

General Pharmaceutical Council

Fitness to Practise Committee

Principal Hearing

In-person/Remote videolink hearing

4-8 November 2024, 6 February 2025

Registrant name:	Thoai Nguyen
Registration number:	2052038
Part of the register:	Pharmacist
Type of Case:	Misconduct
Committee Members:	Neville Sorab (Chair) Esosa Osakue (Registrant member) David Hutton (Lay member)
Committee Secretary:	Gemma Staplehurst / Chelsea Smith / Chloe Buttler
Registrant:	Present and represented by Kevin McCartney, instructed by Noel Wardle
General Pharmaceutical Council:	Represented by Yesim Hall, Case Presenter
Facts proved:	Allegations 1.1, 1.2, 1.3, 4.2, 4.3, 5.1, 5.3
Facts proved by admission:	Allegations 3.1 and 4.1
Facts not proved:	Allegations 2.1, 2.2, 5.2, 5.4, 5.5
Fitness to practise:	Not impaired
Outcome:	Warning issued

The Committee warns the Registrant as follows:

"The Committee has found that:

You, a registered pharmacist, working as Superintendent Pharmacist and Director at Park Pharmacy owned by Park Health Limited ("the Pharmacy"):

- 1. Signed a technical agreement on behalf of the Pharmacy with Nitespharma on 25 October 2019 ("the Agreement") where it was agreed:
 - 1.1. Nitespharma would purchase and supply stock to the Pharmacy or for wholesale;*
 - 1.2. Any over-labelled stock ("the Medicines") supplied was intended for pharmacy use on NHS patients only;*
 - 1.3. Any other stock could be used by the Pharmacy in line with authorised activities i.e. wholesale**
- 2. Allowed or facilitated some of the Medicines supplied through the Agreement to be sold wholesale.*
- 3. In relation to the onward sale of the Medicines:
 - 3.1. engaged with unregistered brokers ("the Brokers");*
 - 3.2. knew or ought to have known that the Brokers were not registered with the MHRA as brokers of medicinal products;*
 - 3.3. failed to carry out the required checks before carrying out any Good Distribution Practice activity.**
- 4. Your actions as set out above at 2, and 3:
 - 4.1. were for personal financial gain; and*
 - 4.2. were in breach of Regulations 43 of the Regulations.**

The Committee has decided that your fitness to practise is not currently impaired, taking into account your remorse, remediation and full insight. However, the Committee has decided that there does need to be a public acknowledgement that your conduct was unacceptable. The Committee has therefore decided to issue a warning in this case.

The warning is as follows:

The Council's Standards require that pharmacy professionals behave in a professional manner. This includes conducting due diligence checks upon third-parties with whom you work.

You have been found, to have engaged in unsolicited services from an unknown broker, where no due diligence, including checking whether the

broker was licenced, was conducted. This conduct was unacceptable, unprofessional and falls below the standard acceptable for a registered pharmacy professional. Your actions brought the profession of pharmacy into disrepute.

Although your practice is not currently impaired, the Committee has considered the representations of the Council and your representative and is of the view that a warning is required to stand as a reminder to you and the wider profession of the importance of behaving in a professional manner at all times. Such actions may negatively affect the reputation of pharmacy professionals and must not be repeated.

This warning will be published on the register and will be available for 12 months.”