

# Pharmacy Law and Matthew 18:15

By Jim Pinder, JD, MBA



*Jim Pinder, JD, MBA, has taught pharmacy law at Loma Linda University School of Pharmacy since 2009. He has published in the journal, California Pharmacist, and recently presented at the California Society of Health-System Pharmacists Seminar 2013. Jim's research focuses on preparing pharmacy students for practice in a litigious society, and the intersection of pharmacy law and pharmacy practice. Jim is also Director of Academic Affairs for the School of Pharmacy and has recently developed an advanced pharmacy law course.*

As a non-clinician that teaches pharmacy law, having controlled substance prescriptions filled has led to an internal dialogue. How long is the prescription valid? How many times has it been refilled? How many days' supply has been provided in total?

Two years ago it became apparent that my pharmacist was violating California controlled substance regulations when refilling my C-IV prescription. California law states that no more than a 120-day supply of a C-III or C-IV refills can be dispensed<sup>1</sup>. In total, a 180-day supply had been dispensed to me over a six-month period. While I didn't mind the extra refills (it was for a chronic condition), someone could get in trouble for overlooking this mistake.

Several options presented themselves on how to proceed. For sure this was a case study for my pharmacy law students. But how would I address the ongoing mis-filling of the C-IV medication? I was good friend of a vice president at the community pharmacy company. I was also a good friend of their compliance officer. Approaching either would have provided an avenue to present the evidence and outline how California regulations were being violated. I could also file a formal complaint with the State Board of Pharmacy. The other option was to follow Matthew 18:15. The New American Standard Bible states, "If your brother sins, go and show him his fault in private."<sup>2</sup>

The approach I took involved balancing the need to address the violation while maintaining my relationship with the pharmacist and not harming them in the process. I collected the evidence, made an appointment with the pharmacist, and presented my case. I emphasized my desire not to get anyone in trouble while I described what I saw happening with my prescription refills. He listened intently, noting the section of Health & Safety Code being referenced and the details on the medication labels.

After leaving for a few minutes to look at the original prescription, he returned. The pharmacist stated that indeed, they had refilled the medication too many times. He would report the issue to their compliance officer and work out the modification to their policies and procedures to ensure it didn't happen again.

The take-home message is to find solutions that solve the issue, minimize damage, and preserve relationships, dependent on the circumstances. The last part of Matthew 18:15 sums it up, "...if he listens to you, you have won your brother over."<sup>2</sup> In other words, you have won.

## References

1. *Health and Safety Code*. Available at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=11001-12000&file=11200-11201>, Accessed April 2, 2013.
2. *Matthew 18:15*. Available at <http://bible.cc/matthew/18-15.htm>, Accessed April 2, 2013.