



## OUTCOME OF A MEDIATION CONDUCTED PURSUANT TO PART 6 OF THE PHARMACY ACT 2007

A complaint was made by the Registrar in respect of Mr Cornelius Falvey MPSI (Reg No. 5623). The Preliminary Proceedings Committee found there was sufficient cause to warrant further action and referred the complaint for resolution by mediation under Section 37 of the Pharmacy Act 2007 (the “Act”).

The Registrar and Mr Falvey entered into a mediation process pursuant to a mediation agreement dated 23 May 2017. At its most recent meeting on 22 June 2017, the Council of the Pharmaceutical Society of Ireland (“PSI”) subsequently noted the outcome of the mediation and formally imposed the sanction of censure pursuant to Section 48 (b)(i) of the Act. The terms agreed by way of mediation are listed below:

1. Mr Falvey agrees to an imposition of censure by the Council of the PSI.
2. Mr Falvey undertakes as follows:
  - a) That he enters a 12 month monitoring programme which will consist of a monthly on-site visit by a suitably qualified individual nominated by the Registrar (the “**Nominated Person**”) within a period of 14 days from the date of this agreement.
  - i. Scope of the on-site visit: Mr Falvey to provide a list of all High-Tech medication dispensed during a one month period to the Nominated Person. Mr Falvey to also provide the Nominated Person with a copy of the corresponding authorising prescription. The purpose of the Nominated Person’s report is to evaluate whether Mr Falvey has been dispensing High-Tech medication appropriately and particularly, that the dispensing of High-Tech medication is in line with the [PSI's Good Dispensing Practice - High tech Scheme, Version 2, January 2015'](#) and [all relevant guidance and legislation](#).
  - ii. Should the amount of High Tech medication supplies exceed 20 supplies in one month, the Nominated Person will take a random sample of 20 supplies from that month. If it is less than 20 supplies in one month the Nominated Person will examine the supplies, however few.

- iii. Frequency of Reporting: After each monthly visit, a report will be submitted by the Nominated Person to the Registrar within four working days.
  - iv. After 6 months, if the Registrar (by way of reference to the Nominated Person's reports) is satisfied with the adequacy of Mr Falvey's practice and standards in relation to High Tech medication the reports can, thereafter, be submitted on a bi-monthly basis.
  - v. Should the Nominated Person have any concerns during the course of the on-site visits regarding the operation of the High-Tech scheme within Falvey's Pharmacy (Reg no. 5424) they should note this in their reports.
  - vi. Cost: The cost of the monitoring programme to be borne by Mr Falvey.
  - vii. In appropriate circumstances, the Registrar may also decide to invoke an extension of the above monitoring programme for a specific and limited period of time.
- b) On receipt of 6 reports from the Nominated Person, which are to the satisfaction of the Registrar, Mr Falvey will enter a focused mentoring programme that supports his practise for a period of 6 months. This will be a registered pharmacist, suitable to the Registrar who will act as a mentor (the "**Mentor**").
- i. The focus of this mentoring programme shall primarily focus on Domain 1 of the Core Competency Framework for Pharmacists developed by the PSI.
  - ii. The Mentor and Mr Falvey will meet every 6 weeks as part of the Mentoring Programme. Mr Falvey will comply with all advice, guidance and recommendations of the Mentor. Such advice may include attendance and completion of academic or vocational courses or any other such learning and development activities as required.
  - iii. A report is to be issued within five working days following each meeting, in which the Mentor indicates the progress of Mr Falvey in demonstrating insight and understanding into those areas of competence relevant to his previous deficits.
  - iv. Cost: The cost of this mentoring programme to be borne by Mr Falvey.