

The 14th Meeting of the Pharmaceutical Society of Ireland established pursuant to the Pharmacy Act 2007 was held on the 21st October in the Swift Room of the Gresham Hotel, O'Connell St, Dublin 1.

Council Members present: Mr. P. Fahey, Vice-President, Mr. S. Boyle, Mr. J. Collins, Ms. M. Doherty, Dr. P. Gallagher, Ms. C. Hallahan, Mr. E. Hanly, Dr. J. Hillery, Mr. S. Hurley, Ms. I. Kelleher, Dr. B. Leddy, Ms. D. Larkin, Mr. D. O'Loughlin, Ms. R. Purcell.

PSI staff in attendance: Dr. A. McLoughlin (Registrar), Ms. J. Aylward, Mr. J. Bryan, Ms. L. Horgan, Mr. R. Kennedy, Ms. C. McGoldrick, Mr. T. McGuinn, Ms. K. O'Flaherty, Mr. S. O hAodha, Mr. T. Reilly, Dr. C. Stokes.

Also in attendance: Mr. James McCullough, BL, Legal Assessor to the Council.

1. Apologies

Dr. A. Frankish, Ms. N. Harvey, President, Mr. A. Horan, Ms. K. Mulvenna, Prof. J. Nunn, Asst. Comm. N. O'Sullivan, Ms. M. Ní Longáin

2. Declaration of Interests (Appendix A: Sent 14th October 2009)

The Vice-President, who chaired the meeting in the President's absence, read the following statement:

Paragraph 9 of Schedule 1 to the Pharmacy Act 2007, deals with the necessary disclosure of certain interests by members of the Council and by members of its various committees. Those requirements are also reflected in the Code of Conduct adopted for Council members which also requires that they "be honest and open with regard to conflicts of interest (either real or perceived). Members must not use their position for personal gain in either business, political or social relationships. Therefore, a member who has, or may be perceived to have, such a personal interest in a particular matter under consideration should declare that interest, withdraw from all discussions relating to it and take no part in any vote on such matter."

A copy of paragraph 9 of Schedule 1 to the Act, relating to the disclosure of certain interests is therefore included as Appendix A and all members of the Committee are strongly advised to familiarise themselves with its contents.

3.1 Draft Minutes of meeting No. 13 – Public : (Appendix B: Sent 14th October 2009)

The draft minutes of public Meeting Number 13, 29th September 2009, were approved. The Minutes were proposed and seconded:

1. Ms. C. Hallahan
2. Mr. S. Boyle

Action¹: Office of the Registrar

3.2 Motion No. 1: Delegations of Council in relation to its functions under Part 6 of the Pharmacy Act 2007 (Appendix C: Sent 14th October 2009)

The Vice-President invited Ms. C. McGoldrick, Head of Professional and Services Conduct, to outline Appendix C, which is in the form of a Motion to Council.

Ms. C. McGoldrick explained that the 14 proposed delegations listed in Appendix C are in respect of administrative functions in the processing of complaints under Part 6 of the Act. Ms. C. McGoldrick indicated that

none of the proposed delegations were in respect of discretionary functions of Council. She then outlined to Council each of the 14 proposed delegations.

It was noted that in delegation number 6, an incorrect reference had been made to 35(3). It was confirmed that no delegation is sought in respect of the Council's functions under section 35(3). Delegation number 6 should have referred to Sections 35 (4), (5) and (6).

Ms. C. McGoldrick pointed out that these functions remain the responsibility of Council, despite their delegation. It was therefore agreed that regular reports would be made to Council in relation to the exercise of these delegated functions.

It was further agreed that a report will be produced for the next Council meeting with a list of all delegated functions.

The issue of who would perform the delegated functions for Ms. C. McGoldrick in her absence was discussed and it was agreed it was normal practice to appoint an Acting Head of Unit, in Ms. C. McGoldrick's absence. Mr. J. McCullough drew attention to the fact that Section 11(8) of the Pharmacy Act 2007 gives Council power to delegate any of its functions to a committee, the Registrar, or any other employee of the PSI.

Motion No. 1 - Delegations of Council in relation to its functions under Part 6 of the Pharmacy Act - was carried unanimously and proposed and seconded by:

1. Mr. D. O'Loughlin
2. Ms. D. Larkin

Action²: Professional and Services Conduct Unit

3.3 Draft Proposed Fees 2010 (Supplementary Appendix: Sent 20th October 2009)

The Vice-President invited Ms. R. Purcell to provide a report on that day's meeting of the Administration Finance and Corporate Governance Committee. Ms. R. Purcell indicated that the PSI has achieved real savings over the past year and that it had been therefore agreed that a reduction of approx. 10% would apply to continued registration fees for retail pharmacy businesses, and that corresponding reductions would also be made in the continued registration fees for pharmacists and pharmaceutical assistants. The revised proposed fees are as follows:

Fee for Retail Pharmacy Businesses	€2250
Fee for Pharmacists	€400
Fee for Pharmaceutical Assistants	€200

Ms. R. Purcell explained that the fee for pharmaceutical assistants had been reduced from €250 to €200 in order to take account of the over-sight in the PSI (Fees) Rule 2008 which resulted in a charge of €250 instead of €220 in 2009. Ms. Purcell also indicated that in future there will be an annual review of fees, and that it had been decided that a three-year Corporate Strategy would be devised. A Council meeting will be required in January 2010 to agree the Service Plan for 2010.

The Registrar indicated that it was prudent to have a reserve fund in the order of €4.5m to €6m in order to ensure the PSI would be in a position to meet its obligations under the Pharmacy Act and the commitments made to the Minister in areas such as CPD, practice of pharmacy programme, and continued implementation of Part 6 of the Act.

The Draft Proposed Fees for 2010 were unanimously approved by Council.

Action³: Education and Registration Unit

3.4 Motion No. 2: National Pharmacy Internship Programme: motion for approval by Council of arrangements with the Royal College of Surgeons in Ireland to assist Council's implementation of

**Parts 4 and 5 of the Pharmaceutical Society of Ireland (Education and Training) Rules 2008
(Appendix D: sent 14th October 2009)**

Dr. P. Gallagher declared a conflict of interest and left the meeting at this point. In answer to a question regarding his departure, Mr. J. McCullough clarified that it is a requirement of the Pharmacy Act 2007 (Schedule 1, Section 9 (2)) that a member who has an interest in a matter under consideration at a Council meeting should absent him or herself from the meeting, or that part of the meeting during which the matter is being discussed.

The Vice-President invited Ms. L. Horgan to address Council on this issue. Ms. Horgan explained that this motion had been drafted by the PSI legal adviser to formalise the arrangements agreed in previous Council meetings. Ms. Horgan reminded Council that it retains the functions associated with the carrying out of the interim in-service practical training programme (the National Pharmacy Internship Programme), including the evaluation of each intern's performance, but it has sought the support and assistance of the RCSI in the performance of these functions. Ms. Horgan outlined that the motion for approval formalises and underpins the Council process to date which culminated in the signing of the legal agreement by RCSI and PSI. Ms. Horgan pointed out that the PSI will set the accreditation standards that will underpin the programme approval and will be assisted by the RCSI in the development of the syllabus for the Professional Registration Examination, the examination procedures and standards to be achieved. It was confirmed that the NPIP is an interim arrangement for three years.

The Registrar paid tribute to Dr. P. Gallagher and the Professional Development and Learning Committee and to Ms. L. Horgan. He thanked the three schools of pharmacy for their support: the Royal College of Surgeons in Ireland (RCSI), the School of Pharmacy and Pharmaceutical Sciences at TCD, and the School of Pharmacy at University College Cork (UCC).

He also thanked the following individuals: HSE personnel Ms Kate Mulvenna, Chief Pharmacist, PCCC, Mr. Pat O'Dowd, Assistant National Director, PCCC, Mr. Shaun Flanagan, Chief Pharmacist, NHO Pharmacy Unit, Mr. Martin McDonald, Head of Workforce Planning and Professional Education, HSE. Mr. Seamus Feely and Ms Liz Hctor of the IPU were also thanked, along with Ms Elaine Conyard of the Hospital Pharmacists Association of Ireland (HPAI).

The Registrar indicated that his office will formally thank those involved in writing.

Motion No. 2, National Pharmacy Internship Programme: motion for approval by Council of arrangements with the Royal College of Surgeons in Ireland to assist Council's implementation of Parts 4 and 5 of the Pharmaceutical Society of Ireland (Education and Training) Rules 2008 was passed unanimously and proposed and seconded:

1. Dr. J. Hillery
2. Mr. E. Hanly

Action⁴: Education and Registration Unit

Dr. Paul Gallagher rejoined the meeting at this point. The Vice-President thanked Dr. Gallagher for his contribution and work, and reminded Council that the NPIP had been officially launched on 13th October by the Minister for Health and Children, Mary Harney.

3.5 Professional Registration Examination: Council approval of syllabus for November 2009 sitting of the Professional Registration Examination (Appendix E: Sent 14th October)

Dr. P. Gallagher outlined to Council the recommendation from the Examiners for the Professional Registration Examination (Ms. Leonie Clarke and Dr. Mike Morris) following their meeting held on 19 October 2009 regarding a proposed change to Council policy on compensation between sections of the Professional Registration Examination.

The pass standards for the Professional Registration Examination are as follows:

- Part 1, Section I [Misuse of Drugs Act and Regulations and the Medical Products (Prescription and Control of Supply) Regulations]: **70 per cent**
- Part 1, Section II (all other pharmacy and medicines law): **60 per cent**
- Part 2 (pharmacy ethics and professionalism): **60 per cent**

Currently, in line with Council policy, compensation between the different parts and sections is not permitted.

The Examiners, at their meeting that took place on Monday, 19 October 2009, had recommended to Council that in light of the completely new material being examined in Part 2 of the paper at the November 2009 sitting, compensation should be permitted from Part 1 to Part 2 of the Professional Registration Examination in the limited circumstances whereby a student scoring **50-59 per cent** in Part 2 may compensate with marks from either Part 1, Section I and/or Part 1, Section II, if sufficient excess is available to bring the result in Part 2 up to the **pass standard of 60 per cent**. Compensation from Part 2 into Part 1 should still not be permitted, nor should compensation from Part 1, Section I into Part 1, Section II or vice versa.

Dr. Gallagher indicated that Council's approval is required for this amendment. Council unanimously approved the syllabus for the November 2009 sitting of the Professional Registration Examination and the revised policy on compensation from Part 1 into Part 2 for the Professional Registration Examination.

Action⁵: Education and Registration Unit

3.6 Proposal for a Directive of the European Parliament and of the Council on the application of patients' rights in cross border healthcare (COM(2008)) 414 final: letter from PSI to Mr. Paul Barron, Department of Health and Children (Appendix F: Sent 14th October 2009)

The Registrar briefed Council on the letter sent to Mr. Paul Barron, Assistant Secretary at the Department of Health and Children and on his recent meeting at the EU Parliament ('Making Patient Safety a Priority: An invitation to discuss workable approaches to the pharmaceutical health package proposal on counterfeit medicines') on 30th September.

The Registrar confirmed that the issue of counterfeit medicine was a serious concern at a European level and indicated that 80% of counterfeit sales are made via the internet and mail order. He stated that the prohibition on these should be maintained and that our European colleagues are supportive of this measure in the interests of protection of patient safety.

Mr. T. McGuinn gave an overview of various attempts to set up internet pharmacies in Ireland over the years. He outlined the background to the current prohibition on the mail-order selling of medicinal products in this country, which had its origins and legal basis in Article 14 of EU Directive 97/7/EC (relating to the protection of consumers in respect of distant contracts) and in the Doc Morris judgment of the ECJ in case c-321/01.

The Registrar confirmed that, with the objective of ensuring that pharmacists are in control of all drug dispensing and that proper regulation and traceability is practiced, the PSI will continue to work with the IMB, and with the Pharmaceutical Society of Northern Ireland. The Chief Pharmacist of the Department of Health and Children will be in touch with her colleague in Northern Ireland on this matter. This issue will remain under review in the coming months.

4. President's & Registrar's Business

The Registrar briefed Council on the following:

- The PSI has engaged with HIQA on the issue of residential care for older people. Mr. J. Bryan, Head of the Inspection and Enforcement Unit, has been nominated to the External Reference Group on Residential Services for Older People.

- The Registrar will attend a Health Professionals Crossing Borders roundtable discussion on 2nd December in the European Parliament in Brussels and Council will be updated subsequently.
- The Registrar, Dr. P. Gallagher, Chair of the Professional Development and Learning Committee, and Ms. L. Horgan, Head of Education and Registration Unit, will participate by video conference in the Argentinean Pharmaceutical Society and South American Pharmaceutical Society meeting in San Juan, Argentina, on 29th and 30th October.
- The Registrar has been invited to deliver a keynote address on “Strategies for the future development of Health Professionals Regulation” at the World Health Professions’ Conference on Regulation (WHPCR) in Geneva on 18-19 February 2010. The PSI delegation will be led by the President, Ms. N. Harvey.
- The Audit Committee will meet in the coming weeks to review the Risk Assessment and Internal Audit Plan and Risk Management Policy and Guideline. All travel expenses and credit card expenditure will also be examined.
- Nominations were requested from PSI Advisory Committees from individuals willing to act as observers to PSNI Committees. Members were asked to contact Ms. J. Aylward.
- The contract in relation to the FIP 2013 meeting in Dublin will be signed on 3rd December by the Registrar, with the President and Vice-President in attendance.
- A letter from Revenue regarding flat rate expenses to Pharmacists/Pharmaceutical Assistants is to be published on the PSI website.
- The Review of Hospital Services group has met and the Registrar (in his role as independent Chairperson) will brief Council in due course.
- Following the recent meeting with Minister Harney on 7th October, it was agreed that an urgent meeting with Dr. Barry White of HSE would be requested in order to progress Pharmacy Ireland 2020. Dr. Mark Ledwidge from UCC has been appointed as pharmacy adviser to Dr. White in the area of cardiology. Council welcomed the appointment.
- The PSI has conducted a competitive tender for a benchmarking or baseline study to be carried on its behalf to assess the nature and scope of pharmacy practice in Ireland. This is in line with procurement policy and the Council and the Standards and Practice Committee will be informed of the successful tender in due course.
- PA Consulting has been commissioned by the PSI to conduct a review of CPD models. The Registrar pointed out that any CPD will be closely linked with pharmacy practice development and the Pharmacy 2020 programme.
- The PSI is currently preparing a business plan for 2010 and a corporate strategy for next 3 years, and an additional Council meeting will be convened in mid-January to discuss these matters.

The Vice-President announced the end of the Public meeting at 3.30pm.

The next Council meeting will be on Tuesday 1st December at An Bord Altranais, Blackrock, Co. Dublin.