

Pharmacist reprimanded and disqualified for professional misconduct

10 December 2014

The State Administrative Tribunal of Western Australia has found that Mr Nicholas Gledhill engaged in professional misconduct, reprimanded him and disqualified him from applying for registration for two years. Mr Gledhill had previously let his registration lapse.

The Pharmacy Board of Australia referred the matter to the tribunal in 2014, in relation to handling or dispensing schedule 8 medications (drugs of dependence). Mr Gledhill had pleaded guilty to offences committed under the *Poisons Act 1964 (WA)* in 2006.

During its investigation, the Board found that in 2005 the WA Department of Health (DoH) had revoked Mr Gledhill's authority to use, supply or sell drugs of addiction and restricted him from doing so. The restriction remains in place. The investigation also found that between:

- October 2009 and December 2012, Mr Gledhill supplied section 8 medications on 3,600 occasions to clients visiting the pharmacy where he worked
- November 2011 and December 2012, Mr Gledhill supplied section 4 (prescription only) medications on 136 occasions without prescription, contrary to the Poisons Regulations, and
- January 2012 and December 2012 Mr Gledhill falsified entries in the register of drugs of addiction to disguise that he had taken and used schedule 8 drugs himself.

In December 2012 Mr Gledhill failed to place drugs of addiction in a locked safe as required by the Poisons Regulations. The drugs of addiction were instead locked in a drawer at the pharmacy.

In July 2013 Mr Gledhill was charged with 10 counts of breaching the *Poisons Act 1964 (WA)* for self-administering a prescribed drug of addiction between June 2012 and December 2012. In December 2013 Mr Gledhill pleaded guilty to the offences and was convicted and fined \$30,000.

The tribunal noted the disciplinary history of the practitioner, including a 2006 conviction of supplying medications contrary to the DoH restriction and the Act, and subsequent tribunal orders including regular drug screening.

Mr Gledhill had admitted guilt and had not applied to renew his registration in 2013. He said that prescribing the schedule 4 drugs was done out of necessity as the country town where the pharmacy was located only had one GP and prescriptions could be delayed. He also said the drugs had been supplied to the relevant patients in the past.

Mr Gledhill stated he wasn't aware that the restriction remained after December 2007 and that he had sought psychiatric and psychological counseling for his impairment and continues to receive counselling regularly.

The Board and Mr Gledhill reached a settlement in October 2014 which was put to the tribunal. The tribunal found that Mr Gledhill has an impairment and had engaged in professional misconduct. The tribunal:

- reprimanded him
- disqualified him from applying for registration for two years, and
- ordered him to pay the Board's legal costs, fixed at \$5,000.

The full decision is available on [the tribunal website](#).