

**NOVA SCOTIA COLLEGE OF PHARMACISTS**  
**DECISION OF THE HEARING COMMITTEE**

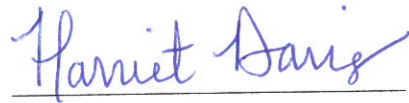
**IN THE MATTER OF:** Recommendation of the Investigation Committee for acceptance of the Settlement Agreement between the Nova Scotia College of Pharmacists and Ms. Melissa Young.

The Hearing Committee met on July 30, 2018 to consider the proposed Settlement Agreement being recommended for acceptance by the Investigation Committee regarding Ms. Melissa Young.

After careful review of the proposed Settlement Agreement and other information of record, the Hearing Committee 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. Melissa Young.

As an aside, the Hearing Committee members note that professional mentorship is a resource in professional development and this resource may be of interest to the registrant.

**DATED** at Halifax Regional Municipality, Province of Nova Scotia, 30<sup>th</sup> day of July 2018.



Harriet Davies, Chair

On behalf of the Hearing Committee

Hearing Committee:  
Annette Marshall (public representative)  
John McNeil (pharmacist)  
Lynn Corkum (pharmacy technician)  
Harriet Davies (pharmacist)

**PROVINCE OF NOVA SCOTIA  
HALIFAX REGIONAL MUNICIPALITY**

**IN THE MATTER OF:** The *Pharmacy Act*, R.S.N.S. 2011, c. 1 and Regulations made thereunder

- and -

**IN THE MATTER OF:** Ms. Melissa Young, Pharmacy Technician, [REDACTED]  
[REDACTED]

**SETTLEMENT AGREEMENT**

**WHEREAS** pursuant to the *Pharmacy Act* of Nova Scotia, allegations were set out in a complaint dated March 15, 2018, alleging that Ms. Melissa Young 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. Young agree that a Settlement Agreement is the proper method of disposing of this matter.

**AND WHEREAS** the Nova Scotia College of Pharmacists and Ms. Young agree to the following:

1. **THAT** you acted unlawfully and without integrity by inappropriately accessing the Nova Scotia Drug Information System on multiple occasions for reasons other than to provide patient care. These actions constitute professional misconduct as defined in the *Pharmacy Act*, s.2(at)(i)(ii)(viii)(x). These actions are a breach of the *Pharmacy Act* s.32(j), the *Standards of Practice: General Pharmacy Practice* (3) and the *Code of the Ethics* (Value IV, VI, X). Specifically:
  - a) You were a pharmacy technician at [REDACTED] (the "Pharmacy").
  - b) The Pharmacy acquired access to the NS Drug Information System (DIS) in May 2015.
  - c) You were required to complete learning modules and sign a confidentiality agreement which reinforced appropriate access, the proper use of information on the DIS, and the confidential nature of the DIS.

- d) From May 2015 to January 2018, you accessed the DIS while employed at the Pharmacy.
- e) From March 2016 to January 2018, you accessed patient files, some on multiple occasions, with no valid, clinical, medical or professional reason.
- f) While it is admitted that the unlawful access of patient files constituted professional misconduct, there were several mitigating factors regarding your access of patient files. One access involved your genuine concern for an elderly neighbour. The remainder of the accesses were family members' files.
- g) In January 2018, you were terminated from your position at the Pharmacy for inappropriately accessing patient files.

**Ms. Young specifically acknowledges and agrees to all of the facts stated above.**

The Nova Scotia College of Pharmacists and Ms. Young hereby agree to the following disposition and settlement of this matter.

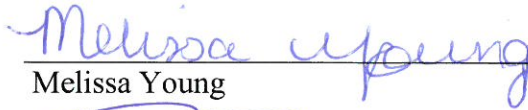
1. Ms. Young acknowledges and agrees that her conduct noted above amounts to professional misconduct and conduct unbecoming contrary to the *Pharmacy Act* and its Regulations.
2. A letter of reprimand in the form attached shall be placed on the file of Melissa Young.
3. The licence of Ms. Young to practise pharmacy in Nova Scotia shall be suspended for a period of 3 months from the date of this Settlement Agreement.
4. Ms. Young shall pay a fine of \$2500 to the Nova Scotia College of Pharmacists within eight months of the date of the Settlement Agreement.
5. Ms. Young shall pay a portion of the College's costs in this matter, fixed at the amount of \$2500, to be paid within twelve months of the date of the Settlement Agreement.
6. Ms. Young shall enroll in, undertake, and successfully complete, within twelve months of the date of this Settlement Agreement, the Mount Saint Vincent University's Business Ethics Course, BUSI 2250, or a reasonably similar course of study approved by the Registrar of the NSCP.
7. 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.
8. This Settlement Agreement shall not be effective unless approved by the Hearing Committee of the Nova Scotia College of Pharmacists. If approved by the Hearing Committee, the date of approval is the date of this Settlement Agreement.

The Investigation Committee of the Nova Scotia College of Pharmacists and Ms. Melissa Young 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 30 day of July 2018.



Beverley Zwicker, Registrar, NSCP



Melissa Young



Bryan Davis, Chair, Investigation Committee