Disciplinary Guidelines

SCOPES

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Categories of Discipline

1. Informal resolution, Letter of Instruction, Letter of Warning
2. Letter of Reprimand and/or Civil Penalty
3. Probation or Suspension with Remedial Conditions, Monitoring and/or Civil Penalties
4. Revocation and/or Civil Penalties

Severity parameters*:

- Technical Violations
- CE violations
- Advertising violations
- Fee issues, i.e. fee splitting, rebates, etc.
- Practicing without a license (Type A civil penalties allowed)
• **No Harm:**
  - Practice on Expired License
  - Conviction of a crime not related to practice
  - Allowing the practice of unlicensed personnel
  - Unsanitary conditions
  - Counseling violations

• **Minimal Harm or Potential of Harm:**
  - Conviction of a felony indirectly related or impacting practice
  - Impairment
  - Practice outside the scope of recognized pharmacy practice
  - Unprofessional, dishonorable or unethical conduct
  - Improper dispensing of controlled substances
  - Professional incompetence
  - Falsification of medical records
  - Counseling violations
  - Unsanitary conditions

• **Actual or Risk of Immediate Harm:**
  - Sexual misconduct
  - Conviction of a crime directly related to practice or crime of moral turpitude
  - Impairment while practicing
  - Unprofessional, dishonorable or unethical conduct
  - Professional incompetence
  - Practicing outside the scope of practice
  - Improper dispensing of controlled substances
  - Falsification of prescription records
  - Unsanitary conditions

*Violations listed are not all inclusive but only examples of the types of violations that could result in discipline*
Scope parameters:

- **Isolated** means one incident of group of incidents occurring a limited number of times.

- **Pattern or multiple** means a single violation occurring over a period of time, or several violations occurring a limited number of times.

- **Widespread** means an act that is occurring consistently or regularly.

- **Significant** means an incident of gross malpractice, a violation of a Board order, fraud or falsification in the application process, or conviction of a felony involving moral turpitude.

Diversion to a recognized professional assistance program may be appropriate in situations involving impairment.

Costs shall always be assessed in successful prosecutions.

This policy was approved and adopted at the April 12, 2017 Board meeting.