

NOVA SCOTIA COLLEGE OF PHARMACISTS

DECISION OF THE HEARING COMMITTEE

In the matter of: Recommendation of the Investigation Committee for acceptance of the Settlement Agreement between the Nova Scotia College of Pharmacists and Ms. Norma MacQueen-Gale.

The Hearing Committee met on April 14, 2015 to consider the proposed Settlement Agreement being recommended for acceptance by the Investigation Committee regarding Ms. Norma MacQueen-Gale.

After careful review of all of the information from the Nova Scotia College of Pharmacists, including the proposed Settlement Agreement and relevant precedents, and further communication received by email April 8, 2015;

The Hearing Committee after careful review, has decided to accept the recommendation of the Investigation Committee with regard to the Settlement Agreement between the Nova Scotia College of Pharmacists and Ms. Norma MacQueen-Gale.

April 14, 2015

Harriet Davies, Chair

A handwritten signature in black ink that reads "Harriet Davies". The signature is written in a cursive style with a large initial 'H' and a long, sweeping underline.

On behalf of Hearing Committee Members:

Tena Taylor

Tom Mahaffey

Harriet Davies

PROVINCE OF NOVA SCOTIA
HALIFAX REGIONAL MUNICIPALITY

IN THE MATTER OF: The *Pharmacy Act*, R.S.N.S. 2001, c.36 and Regulations
made thereunder

-and-

IN THE MATTER OF: Ms. Norma MacQueen-Gale, Pharmacist, [REDACTED], Sydney,
[REDACTED]

SETTLEMENT AGREEMENT

WHEREAS pursuant to the *Pharmacy Act* of Nova Scotia, allegations were set out in a Registrar's complaint dated June 27, 2013 alleging that Ms. Norma MacQueen-Gale breached provisions of the *Pharmacy Act* and Regulations made there under, and conducted herself in a way in which a Hearing Committee properly constituted under the *Pharmacy Act* could conclude that her conduct amounted to professional misconduct,

AND WHEREAS the Nova Scotia College of Pharmacists and Ms. MacQueen-Gale believe that a Settlement Agreement is the proper method of disposing of this matter,

AND WHEREAS the Nova Scotia College of Pharmacists and Ms. MacQueen-Gale agree to the following statement of facts:

1. THAT while engaged in the practice of pharmacy as a pharmacist at the [REDACTED], [REDACTED], Sydney, NS; [REDACTED], [REDACTED], Sydney, NS; and [REDACTED], [REDACTED], Sydney River, NS, you engaged in professional misconduct and conduct unbecoming contrary to the *Pharmacy Act* and Regulations, in that:

You practiced pharmacy while your ability to do so was impaired by the use of alcohol contrary to Value VI of the *Code of Ethics*. This constitutes professional misconduct as set out in Section 17 2(b) of the Qualification and Professional Accountability Regulations.

- (a) During the period of January 2004 to April 2005, while you were employed by [REDACTED], you were impaired while practicing as a pharmacist.

- (b) During the period of May 2008 to March 2010, while you were employed by the [REDACTED] you practiced pharmacy while your ability to do so was impaired by alcohol. This led to a suspension of your employment after which you returned to practice under conditions monitored by the [REDACTED].
- (c) During the period of April 2011 to August 2012, while you were employed by the [REDACTED], you practiced as a pharmacist while your ability to do so was impaired by alcohol; this led to the termination of your employment on August 16, 2012.

Ms. MacQueen-Gale specifically acknowledges and agrees to all of the facts stated above.

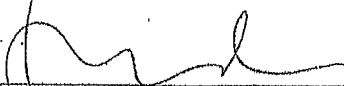
The Nova Scotia College of Pharmacists and Ms. MacQueen-Gale hereby agree to the following disposition and settlement of this matter. The sanctions listed below are specific to Ms. MacQueen-Gale's professional misconduct and are separate from any agreements or conditions pertaining to her fitness to practice required by the Fitness to Practice Committee of the Nova Scotia College of Pharmacists.

1. Ms. MacQueen-Gale acknowledges and agrees that her conduct noted above amounts to professional misconduct and conduct unbecoming contrary to the *Pharmacy Act* and Regulations.
2. A letter of reprimand in the form attached shall be placed on the file of Ms. MacQueen-Gale.
3. The licence of Ms. MacQueen-Gale to practise pharmacy in Nova Scotia shall be suspended for a period of 6 months. The period of suspension shall run from January 1st, 2013 to June 30th, 2013.
4. It is recognized by Ms. MacQueen-Gale that this Settlement Agreement is separate and apart from any assessment of her fitness to practice and ongoing restrictions to the conditions on her license due to addiction related issues.
5. Ms. MacQueen-Gale shall pay a fine of \$2,500.00 to the NSCP on or before March 31st, 2015.
6. Ms. MacQueen-Gale shall pay a portion of the College's costs for this matter, fixed at the amount of \$2,500.00 to be paid on or before March 31, 2015.


7. Ms. MacQueen-Gale hereby consents to judgement in the full amount of \$5000.00 (\$2500 fine plus \$2500 costs) in the form attached. The consent judgement shall be signed and executed by Ms. MacQueen-Gale as part of this Settlement Agreement. The College shall file the consent judgement with the court but shall take no other action unless Ms. MacQueen-Gale fails to pay in full pursuant to clauses 5 and 6 of this Settlement Agreement.
8. There shall be publication, with name, of the facts and details of the Settlement Agreement in accordance with the Registration, Licensing and Professional Accountability Regulations, Section 71.

The Investigation Committee of the Nova Scotia College of Pharmacists and Ms. Norma MacQueen-Gale agree that this Settlement Agreement shall be put to a Hearing Committee of the Nova Scotia College of Pharmacists for its review.

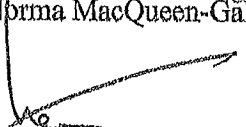
DATED at Halifax, Nova Scotia, this 28th day of Feb, 2015.



Susan Wedlake, Registrar, NSCP



Norma MacQueen-Gale



Leslie Reid, Chair, Investigation Committee