

DECISION OF THE HEARING COMMITTEE

PROVINCE OF NOVA SCOTIA HALIFAX REGIONAL MUNICIPALITY

IN THE MATTER OF: The *Pharmacy Act*, R.S.N.S. 2011, c.55 and Regulations
made thereunder

-and-

IN THE MATTER OF: Ms. Kari Ellen Graham, Pharmacist, [REDACTED],
[REDACTED]

In the matter of: Recommendation of the Investigation Committee for acceptance of the Settlement Agreement between the Nova Scotia College of Pharmacists and Ms. Kari Ellen Graham.

The Hearing Committee met on September 22, 2021, to consider the proposed Settlement Agreement being recommended for acceptance by the Investigation Committee regarding Ms. Kari Ellen Graham. Due to the COVID-19 Pandemic and the current Public Health orders in place in the province of Nova Scotia the hearing was held via an online videoconference platform.

After careful review of the proposed Settlement Agreement (attached), information from Counsel for the Nova Scotia College of Pharmacists and Counsel for Ms. Kari Ellen Graham, and relevant precedents, the Hearing Committee has decided to accept the recommendation of the Investigation Committee regarding the Settlement Agreement between the Nova Scotia College of Pharmacists and Ms. Kari Ellen Graham.

September 22, 2021

Harriet Davies (Chair), Pharmacist

On behalf of Hearing Committee Members:
Desiree Jones, Public Representative
Ellen Purves, Pharmacist

attachment

**PROVINCE OF NOVA SCOTIA
HALIFAX REGIONAL MUNICIPALITY**

IN THE MATTER OF: The *Pharmacy Act*, R.S.N.S. 2011, c.55 and Regulations
made thereunder

-and-

IN THE MATTER OF: Ms. Kari Ellen Graham, Pharmacist, [REDACTED]
[REDACTED]

SETTLEMENT AGREEMENT

WHEREAS a complaint dated December 11, 2020, was filed against Kari Ellen Graham with the Nova Scotia College of Pharmacists (the "College") pursuant to the *Pharmacy Act*, R.S.N.S. 2011, C.55 and the Regulations made thereunder;

AND WHEREAS the College and Ms. Graham believe that a Settlement Agreement is the proper method of disposing of this matter;

AND WHEREAS the College and Ms. Graham agree to the following facts:

1. **THAT** Ms. Graham engaged in professional misconduct, pursuant to Section 2(at) of the *Pharmacy Act*, by engaging in the misrepresentation of a material fact, the particulars of which are:
 - i. Ms. Graham began practising as a staff pharmacist at the Canadian Forces Base pharmacy in Halifax, Nova Scotia, in 2002.
 - ii. On September 25, 2020, Ms. Graham received a verbal order prescription for Nabilone. The prescriber ordered the dose to be 0.25mg; however, Ms. Graham incorrectly transcribed the prescription as 2.5mg. Ultimately, Ms. Graham's error led to the prescription being dispensed to the patient at the 2.5mg dose.
 - iii. When the error was discovered, Ms. Graham hastily altered the prescription in a way that misled others.
 - iv. Ms. Graham admits that she recklessly misled others by altering the prescription.
 - v. Ms. Graham admits that she was not forthcoming in explaining her role in the original transcribing error and the subsequent altering of the prescription.
 - vi. These actions constitute a breach of the *Pharmacy Act* and its *Regulations* and the *Code of Ethics*.

Ms. Graham specifically acknowledges and agrees to the facts stated above.

The College and Ms. Graham hereby agree to the following disposition and settlement of this matter:

1. Ms. Graham acknowledges and agrees that her conduct amounts to professional misconduct, contrary to the *Pharmacy Act and Regulations*.
2. A letter of reprimand shall be placed on the file of Ms. Graham.
3. The licence of Ms. Graham to practise pharmacy in Nova Scotia shall be suspended for a period of one month. The period of suspension will begin on October 1, 2021.
4. Ms. Graham shall pay a fine of \$1,500.00 to the College within three months of the date of this Settlement Agreement.
5. Ms. Graham shall pay a portion of the College's costs for this matter to the College, fixed at the amount of \$5,000.00, within twelve months of date of this Settlement Agreement.
6. Ms. Graham shall not hold the position of pharmacy manager for a period of two years from the date of this Settlement Agreement.
7. Ms. Graham shall enroll in, undertake, and successfully complete, an ethics course approved by the Registrar of the College within 18 months of the date of this Settlement Agreement.
8. The terms of this Settlement Agreement shall be made public, including publication of Ms. Graham's name and the facts and details of the Settlement Agreement, in accordance with the *Registration, Licensing and Professional Accountability Regulations*, Section 71.
9. This Settlement Agreement shall not be effective unless approved by the Hearing Committee of the College. If approved by the Hearing Committee, the date of approval is the date of this Settlement Agreement.

The Investigation Committee of the College and Ms. Kari Ellen Graham agree that this Settlement Agreement shall be put to a Hearing Committee of the College for its review.

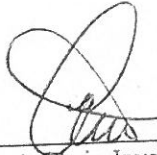
DATED at Halifax, Nova Scotia, this 3 day of August, 2021.



Beverley Zwicker, Registrar, Nova Scotia College of Pharmacists



Kari Ellen Graham

A handwritten signature in black ink, appearing to read 'Cheryl Court', is positioned above a horizontal line.

Cheryl Court, Chair, Investigation Committee