

The Public session of the 21st Meeting of the Pharmaceutical Society of Ireland established pursuant to the Pharmacy Act 2007 was held on Thursday 4th November 2010 at 3.00pm in The Gresham Hotel, Dublin 1.

Council members present: Ms. N. Harvey, President, Mr. P. Fahey, Vice-President, Ms. L. Clarke, Mr. J. Collins, Ms. M. Doherty, Prof. P. Gallagher, Mr. E. Hanly, Dr. J. Hillery, Ms. I. Kelleher, Ms. K. Mulvenna, Prof. J. Nunn, Ms. R. Purcell

PSI staff in attendance: Dr. A. McLoughlin (Registrar), Ms J. Aylward, Mr. J. Bryan, Mr. B. Curran, Ms. C. McGoldrick, Mr. T. McGuinn

1. Apologies

Mr. S. Boyle, Dr. A. Frankish, Ms. C. Hallahan, Mr. A. Horan, Mr. S. Hurley, Ms. D. Larkin, Dr. B. Leddy, Ms. M. Ní Longáin, Asst. Comm. N. O'Sullivan.

2. Declaration of Interests (Appendix A)

The President referred to Appendix A in Council documentation.

“Paragraph 9 of Schedule 1 to the Pharmacy Act 2007, deals with the necessary disclosure of certain interests by members of the Council and by members of its various committees. Those requirements are also reflected in the Code of Conduct adopted for Council members which also requires that they “be honest and open with regard to conflicts of interest (either real or perceived). Members must not use their position for personal gain in either business, political or social relationships. Therefore, a member who has, or may be perceived to have, such a personal interest in a particular matter under consideration should declare that interest, withdraw from all discussions relating to it and take no part in any vote on such matter.”

A copy of paragraph 9 of Schedule 1 to the Act, relating to the disclosure of certain interests is therefore included as Appendix A and all members of the Committee are strongly advised to familiarise themselves with its contents.

3. Draft Minutes of Public Council meeting No. 20, 30th September 2010: (Appendix B: Sent 28th October 2010)

The Draft Minutes of Public meeting number 20 held on 30th September 2010 were approved.

The Minutes were proposed and seconded by:

1. Mr. P. Fahey
2. Prof. J. Nunn

Action¹: Office of the Registrar

3.2 Memorandum of Advice from the Registrar (Appendix C: Sent 28th October 2010)

The Registrar indicated that his intention in presenting this document, which was the result of considerable research, was to draw Council's attention to concerns which the PSI has, arising out of certain commercial practices in the establishment and development of retail pharmacy businesses. The Registrar has set out concerns about planning issues. He stressed that the concern of the PSI is not to interfere in competition. The Registrar drew Council's attention to the section on Finance and Investment, and indicated the PSI's concern that the co-location of a number of medical practices with retail pharmacy businesses in a single location may mistakenly be

viewed as constituting a modern primary care centre. In addition, concern was expressed about the financial implications for pharmacists resulting from certain commercial decisions which may in turn impact negatively on patient safety and public protection. The Registrar also stressed the importance of Sections 63 and 64 of the Pharmacy Act, and the issue of inappropriate fiduciary and financial relationships between doctors and pharmacists.

A discussion ensued around the issues outlined in the document. It was agreed that the idea of mentoring young pharmacists should be considered and it was suggested that this be tabled for discussion by the Professional Development and Learning Committee.

The Registrar informed Council of forthcoming joint events to be run by the PSI and ICCPE which will clarify the role of the Superintendent and Supervising pharmacists, and will give advice on the issues outlined in the document before Council. Events will be run on the following dates: Cork on 22 November, Stillorgan, Dublin on 23 November, Galway on 6 December and Santry, Dublin on 7th December.

The Registrar concluded by saying he hoped a document of this nature would be welcomed by in order to clarify some of the issues involved. The President recommended Council members to read the document and revert with any comments to the Registrar's office before the next Council meeting on 30th November.

3.3 Report from Fitness to Practice Taskforce (Appendix D: Sent 28th October 2010)

Mr. P. Fahey, Vice President, introduced the report of the Fitness to Practice Taskforce. He explained that the remit for the Taskforce came about as a result of the conflict between Parts 4 and 6 of the Act. The members of the Taskforce are: Mr. P. Fahey, Prof. P. Gallagher, Dr. J. Hillery, Mr. A. Horan, Ms. M. Ní Longáin.

Mr Fahey indicated that two factors hindered their work:

- The lack of regulations in relation to Section 63 and 64
- The lack of competence standards in order to make the determination of 'poor professional performance' as defined under the Pharmacy Act 2007.

It was felt that both of these issues should be examined further.

Mr. Fahey asked for comments on the report. The Registrar welcomed the report and indicated that it was very helpful. He confirmed that legal advisers were also pleased to have the report.

The President and Mr. P. Fahey thanked Dr. C. Stokes for all her work in the preparation of the report.

3.4 Amendments to the Pharmacy Act 2007 (Appendix E: Sent 28th October 2010)

Ms. C. McGoldrick outlined the background to this document and confirmed that a number of issues had been found in the Act which were outlined in the larger document which had been sent to the Department of Health and Children. The Department had responded by asking the PSI to distil the document to the most urgent amendments. Nine key issues had been identified and outlined in the document now before Council. Ms. McGoldrick advised that an amendment had also been sought to the Irish Medicines Board Act (1995-2006) to allow the Registrar initiate prosecutions. Ms Clarke suggested an additional amendment in relation to require High Court approval of the removal from the register of a person who had been convicted of an indictable offence without an inquiry under Part 6 of the Act. Ms. McGoldrick confirmed that she would so advise the Department.

Registrar's Business

- The Registrar announced that, due to a conflict of interest, he would not participate in the forthcoming procurement process for appointment of Chairperson of National Forum, Director of Pharmacy Development and for the proposed Institute of Pharmacy. Professor Paul Gallagher declared a conflict with regard to his

position as Chair of the PEARs/CPD Project Implementation Steering Group and indicated that he would be stepping down from his role as Chair.

- The Registrar briefed Council on important progress in the Pharmacy Ireland 2020 Initiative. Following meetings in recent months with the Minister for Health and Children, and subsequently with Dr Barry White, HSE Quality and Clinical Care Directorate, and his team, attended by Cathriona Hallahan and the President, and further meetings of the Registrar and PSI senior management with Chief Pharmacists in the HSE and Department of Health and Children, the Registrar said it is now possible to move ahead on the *Pharmacy Ireland 2020* agenda in the context of the work of Dr White's directorate. The PSI has received an invitation to nominate a reference group of practitioners, of required expertise and calibre, to participate at a strategic level to ensure active involvement of pharmacists at the appropriate decision and policy making level.

Other healthcare professions are also engaging with the implementation of the Directorate's programme, chiefly through their respective professional Colleges and Institutes, and once the 'Pharmacy Institute' as recommended in the context of the introduction of CPD is established, it will be possible to base the reference group in this structure.

A main role of the reference group in the framework for implementation of the various programmes of the Directorate will be to advise on the implementation of the programmes in pharmacy, including the most appropriate inputs required from pharmacists to gain maximum benefits for patients.

This framework will also provide a 'ready-made' structure to enable the piloting or road-testing of protocols or initiatives in the pharmacy context within the network of 'teaching pharmacies' and tutor pharmacists.

The practitioners being nominated for participation in the reference group and the implementation framework have a proven track record in pharmacy practice, including relevant expertise and experience with respect to health service research and its application in practice. The initial list of practitioners below may be added to as future circumstances dictate and as the roll-out of the various programmes, clinical guidelines and initiatives progresses. This engagement will facilitate and support the implementation of evidence-based, protocol-driven, integrated clinical and therapeutic care, with a focus on optimising patient outcomes and meeting key safety, quality and cost-effectiveness objectives.

The practitioners nominated for the reference group are:

Professor Peter Weedle (chair), Professor Paul Gallagher, Dr. Aisling O'Leary, Dr. Tamasine Grimes, Dr. Stephen Byrne, Dr. Mark Ledwidge, Dr. Caitriona Bradley/Ms. Mary Rose Burke, Ms. Cicely Roche, Mr. Ciaran Meegan, Ms. Leonora O'Brien (PSI rapporteur)

- The Registrar notified Council that a request had been made by an EU Applicant, who is appealing a decision that the applicant undertake an adaptation period, to address Council at its next meeting, and requested Council to decide if this request was acceptable to them. *Ms Leonie Clarke declared a conflict & left the room at this point.*

This request was granted on the proviso that clear guidelines on length and format of presentation be indicated and distributed in advance to the applicant. Legal advice is to be provided for the President in advance of the meeting.

Action²: Office of the Registrar; Registration Unit

- The Registrar and the President thanked Council for making themselves available for this additional meeting.
- The Registrar confirmed that full training and support will be offered to Council members in the event that a decision is made to use iPads for Council documentation.

SIGNED:

Noelán Harvey

DATE:

30/11/10