

# WHEN SHOULD YOU REPORT INFORMATION?

As regulated healthcare professionals, and under the *Regulated Health Professions Act*, pharmacists, pharmacy technicians, employers and facility operators have obligations to report certain information to the College. These obligations are in place to protect patients and contribute to safe and effective pharmacy care.

Employers (e.g. pharmacy owner, DM) must file a report with the College if a registrant's employment is terminated, they are suspended or other privileges are revoked for reasons of professional misconduct, incompetence or incapacity. This obligation remains even if the registrant resigned or relinquished any privileges prior to the employer having done so. Reporting is not required for employment-related reasons (e.g. issues such as lateness or personal incompatibility) that don't compromise patient safety or contravene standards of practice.

Facility operators must file a report with the College if they suspect a registrant has sexually abused a patient or if they suspect the registrant is incompetent or incapacitated. All pharmacists and pharmacy technicians must file a report with the College if they suspect another registrant has sexually abused a patient.

Additionally, pharmacists and pharmacy technicians must self-report certain information to the College **within 30 days** of

being charged with an offence, being found guilty of an offence, having a finding of professional negligence or malpractice, having a finding of professional misconduct, incompetence or incapacity, or being the subject of a current investigation or proceeding for professional misconduct, incompetence or incapacity.

## HOW TO REPORT INFORMATION TO THE COLLEGE

### Mandatory Reports

Please visit the College's webpage on [Mandatory Reporting](#).

Employers, facility operators, pharmacists and pharmacy technicians should use the [Mandatory Reporting Form](#) available on the College website. The form can be emailed, faxed or mailed. Please provide as much information as possible.

The College cannot assist employers, facility operators, or registrants in determining their legal obligation to make a mandatory report. If you are in doubt whether a mandatory report is required, you may wish to submit one and allow the College to assess the information contained within the report to determine if further action is required.

No action can be taken against a person for filing a mandatory report in good faith.

## YOUR ETHICAL OBLIGATIONS

In addition to mandatory reporting obligations under legislation, pharmacists and pharmacy technicians also have obligations under the [Code of Ethics](#). Under 2.18 "Members raise concerns to the appropriate authority if they reasonably believe human resources, policies, procedures, working conditions or the actions, professional performance or health of others may compromise patient care or public safety."

As described in [this Close Up On Complaints article](#), pharmacists and pharmacy technicians need to ensure that they inform an appropriate person with oversight of pharmacy operations (e.g. pharmacy manager, Designated Manager, district manager) if they do not have the support required to practice to the Standards of Practice or if they reasonably believe human resources, policies, procedures, working conditions or the actions, professional performance or health of others may compromise patient care or public safety.

However, failure to submit a mandatory report when it is required could result in a fine (up to \$25,000 for an individual or up to \$50,000 for a corporation).

**Self Reports**

Please visit the College’s webpage on [Self-Reporting](#). Registrants should use the [Self-Reporting Form](#) to make a report. Please note that the College cannot provide legal advice about a pharmacy professional’s obligation to make a self-report.

**Other information**

Information which doesn’t fall under the category of a mandatory report or self-report can also be provided to the College. The best way to provide information is via email at [concerns@ocpinfo.com](mailto:concerns@ocpinfo.com). Information can also be provided by phone at 1-800-220-1921. The College will assess your concern and take appropriate action. You may be contacted and asked to provide additional information. Please note that during the course of any College investigation, your identity may become known to the pharmacy professional being investigated.

**SHOULD YOU REPORT?**

**Scenario #1**

You are the Designated Manager of a community pharmacy. You have discovered that a pharmacist working at your pharmacy is struggling to show up on time for her shift. Upon discussion, the pharmacist admits that she is struggling with an addiction to alcohol that has affected her work. You agree to place the pharmacist on leave from your pharmacy until she has sought appropriate help and support. Should you report this information to the College?

**Yes.** If an employer revokes a registrant’s privileges in any way due to incapacity, even if it is believed that registrant is no longer practicing, this must be reported to the College within 30 days through the College’s [Mandatory Reporting Form](#). More information about incapacity is available on the [College’s website](#).

**Scenario #2**

You are a pharmacy technician. While out in your community, you witnessed a pharmacist co-worker engaged in a public display of affection with an individual who you know is a patient of the pharmacy. Upon preparing the patient’s next prescription for pick up later that week, you review the patient’s file and note that the pharmacist very recently signed off on this patient’s prescription, including documenting that patient counselling was provided. You suspect that the pharmacist and the patient may be engaged in a sexual relationship. Should you report this information to the College?

**Yes.** A pharmacist or pharmacy technician must file a report with the College if they suspect another registrant has sexually abused a patient through the College’s [Mandatory Reporting Form](#). Per the College’s [Guideline on Preventing Sexual Abuse and Harassment](#), a registrant must not become sexually involved with his or her patient.

**Scenario #3**

You are a pharmacist in a community pharmacy. You have reason to believe that the Designated Manager is engaged in unethical behavior, including offering monetary incentives for patients to stay at the pharmacy. Should you report this information to the College?

**Yes.** Under the Code of Ethics, registrants should report professional incompetence or unethical behaviour by colleagues or other healthcare professionals to the appropriate regulatory authority. Reports can be made to [concerns@ocpinfo.com](mailto:concerns@ocpinfo.com).

**Scenario #4**

You are the manager of a hospital pharmacy and have recently discovered that one of the pharmacy technicians working on your team has improperly accessed and shared patient health information. The decision is made to terminate his employment. Should you report this information to the College?

**Yes.** If an employer terminates a registrant’s employment due to professional misconduct, this must be reported to the College through the College’s [Mandatory Reporting Form](#).

**A SHARED RESPONSIBILITY**

It’s important to note that reporting information to the College does not necessarily mean that any action will be taken against the pharmacy professional. It only means that the College has an opportunity to review the information and assess whether further investigation is required.

Everyone, including pharmacists, pharmacy technicians, managers and owners, has an obligation to protect patients and promote the quality and safety of pharmacy care. Reporting relevant information to the College is an important part of these responsibilities. 📌