvastatin that the pharmacy had dispensed in the pharmacy's billing statements to Manitoba Health.

On February 24, 2011, Myles James Haverluck appeared before a panel of the Discipline Committee (the "Committee"), without counsel. The Committee was advised that consultation had occurred between counsel for the Association, Mr. Jeff Hirsch, and Mr. Haverluck, resulting in a consensus both as to the issue of liability and disposition. Mr. Haverluck admitted his membership in the Association and that there were no jurisdictional issues, and entered a guilty plea to all charges.

Pursuant to a Statement of Agreed Facts filed by Mr. Hirsch and Mr. Haverluck, it was jointly recommended that Mr. Haverluck:

(a) be issued a letter of reprimand; and
(b) pay a contribution towards the costs of the Association for the investigation and hearing in the amount of $750.00.

As Mr. Haverluck had no prior record of discipline by the Association, had fully cooperated in the investigation and accepted responsibility for his actions, and represented that he would correct them, the Committee, with reservation, agreed to accept the joint recommendation.

Therefore, the Committee finds that, pursuant to Section 36(2) of the Act, Mr. Haverluck is guilty of unskilled practice and unprofessional conduct and, pursuant to Sections 37(1)(a) and 38(1)(a) of the Act, orders that Mr. Haverluck immediately:

(a) be issued a letter of reprimand; and
(b) pay a contribution towards the costs of the Association for the investigation and hearing in the amount of $750.00.

Mr. Haverluck has complied with this decision.