

Subject: LICENSEE IMPAIRMENT		Issued By: IDS PHARMACY	
		Approved By: Kathleen R. Hurtado R.Ph. President & CEO	
Policy #: 2030	Issue Date: May 30, 2008	Revised Date:	Effective Date: June 15, 2008

References:
Section 4104 of the Business and Professions Code of the California Board of Pharmacy located at:
http://www.pharmacy.ca.gov/laws_regs/lawbook_index.pdf
USC Drug-Free Policy located at:
<http://policies.usc.edu/policies/drugfree2007.pdf>
USC Causes For Discipline Policy located at:
http://policies.usc.edu/policies/hiring_employment/causesfordiscipline010101.pdf
USC Fitness For Duty Policy located at:
http://policies.usc.edu/policies/hiring_employment/fitness010108.pdf

PURPOSE

The IDS Pharmacy is committed to protecting Research Participants and the public from any act, omission or circumstance that could directly or indirectly cause harm to their health or well-being. Therefore, if a licensed IDS Pharmacy Staff Member is found to be chemically, mentally, or physically impaired and it affects their ability to practice their profession as licensed, or if it is discovered that they have engaged in the theft, diversion, or self-use of dangerous drugs, action will be taken as described below.

POLICY

1. **CHEMICAL IMPAIRMENT:** It must be reported immediately to HRA’s President & CEO if a licensed individual working at the IDS Pharmacy admits or is discovered to be chemically impaired particularly when it affects their ability to practice their profession as licensed. After determining whether or not any Research Participants were harmed by the impaired IDS Pharmacy Staff Member, HRA’s President & CEO may take the following actions:
 - a. The individual may be required to take a drug/alcohol test. Failure to submit to such a test will result in termination;
 - b. The individual may be suspended, with or without pay, pending the results of the drug/alcohol test;
 - c. If the test results are positive for drugs and/or alcohol, the individual will be asked to seek counseling and their employment will be terminated; and,
 - d. The California Board of Pharmacy will be notified of the licensee’s impairment;

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2. **MENTAL OR PHYSICAL IMPAIRMENT:** It must be reported immediately to HRA’s President & CEO if a licensed individual working at the IDS Pharmacy admits or is discovered to be mentally or physically impaired particularly when it affects their ability to practice their profession as licensed. After determining whether or not any Research Participants were harmed by the impaired IDS Pharmacy Staff Member, HRA’s President & CEO may take the following actions:
- a. HRA may require a professional evaluation of the individual’s mental and physical capabilities to determine their ability to perform their essential job functions;
 - b. If it is determined that the individual is unable to perform their essential job functions, HRA will ascertain whether or not reasonable accommodations can be made to allow the individual to continue working;
 - c. If appropriate accommodations cannot be made, other options (for example, placing the Staff Member on medical leave or termination of employment) will be considered;
 - d. The California Board of Pharmacy will be notified of the licensee’s impairment;
3. **THEFT, DIVERSION OR SELF-USE OF DANGEROUS DRUGS: :** It must be reported immediately to HRA’s President & CEO if it is discovered that a licensed individual working at the IDS Pharmacy has engaged in the theft, diversion, or self-use of dangerous drugs. After determining whether or not any Research Participants were harmed by the actions of the IDS Pharmacy Staff Member, HRA’s President & CEO may take the following actions:
- a. The individual may be required to take a drug/alcohol test. Failure to submit to such a test will result in termination;
 - b. The individual may be suspended, with or without pay, pending the results of the drug/alcohol test;
 - c. If the test results are positive for drugs and/or alcohol the individual will be asked to seek counseling and their employment will be terminated;
 - d. In addition to sanctions imposed by HRA, individuals who have violated municipal, state and/or federal law may be referred to the appropriate authorities for arrest and prosecution; and,
 - e. The California Board of Pharmacy will be notified of the licensee’s impairment;

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4. **REPORTING REQUIREMENTS:**

- a. **LICENSEE TERMINATIONS MUST BE REPORTED:** Within 30 days of licensee termination for theft, diversion, or self-use of dangerous drugs and/or biologics – or licensee termination for chemical, mental or physical impairment affecting their ability to practice – the IDS Pharmacy must report this information to the California Board of Pharmacy;
- b. **THE FOLLOWING MUST ALSO BE REPORTED:** Within 30 days, the IDS Pharmacy must report any admission by a licensee working at the IDS Pharmacy of theft, diversion or self-use of dangerous drugs – or any admission of a chemical, mental or physical impairment affecting their ability to practice – to the California Board of Pharmacy. Any video or documentary evidence demonstrating such incidents of theft, diversion or self-use of dangerous drugs and/or biologics – or evidence of a chemical, mental or physical impairment of a licensee affecting their ability to practice – must also be reported to the California Board of Pharmacy within 30 days;
- c. **MAKING A GOOD FAITH REPORT MAKES ONE IMMUNE FROM ANY RESULTING LIABILITY:** Anyone making a “good faith” report to the Board of Pharmacy of (a), and/or (b) above, is granted immunity from any civil or criminal liability that might otherwise arise from making the report. Also, anyone making a report will be granted the same immunity in any administrative or judicial proceedings which result from reporting to the Board.

RESPONSIBILITY

President & CEO
Pharmacist-in-Charge
IDS Staff Members