

Discipline Decision

Kaur Singh Sidhu

Pursuant to Notices of Hearing dated the 22nd day of March, 2011 (Notice #1), and the 3rd day of November, 2011 (Notice #2), it was alleged that Kaur Singh Sidhu, being a pharmacist under the provisions of the Act, and a registrant of the Association, was guilty of unskilled practice or professional misconduct, as described in Section 35 of the Act.

Mr. Sidhu entered a plea of guilty to the following, in that in 2010, he did:

NOTICE #1:

3. in his role of pharmacist and /or pharmacy manager at Zellers Pharmacy, add refills to prescriptions for patient "HG" without requesting or obtaining the authorization of the prescribing physician; and
4. in his role of pharmacist and/or pharmacy manager, upon receiving a request to transfer prescriptions to a particular pharmacy, transfer the prescriptions for patient "HG" from the Zellers Pharmacy to a pharmacy he selected and not the pharmacy authorized by the patient's agent;

NOTICE #2:

1. in or about September and October 2010, in his role as pharmacist and/or pharmacy manager at the Zellers Pharmacy he contacted patients in order to have them transfer their prescriptions to other pharmacies in which he had or intended to have a direct or indirect financial interest;
2. in or about September or October 2010, in his role as pharmacist and/or pharmacy manager at the Zellers Pharmacy, he transferred prescriptions for patients to another pharmacy or pharmacies in which he had or intended to have a direct or indirect financial interest, and intentionally misidentified the pharmacy or pharmacies in the Zellers Pharmacy records in order to conceal the true destination of the transferred prescriptions;
3. in or about September or October 2010, in his role as pharmacist and/or pharmacy manager at the Zellers Pharmacy, he transferred prescriptions for patients to another pharmacy or pharmacies in which he had or intended to have a direct or indirect financial interest and failed to record the name of the pharmacy filling the prescriptions, thereby breaching sub-section 21(i) of Pharmaceutical Regulation P60 R.M. 56/92;

4. in or about September or October 2010, in his role as pharmacist and/or pharmacy manager at the Zellers Pharmacy, he transferred prescriptions for patients "AT", "ET" and "KP" from the Zellers Pharmacy to another pharmacy or pharmacies in which he had or intended to have a direct or indirect financial interest, without obtaining the patients' authorizations for the transfers of their prescriptions;
5. in or about September or October 2010, in his role as pharmacist and/or pharmacy manager at the Zellers Pharmacy, he transferred prescriptions for patient "MH" from the Zellers Pharmacy to another pharmacy in which he had or intended to have a direct or indirect financial interest, without obtaining the patient's authorization for the transfer of the prescriptions to that pharmacy;
6. in or about October through December 2010, in his role as pharmacist at Danial Pharmacy located at #2 505 Sargent Avenue, Winnipeg, Manitoba, he contacted patients who were customers/clients of Zellers Pharmacy in order to have them transfer their prescriptions to another pharmacy or pharmacies in which he had or intended to have a direct or indirect financial interest;
7. in or about January through February 2011, in his role as pharmacist and/or pharmacy manager at River East Pharmacy located at 1417A Henderson Highway, Winnipeg, Manitoba, he contacted patients who were formerly customers/clients of Zellers Pharmacy in order to have them transfer their prescriptions to River East Pharmacy in which he had a direct or indirect financial interest, and
8. by using patients' personal health information to contact the customers/clients and former customers/clients of the Zellers Pharmacy to solicit their business, he breached Section 21 of the Personal Health Information Act of Manitoba.

The Discipline Committee accepted that the sanctions contained in the joint recommended disposition served to satisfy that the public's interest was protected and public's confidence was retained and found, pursuant to section 36(2) of the Act, that Mr. Sidhu was guilty of unskilled practice and professional misconduct, and pursuant to section 38(1)(a) and (b) ordered that Mr. Sidhu pay:

- a. a fine to the amount of \$4,000.00; and
- b. a contribution towards the costs of the investigations and proceedings in the amount of \$16,000.00, within 30 days hereof.

Mr. Sidhu has complied with this decision.