

Oregon, most states don't require reports of pharmacy mistakes

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Between 1998 and 2004, state regulators disciplined Salem pharmacist Dave Hochhalter nine times.

Over the course of those six years, Hochhalter admitted in discipline agreements, he made at least 24 dispensing errors, failed to counsel patients with new prescriptions, violated safety rules about how to run a pharmacy, and lied about an assault arrest.

But it wasn't until he began fraudulently overcharging customers for insurance co-pays that the Oregon Board of Pharmacy revoked Hochhalter's license, in December 2004.

The board also revoked the license for his business, Dave's Pharmacy in West Salem, which Hochhalter then sold to Safeway.

Eighteen months later, the board reinstated Hochhalter's license, placing him on five years probation. He worked for the West Salem Safeway pharmacy for a short time, but is no longer there, Safeway officials said.

Hochhalter did not return messages left at his home.

Though Hochhalter's case is probably the most egregious state regulators have seen, it's typical of the approach the Oregon Board of Pharmacy takes toward problem pharmacists, executive director Gary Schnabel said.

The goal is to rehabilitate, not punish them, he said.

In the end, Hochhalter's was a success story, Schnabel said.

"He was really messing up. He got revoked. Then he got his act together and got reinstated," Schnabel said. "We didn't want to close up a community resource. We just want (pharmacists) to be competent."

When it comes to dispensing errors, Oregon faces the same problems as the rest of the country, Schnabel said:

Oregon pharmacies, like those elsewhere, depend heavily on technicians.

There are 4,446 licensed pharmacists in the state, and 6,178 pharmacy technicians.

Like most other states, Oregon does not require drug errors to be reported.

All 80 of the dispensing errors the board investigated last year came from consumer complaints. Of those, seven licensees were formally disciplined; 23 were required to attend a course on error reduction in lieu of discipline, 32 still are in the discipline process, and 18 were found to be unsubstantiated.

Link

To see whether an individual pharmacist or a pharmacy has been disciplined, go to the Oregon Board of Pharmacy Web site, http://my.oregon.gov/pharmacy_search/searchResults-submit.do, and type in the name. To find out what the discipline is for, contact the board at (971) 673-0001 and request a copy of the discipline order.

The board also issued 11 warnings about dispensing errors they discovered during site inspections.

Schnabel said that's likely just a small fraction of actual errors.

"Many occur that we don't know about," he said.

Hochhalter, for example, dispensed Zyrtec, used to treat allergies, in place of Zantac, used to treat ulcers. He dispensed propranolol, an anti-hypertensive medication, in place of isosorbide, an anti-angina medication.

Pharmacists complain of pressure from corporate pharmacies to increase the number of prescriptions filled.

"For a while, pharmacists were complaining that companies were not allowing them to take breaks, making them work 12 hours straight. Some of them wanted the board to put something in rule about that," Schnabel said.

"What we've done, rather than start mandating employer practices -- when there's an error and we do the investigation, we look at where the responsibility is. Did the pharmacy corporation have some responsibility for making the environment difficult?"

The board issues reprimands, fines or civil penalties to pharmacies, as well as its workers, he said.

Meanwhile, Oregon has taken the lead on several measures to avoid dispensing errors.

In 1999, it was the first state in the nation to require pharmacies to label prescription containers with a physical description of the medicine inside. A handful of states have followed suit.

And last year, it began requiring all pharmacy technicians to pass a national certification test. Oregon is one of just a few states in the country with that requirement, Schnabel said.

All existing technicians have until Oct. 1, 2008, to pass the test. Newly licensed technicians will have one year from their licensing date to pass the test.

"That's really a patient safety issue in itself," Schnabel said.

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