

Memorandum of Understanding

between

Pharmaceutical Society of Ireland

and

**Practitioner Health Matters Programme
Limited**

Memorandum of Understanding between the Pharmaceutical Society of Ireland and the Practitioner Health Matters Programme

1. Parties

1.1 This Memorandum of Understanding is made between the Pharmaceutical Society of Ireland (PSI) and the Practitioner Health Matters Programme Limited (a company limited by guarantee having its registered office at The Dean Clinic, Unit B, Third Floor, Apex Business Centre, Blackthorn Road, Sandyford, Co. Dublin) (hereinafter referred to as the "PHMP").

1.2 The Medical Director of the PHMP and the Registrar of the Pharmaceutical Society of Ireland shall have responsibility for the monitoring and implementation of this Memorandum of Understanding.

1.3 In the event that the name or the structure of the PHMP should change or alter in the future, the terms of this MoU will be revised accordingly.

2. Scope and Purpose

2.1 This Memorandum of Understanding has been agreed between the Pharmaceutical Society of Ireland and the PHMP. It applies to the Republic of Ireland only and is intended to provide a framework to assist the joint working of the two organisations.

2.2 It outlines the basis of co-operation between the two organisations. This includes practical arrangements designed to ensure that the relationship is effective and meets each organisation's aims and objectives, particularly when there are overlapping interests and responsibilities. It sets out some of the principles underpinning the interaction between the two organisations and provides guidance on the exchange of information between them.

2.3 Details of contacts within the Pharmaceutical Society of Ireland and PHMP are contained within Appendix A to this document.

3. Context in which this Memorandum of Understanding is made

3.1 Practitioner Health Matters Programme (PHMP)

The PHMP is intended to replace the Sick Doctors Scheme (SDS). The SDS was founded as a charity in 1985 with funding from four parent organisations, the IMO, ICGP, Irish College of Psychiatrists and an organisation called the GP Wives. The scheme which provided support over many years to doctors with alcohol and substance misuse problems is being restructured.

The PHMP is a professional service for any pharmacist or pharmaceutical assistant in the Republic of Ireland with a mental health, alcohol or substance misuse problems. The PHMP promotes early referral (self-referral or referral by colleague, friend or family) to a professional, confidential and dedicated service. The PHMP will provide a comprehensive clinical assessment on referral and recommend an appropriate treatment/care plan.

The PHMP will be governed by a group of Directors as detailed in Appendix A

3.2 Pharmaceutical Society of Ireland (PSI)

The Pharmaceutical Society of Ireland is the independent statutory body, established by the Pharmacy Act 2007, charged with and accountable for the effective regulation of pharmacy services in Ireland. It works in the public interest to protect the health and safety of the public by regulating the pharmacy profession and pharmacies. The PSI aims to ensure that pharmacy services are delivered in a competent, professional and ethical manner and in an appropriate environment to the highest standards of quality care and best practice. Established under the Pharmacy Act 2007, the principal functions of the PSI are to:

- regulate the practice and profession of pharmacy in Ireland in the public interest;
- maintain the Register of Pharmacists, Druggists, Pharmaceutical Assistants and Retail Pharmacy Businesses in Ireland;
- determine and apply the criteria of registration to each application as laid down in the Pharmacy Act 2007
- draw up codes of conduct for pharmacists and oversee the quality assurance and application of best practice across the sector;
- accredit undergraduate pharmacy degree programmes offered in the State;
- promote and ensure a high standard of education for pharmacy students and ensuring that registered pharmacists undertake appropriate continuing professional development (CPD).
- inspect pharmacy practices, enforce pharmacy legislation and enforce various statutory provisions in respect of the practice of pharmacy and the sale and supply of medicines in Ireland;
- conduct disciplinary procedures.

4. Co-operation between the Pharmaceutical Society of Ireland and the PHMP

The PHMP and the PSI are both engaged in the discharge of their respective functions in the public interest, with particular focus on the protection and enhancement of public health and patient safety.

Accordingly, in serving the public interest, there are a number of areas of common concern to both the PHMP and the PSI. It is therefore appropriate that both bodies agree a common understanding with regard to a range of areas as follows:

4.1 Referral pathways to the PHMP

- **Self-Referral**

The PHMP is available to respond to a pharmacist/pharmaceutical assistant who is referred to it, or who refers himself/herself.

- **Referral by a Third Party**

The PHMP is available to respond to third party requests for assistance or intervention. A typical third party may be a hospital, colleague, family or friend.

- **Referral by the PSI**

The PSI may decide to refer a case to the PHMP as part of its fitness to practise/registration functions if it feels that the case may also be appropriately dealt with by the PHMP.

4.2 Consent to engagement with PHMP

When the pharmacist/pharmaceutical assistant is referred to the PHMP via one of the referral pathways, the pharmacist/pharmaceutical assistant will be asked to give the PHMP written consent to the following:

- to obtain and receive all relevant medical reports as required by the PHMP
- to communicate with the patients family GP
- to obtain a collateral history from family, friend or colleague as deemed appropriate
- to furnish the relevant medical reports to the PSI in appropriate circumstances¹

4.3 Medical Assessment following Referral

All practitioners referred to the PHMP will receive a comprehensive clinical assessment. This assessment will focus in particular on the reasons for the referral, the mental health and/or addiction issues and the potential risks that the pharmacist/pharmaceutical assistant poses to himself/herself and / or the public.

4.4 Meeting with PHMP Clinical Advisory Group (CAG)

Following assessment, all referrals will be presented anonymously to the CAG with all available information and documentation. The CAG will determine whether the PHMP is the appropriate setting to deal with the pharmacist/pharmaceutical assistant and to determine if a referral to the PSI is required at that time. A suitable care plan will be discussed taking into account the relevant health issues and the therapeutic options. Following approval by the CAG, the treatment/care plan will be formally agreed with the practitioner.

5. Areas of co-operations between the Pharmaceutical Society of Ireland and the PHMP

The PHMP is fully cognisant of the PSI's functions under the Pharmacy Act 2007 and if it has any concerns about a pharmacist/pharmaceutical assistant availing of its services in circumstances described but not

¹ The Pharmaceutical Society of Ireland may seek Production Orders for documents and such Production Orders supersede consent issues.

confined to paragraph 5.1 below, it will refer such practitioners to the PSI together with any information that the PHMP has in its possession in relation to that pharmacist/pharmaceutical assistant.

The PSI may recommend, as appropriate, to a pharmacist/pharmaceutical assistant that he/she avail of the services of the PHMP as a further support.

5.1 Referral to the Pharmaceutical Society of Ireland

The PHMP will be obliged to refer a practitioner to the PSI under the following circumstances:

- Referral for Non-Compliance

If the PHMP becomes concerned about a pharmacist/pharmaceutical assistant's health, lack of contact, and/or non-compliance with its recommendations, the PHMP may recommend to the PSI that the practitioner be considered by the Registrar for referral as a complaint, in which case all information and material in the PHMP's possession concerning the pharmacist/pharmaceutical assistant will be disclosed.

- Referral in Case of Imminent Risk to Self, Patients or Public

In circumstances where the pharmacist/pharmaceutical assistant represents an immediate risk to him/herself and/or the public interest, the PHMP will refer the matter to Registrar of the PSI for consideration.

5.2 Meetings with Third Parties

Where the attention of the PSI is drawn by a person or body to a health problem of a pharmacist/pharmaceutical assistant, a representative of the PSI may meet with that person or body. If such a meeting occurs, information may be given about the PHMP's procedures.

Subject to the PHMP's duty of confidentiality to pharmacists/pharmaceutical assistants receiving treatment and subject to its own treating doctor's ethical obligations in relation to confidentiality and consent, general information about the pharmacists/pharmaceutical assistant's progress may be furnished to the PSI where it is deemed appropriate.

6 Confidentiality

6.1 Confidentiality of Pharmacists/Pharmaceutical Assistants Undergoing Monitoring

The identity of individual patients with the PHMP shall not be disclosed for the purposes of reporting, unless the PHMP recommends that the pharmacist/pharmaceutical assistant is not compliant, or otherwise has concerns that require escalation to the PSI.

6.2 Confidentiality of Medical Records

All records of activities of the PHMP relating to an individual pharmacist/pharmaceutical assistant will remain confidential and only available to the PHMP. In the event, however, that the PHMP believes that the practitioner represents a risk to the public interest, the PHMP will refer the matter to the PSI and will provide all material and documentary evidence in its possession to it for consideration.

7. Meetings

7.1 In light of the range of issues of mutual concern to the PHMP and the PSI, it is agreed that representatives of the senior management of both bodies will meet on an annual basis to consider and review these issues in accordance with the provisions of this Memorandum of Understanding.

8. PHMP Recognition

8.1 The Pharmaceutical Society of Ireland recognises the role played by the PHMP in assisting with both patient safety and assistance for pharmacists/pharmaceutical assistants who may not come before the Pharmaceutical Society of Ireland but may nonetheless require assistance.

9. Commencement and Termination

9.1 This Memorandum of Understanding shall take effect upon a signature of both parties and shall continue until such time as it is terminated or superseded by a revised document.

9.2 This Memorandum of Understanding may be terminated upon written notification by one party to the other with 28 days' notice.

9.34 The provisions in this Memorandum of Understanding will be reviewed after three years from the date it was signed by the parties, and any amendments made by agreement. The provisions in this Memorandum of Understanding can be reviewed at any time at the request of either party. Both parties are committed to resolving any issues arising under this Memorandum of Understanding by normal administrative means.

9.4 Any provision of this MOU may be amended at any time by the written agreement of the PHMP and the PSI.


9.5 The main contact person from the Pharmaceutical Society of Ireland regarding this MOU is the Head of Registration and Qualification Recognition, and from the PHMP is the Medical Director.

10. Financial Arrangements

Each Participant will be solely responsible for the administration and expenditure of its own resources associated with activities conducted under this MOU.

Ann Frankish
Signed on behalf of the
**PHARMACEUTIUCAL SOCIETY OF
IRELAND**

President 30/11/15
Position Date


Signed on behalf of the
**PRACTITIONER HEALTH MATTERS
PROGRAMME**

Chairperson 30/11/15
Position Date

