

IN THE MATTER OF PART 6 OF THE PHARMACY ACT 2007

Mr Jeremiah Blake MPSI (Reg. No. 5243)

Following submission of the report of the Professional Conduct Committee, the Council, at its private meeting on 19 May 2016, decided to censure Mr Jeremiah Blake MPSI, Registration Number 5243, and to attach the following conditions¹ to his registration in relation to the findings of Poor Professional Performance made by the Professional Conduct Committee in its report, dated 12 April 2016, which are set out in *Appendix 1* attached to this notice:

Conditions attached to Mr Blake's registration as a pharmacist as follows:

1. Mr Blake shall enter into a mentoring programme for a minimum period of twelve months with a practising Superintendent Pharmacist, acceptable to the Registrar of the PSI ("the Registrar"). Mr Blake shall meet with the mentor on at least three occasions during the twelve month period.

The mentorship shall relate to the following areas of Mr Blake's practise which the Professional Conduct Committee found were deficient:

- (a) Maintenance of controlled drug register;
- (b) Maintenance of prescription register;
- (c) Maintenance of pharmacy records, to include records of medications dispensed;
- (d) Storage of human and veterinary medicinal products;
- (e) Standard operating procedures; and
- (f) Provision of a patient consultation area.

The mentor shall issue a report to the Registrar at three monthly intervals during the twelve month period.

¹ Such conditions having been subsequently confirmed by the High Court pursuant to Section 52 of the Pharmacy Act 2007 on 11 July 2016.

2. The Council shall delegate to the Registrar the task of monitoring the condition at 1 above. The Registrar shall review or cause each report furnished by the mentor to be reviewed. The Registrar may instruct an Authorised Officer(s) to attend at Mr Blake's practise during the twelve month period, or at any time thereafter until the conditions have been discharged, for the purposes of reviewing 1 (a)-(f) above.
3. At the conclusion of the twelve month period the Council shall consider all reports furnished by the mentor and, where applicable, the Authorised Officer(s). If the Council is satisfied that the areas of Mr Blake's practise listed at 1(a)–(f) above are being conducted in a manner satisfactory to the Council, it shall discharge the conditions.
If the Council is not satisfied that any and/or all of the areas of Mr Blake's practise listed at 1(a)–(f) above are being conducted in a manner satisfactory to the Council, the conditions, or part thereof, shall remain in force until such time as the Council is so satisfied. The Council shall consider further report(s) at three monthly intervals, until such time as the conditions are discharged. The Registrar or Mr Blake may bring any application to the Council in this regard on notice to the other party.
4. Mr Blake shall discharge the costs associated with the implementation of these conditions.

Reasons for the Sanction(s):

The Council agreed with the recommendation of the Professional Conduct Committee that censure would be a proportionate sanction having regard to all the circumstances of this case and agreed to attach conditions to Mr Blake's registration as a pharmacist pursuant to section 48(1)(b)(ii) of the Pharmacy Act 2007 ("**the Act**").

The Council decided to impose these conditions having regard to the exceptionally poor professional standard in so many aspects of Mr Blake's work over a prolonged period.

Appendix 1:

Findings:

While you were a Registered Pharmacist and/or Supervising Pharmacist and/or Superintendent Pharmacist and/or pharmacy owner at Blake's Pharmacy, Main Street, Ballymore Eustace, Co. Kildare, (hereinafter referred to as the "Pharmacy"), during the period leading up to and including 14 March, 2014, you managed and/or operated the Pharmacy in a manner such that on and/or before 14 March 2014 some or all of the following arose:

1. No or no adequate Controlled Drugs Register was maintained and as such there was a breach of Regulation 12(1)(b) of the Regulation of Retail Pharmacy Businesses Regulations 2008 (S.I. 488/2008) and/or Regulation 16 of the Misuse of Drugs Regulations, 1988 (S.I. 328/1988) as amended; and/or

FINDING: POOR PROFESSIONAL PERFORMANCE

2. No adequate prescription register was maintained and as such there was a breach of Regulation 12(1)(a) of the Regulation of Retail Pharmacy Businesses Regulations 2008 (S.I. 488/2008) and/or Regulation 10 of the Medicinal Products (Prescription and Control of Supply) Regulations, 2003 (S.I. 540/2003) as amended; and/or

FINDING: POOR PROFESSIONAL PERFORMANCE

3. No or no adequate record(s) were maintained as prescribed by Regulation 34 of the European Communities (Animal Remedies) (No. 2) Regulations, 2007 (S.I. 786 of 2007) and as such there was a breach of Regulation 34 of the European Communities (Animal Remedies) (No. 2) Regulations, 2007 (S.I. 786 of 2007) and/or Regulation 13 of the Regulation of Retail Pharmacy Businesses Regulations 2008 (S.I. 488/2008); and/or

FINDING: POOR PROFESSIONAL PERFORMANCE

4. You failed to ensure that the retail pharmacy business was conducted in a manner that facilitated the appropriate storage of human and/or veterinary medicinal products contrary to good pharmacy practice in that you:
 - (a) Failed to adequately and/or properly ensure that out of date medicinal products were segregated from other medicinal products and/or failed to ensure that out of date medicinal products were removed for disposal or destruction; and/or
 - (b) Failed to ensure the proper storage of fridge medicines (human and veterinary); and/or
 - (c) Failed to ensure that medicines were stored in a clean and/or appropriate environment ; and/or

FINDING: POOR PROFESSIONAL PERFORMANCE

5. You failed to provide and/or maintain any or any adequate documented procedures in respect of the storage, preparation, dispensing, sale and supply of medicinal products and/ or veterinary medicinal products and in so doing acted contrary to good pharmacy practice and/or Regulation 4(1)(a) of the Regulation of Retail Pharmacy Businesses Regulations 2008 (S.I. No. 488 of 2008); and/or

FINDING: POOR PROFESSIONAL PERFORMANCE

6. You failed to provide a Patient Consultation Area and as such there was a breach of Regulation 4 (3) of the Regulation of Retail Pharmacy Businesses Regulations 2008 (S.I. 488/2008).

FINDING: POOR PROFESSIONAL PERFORMANCE