

POLICY STATEMENT

Pharmacist's Responsibility when asked to Provide a Drug that may Harm the Patient

June 2000

"In common law, the standard of care for a pharmacist would be what a responsible pharmacist would do, that is the standard of the profession. Courts look towards expert witnesses, legislation and standards of practice accepted by regulatory bodies as evidence of standards of care"

M. Berry, "Canadian Pharmacy Law", Aug1998, paragraph 5.251

In this document, "standard of care" means the level of professional service that a reasonably prudent pharmacist would provide on caring for the patient in order to provide reasonable protection of the patient from harm.

Ethically, pharmacists are obliged to hold the health and safety of the public to be of first consideration. The standard of care when dispensing a drug that may harm the patient includes a duty to inform the patient and respect for autonomy. The pharmacist respects the autonomy of the patient to make informed decisions. This requires informed consent where the pharmacist is satisfied that the patient possesses sufficient information and mental capacity to understand the risks and benefits in order to voluntarily accept or reject the treatment. During the process, the pharmacist is obliged to accurately disclose the material risks and benefits that are reasonably known, or can be reasonably expected under the circumstances.

Should the pharmacist not be satisfied that the patient has made an informed decision, the pharmacist may compromise respect for autonomy and exercise professional judgment in a manner which will reduce what the pharmacist believes might be an unsafe consequence for the patient to an acceptable level.

As professionals, pharmacists have an obligation to meet the standards of the profession, including the standard described in this statement. Failure to meet the standards can be misconduct for which the pharmacist is accountable to his provincial or territorial regulatory authority. Failure can also lead to liability, especially when it is shown that the conduct below the standard of the profession is related to harm against the patient or the patient's property.