

Report on Opinion - Case 98HDC11286

Complaint

The Commissioner received a complaint from a consumer that in early January 1998 the provider, a general practitioner, prescribed Losec instead of Lescol as a cholesterol lowering medication for the consumer.

Investigation

The complaint was received by telephone on 26 January 1998 from the consumer and an investigation was commenced. Information was obtained from:

The Consumer
The Provider/General Practitioner
The Locum GP for the provider

Outcome of Investigation

The consumer reports that he was prescribed a cholesterol-lowering drug by the provider, his general practitioner, which he had been taking for some time. Because the drug was unsubsidised, the consumer telephoned the surgery in early January 1998 to request one subsidised by Pharmac. When the consumer went to collect the prescription three days later, he noticed that the provider had prescribed Losec. The provider later advised he typed out Losec instead of Lescol and that he did not need to see the consumer at the time he uplifted the prescription because he was a regular patient.

The consumer also noted it was written on the same prescription form as his other medication. As these groups of subsidised drugs can only be dispensed through a hospital pharmacy, he therefore asked for it to be re-written separately in order to present it at a hospital pharmacy. At this time the provider was on leave, and so his locum re-wrote the prescription for him transcribing the drug Losec as written by the provider.

The consumer subsequently discovered through another doctor that Losec is indicated for treating stomach ulcers and the drug he should have had is called Lescol. This discovery occurred before the drug was dispensed to the consumer.

The consumer contacted the surgery and the provider's locum authorised (by telephone) the consumer's other doctor to prescribe the correct drug.

Continued on next page

Report on Opinion - Case 98HDC11286, continued

Outcome of Investigation
continued

The provider advised the Commissioner in his letter of 4 May 1998 that he made the original prescribing error which was transcribed by his locum.

The Code of Health and Disability Services Consumers' Rights

Right 4
Right to Services of an Appropriate Standard

4) *Every consumer has the right to have services provided in a manner that minimises the potential harm to, and optimises the quality of life of, that consumer.*

Opinion Breach

In my opinion the provider breached Right 4(4) of the Code of Health and Disability Services Consumers' Rights.

The provider prescribed Losec instead of Lescol, and while it could be claimed to be a simple error, potentially this was a serious prescribing error. While I recognise no harm was ultimately done as the error was discovered before the medication was dispensed, in my opinion in prescribing the wrong drug, the provider did not meet the test of providing a service that minimised the potential harm to the consumer

Actions

The provider is to provide a written apology for his breach of the Code to the consumer. The apology should be sent to this office and the Commissioner will forward it to the consumer. A copy of the apology will remain on the investigation file.

A copy of this report will be sent to the Medical Council.
