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15 September 2005

DG/STATCOMM/228/05
RECORDED DELIVERY

Dear Mr Walia

NOTICE OF INQUIRY

On behalf of the Statutory Committee of the Royal Pharmaceutical Society of Great Britain, I give you notice that the Committee has received a complaint from the Council of the Royal Pharmaceutical Society of Great Britain, 1 Lambeth High Street, London SE1 7JN which alleges that:-

1. You were first registered with the Society on 15 August 1983.
2. You are a Director and shareholder of Anchor Health Limited ("the company") which owns the pharmacy known as Currans Pharmacy at Unit 2, 45-47 Elgin Avenue, London W9 ("the pharmacy"). Since 18 December 2001 you have been the Superintendent pharmacist of the company.
3. At all material times you worked at the pharmacy 4 to 6 days per week. You have also since about 2000 employed from time to time Mr Peter Chiu as a locum pharmacist to work at the pharmacy.
4. On 1 April 2004 Dr P Turvill of The Surgery, 76 Queens Crescent, London NW5 4EB ("the surgery") wrote a prescription for patient IA calling for:
 - 7 x Amiodarone 200mg tablets
 - 21 x Bumetanide 1mg tablets
 - 30 grams Clotrimazole and Hydrocortisone Cream 1% + 1%

- 7 x Diazepam 2mg tablets
 - 100 x Docusate Sodium capsules
 - 7 x Perindopril Tert-Butylamine 2mg tablets
 - 50 x Tramadol Hydrochloride 50mg capsules
5. On 3 April 2004, when Mr Chiu was pharmacist in charge of the pharmacy, he supplied to patient IA the following medicines via 2 Venalink units, each of which contained:
- 7 vitamin capsules
 - 7 Quinine Sulphate 300mg tablets
 - 21 Prochlorperazine 5mg tablets
 - 7 Perindopril 4mg tablets
 - 7 Omeprazole 20mg capsules
 - 14 Ketoprofen 100mg capsules
 - 1 Fosamax Once weekly 70mg tablet
6. Both Venalink units, although showing a dispensing date of 3 April 2004, showed a start date for patient IA to begin taking the medicines supplied to her of 16 March 2004.
7. The PMR for IA showed that, whereas she was in receipt of a regular prescription for the majority of the medicines which had been prescribed for her on 1 April 2004, she had not been in receipt of a regular prescription for the majority of the medicines which Mr Chiu had supplied her with on 3 April 2004.
8. Mr Chiu supplied the medicines listed in paragraph 5 above to patient IA following a telephone call from an unidentified female member of the surgery's staff to Mr Inder Preet Singh who is an unqualified member of the pharmacy's staff. During that call, Mr Singh agreed to supply medicines for patient IA on the basis of information received by him over the telephone and written down by him.
9. The telephone call referred to above was received on 2 April 2004 and the medicines in question were supplied on 3 April 2004. They were supplied without the authority of a prescription and in circumstances where the conditions for a lawful emergency supply were not satisfied.
10. When you were interviewed about these matters by Miss Edginton on 7 May 2004:
- you admitted that no standard operating procedures had been written for any part of the dispensing process;

- you admitted that you sometimes supplied medicines in Venalink in advance of receipt of a valid prescription at the pharmacy;
- you gave an explanation of your dispensing process for dispensing medicines in Venalink that was in place prior to the incident on 3 April 2004 which did not include a check of medicines to be dispensed against the prescription;
- you stated that it was usual practice at the pharmacy to take details of Prescription Only Medicines over the telephone from the surgery provided it was "covered by fax or some other document";
- you admitted that no procedures had been written in respect of such taking of prescription details by phone;
- you said you did not consider it appropriate for an unqualified assistant to have been allowed to take down details of Prescription Only Medicines for IA and for the supply to have been made on the basis of that information alone;
- you accepted that the fact that a request had been made to supply medicines to IA only a few days after medicines had been supplied to the same patient on 31 March 2004 should alone have warranted further enquiry;
- you admitted that the error had not been recorded;
- you admitted that the pharmacy had no written complaints procedures;
- you admitted that the pharmacy had no "near-miss log".

In summary the Society's Council alleges that:

- the supply of Prescription Only Medicines to patient IA without the authority of a prescription in circumstances where the conditions for a lawful emergency supply were not satisfied;
- the supply of Prescription Only Medicines to patient IA (a) which her general practitioner had not intended her to receive, (b) without making any enquiries of the prescriber and (c) in circumstances where it was apparent that the medicines you were supplying were different from those medicines which the patient normally received; and
- your failure to ensure that procedures designed to minimise risks were formulated and applied including:
 - an audit trail to allow reconciliation against prescriptions
 - SOP's
 - an error log
 - a near miss log
 - an effective complaints handling procedure

Individually or cumulatively may demonstrate that you have been guilty of such misconduct as to render you unfit to have your name on the Register of Pharmaceutical Chemists.

And I further give you notice that on **Thursday 20 October 2005** at **10.30am** the Committee will hold an Inquiry at the Royal Pharmaceutical Society of Great Britain, 1 Lambeth High Street, London SE1, for the purpose of ascertaining the facts in relation to the matters aforesaid and, if thought fit, subject to the provisions of the Pharmacy Act 1954, and the Medicines Act 1968, directing the removal of your name from the register.

You may attend the Inquiry personally and may be represented by a solicitor or counsel. If you do not attend the Statutory Committee may proceed with the Inquiry in your absence.

Any application or other communication relating to the said matters or your answer thereto shall be addressed to me not less than ten days before the day appointed for the hearing of the case.

A copy of the Regulations which govern the procedure of the Committee is enclosed herewith, and your particular attention is directed to Regulation 14. I also enclose a copy of the Committee's Indicative Sanctions Guidance.

The name and address of the solicitor acting in this case is Mr G R F Hudson of G R F Hudson, Penningtons Solicitors, Bucklersbury House, 83 Cannon Street, London EC4N 8PE.

Mr Hudson will shortly provide you with a draft bundle of the Council of the Society's evidence and I would be grateful if you or your solicitor could liaise with him with the aim of providing where possible any written evidence from both you and the Society's Council to the Committee one week before the day of the Inquiry.

A form for acknowledging receipt of this Notice of Inquiry is enclosed herewith for you to sign and return to me.

Yours sincerely

David Gomez
Secretary to the Statutory Committee

Cc: Rachel Warren, Charles Russell Solicitors

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