Publication of Complaints Committee Agreement

Title
Pharmacy technician contravenes multiple aspects of Standards of Practice, privacy legislation and Code of Ethics

Name and Registration Number
Kaitlyn Munn 10175

Complaint Description
The registrant’s employer notified the College’s Administrator of Complaints of two separate instances of concern where the registrant:

A. Inappropriately accessed a colleague’s health records
B. Did not respond appropriately to a medication error

Summary of Findings
A panel of the Complaints Committee determined:

Complaint A:
• Satisfying a personal curiosity for health information of a colleague who is a patient rather than for the benefit of the patient does not adhere to the ethical principles of ‘Respect for Persons’ and ‘Justice’ as described in the Code of Ethics.
• Accessing health information also contravenes the Model Standards of Practice for Canadian Pharmacy Technicians and the Personal Health Information Privacy and Access Act (PHIPAA).
• The information gained by the registrant did not appear to be shared further.

Complaint B:
• The refusal to quickly address the issue prolonged the risk of incorrect medication reaching a patient.
• Refusing to rectify a dispensing error in a timely manner conflicts with the ethical principle of ‘Non-maleficence’. It also signifies a lack of professional responsibility and a failure to uphold the principle of ‘Justice’ as described in the Code of Ethics.
• The registrant contravened Standards 2, 3 and 4 of The Model Standards of Practice for Canadian Pharmacy Technicians in this instance.

Analysis
The registrant was compliant with the complaints process and did not contest the validity of the complaints. The Complaints Committee recognized the registrant’s personal and professional circumstances were likely motivators in the registrant’s poor decisions but that it does not, however, justify the registrant’s exhibited behaviours. The registrant
undertook subsequent employer-mandated remediation but did not engage in further independent or proactive reflection on learning needs or educational opportunities. The Complaints Committee was concerned that risk remained for subsequent unprofessional and unethical behaviour. If this risk were realized, there could be significant impact on patient health and potential erosion of public trust in the profession.

**Agreement Reached**

The registrant agreed to:

1. A reprimand for contravention of the Code of Ethics, Standards of Practice and privacy legislation. The reprimand will remain on file for five years.
2. Undergo mandatory formal education on ethics.
3. Prohibition from performing in the role of preceptor for two years.
4. Pay costs of $6,000 associated with the complaints process.

An account of this complaint, including the registrant’s name, will be published on the College website in a section accessible by the public for two-year period and once in an update to members of the College.

**Messages for Pharmacy Professionals**

- Before accessing the health information of a patient, especially of a friend, family member, colleague or otherwise, pause to consider if the motivation is for personal gain. The personal need for information is never justification for accessing private health information.
- Accessing records inappropriately erodes the public’s trust in pharmacy professionals.
- Pharmacy professionals should consult the Code of Ethics to review their role in upholding public trust in the profession and for information on bioethics.
- The pharmacy professional’s actions in response to discovering an error can have as much or more of an impact on the overall risk or potential harm to a patient.
- To ensure the best possible outcome for all stakeholders impacted by the error (e.g., patients and greater public, pharmacy team, privacy commissioner, patient care team), professionals should proactively review employer procedures and the Practice Directive: Mandatory Medication Incident Reporting published by the College that pertain to responding and recovering from errors.

**Posted** January 2021

**For Removal** January 2023