



**California State Board of Pharmacy**  
1625 N. Market Blvd, Suite N219, Sacramento, CA 95834  
Phone (916) 574-7900  
Fax (916) 574-8618  
www.pharmacy.ca.gov

STATE AND CONSUMERS AFFAIRS AGENCY  
DEPARTMENT OF CONSUMER AFFAIRS  
ARNOLD SCHWARZENEGGER, GOVERNOR

Contact Person:  
Virginia Herold  
(916) 574-7911

**California State Board of Pharmacy  
Department of Consumer Affairs  
Notice of Public Board Meeting  
January 31 and February 1, 2007**

This board meeting is open to the public and is held in a barrier-free facility in accordance with the Americans with Disabilities Act. Any person with a disability who requires a disability-related modification or accommodation in order to participate in the public meeting may make a request for such modification or accommodation by contacting Gloria Schultz at telephone number (916) 574-7912, at least five working days prior to the meeting.

Opportunities are provided to the public to address the board on each open agenda item.

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**Agenda**

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**DATE:** January 31 and February 1, 2007

**PLACE:** Skaggs School of Pharmacy and Pharmaceutical Sciences  
Education Center Rooms 2 and 3  
Osler Lane  
University of California, San Diego Campus  
La Jolla, CA

A map of the campus, the location of the meeting room and appropriate areas for public parking are provided at the back of this agenda. Signs announcing the parking areas for the Board Meeting will be posted on campus to direct the public to certain parking lots. An interactive version of the map is available from the board's Web site at [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov)

*Note: Pharmacists and pharmacy technicians who attend the full day of the board meeting on Wednesday, January 31, 2007, may be awarded 6 hours of CE, in accordance with the board's CE policy.*

**Wednesday, January 31, 2007**

**I. Closed Session** **8:00 a.m.**  
The board will go into closed session pursuant to Government Code section 11126(a) to discuss the appointment of the executive officer.

**CALL TO ORDER** **\*9:00 a.m.**  
**Announcements**

**II. Report and Possible Action Regarding Results of Closed Session**

*\*Times are approximate and are subject to change  
Meeting Materials will be available on the board's Web site at [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov) by January 26, 2007*

### III. Committee Reports And Action

Each committee report contains an update to the board on the committee's recent activities and may include recommendations for board action. An opportunity for public comment is provided at the end of each report.

#### **A. Communication and Public Education Committee**

**9:15 a.m.**

1. Meeting Summary of the November 30, 2006 Meeting of the Subcommittee on Medicare Drug Benefit Plans
2. Discussion Regarding Pill Splitting by Patients
3. Report on the Meeting of January 8, 2007
  - a. Proposed Amendments to Modify the "Notice to Consumers" pursuant to AB 2583 (Nation, Chapter 487, Statutes of 2006)
  - b. Update on the Development of Consumer Fact Sheet Series with UCSF's Center for Consumer Self Care
  - c. Update Report on the Activities of the California Health Communication Partnership
  - d. Update Report on The Script
  - e. Development of New Consumer Brochures
  - f. Update on Public Outreach Activities
  - g. Meeting Summary
4. Second Quarterly Report on Committee Goals for 2006/07

Public Comment

#### **Break**

#### **B. Licensing Committee**

**10:15 a.m.**

1. Report on the Meeting of December 6, 2006
  - a. California Schools of Pharmacy Proposal to Identify and Test on the Professional Competencies That Should Be Achieved by the End of Basic Intern Experience
  - b. Request to Amend 16 California Code of Regulations Section 1728 to Increase the Number of Intern Hours That Can Be Earned Outside a Pharmacy from 600 to 1,000
  - c. Proposed Regulation Requirements for Pharmacies That Compound Medication – Amendments to 16 California Code of Regulations Sections 1716.1 and 1716.2 and the Adoption of Sections 1735-1735.8
  - d. Emergency Preparedness for California Pharmacy – Policy Statement of the Board of Pharmacy For Emergency Response
  - e. Update on the Request to Add the Exam for the Certification of Pharmacy Technicians as a Qualifying Method for Pharmacy Technician Registration
  - f. National Provider Identifier
  - g. Competency Committee Report
  - h. Meeting Summary
2. Licensing Statistics
3. Second Quarterly Report on Committee Goals for 2006/07

Public Comment

#### **Recognition of Pharmacists**

**11:15 a.m.**

#### **Lunch**

**11:30 a.m.**

#### **C. Legislation and Regulation Committee**

**1:00 p.m.**

## **Regulations Report and Action**

*Note: CCR as used below means California Code of Regulations*

### **1. Board Action on Regulations**

- a. Proposed Amendment to 16 CCR § 1775.4 – Rescheduling of an Office Conference to Contest a Citation
- b. Proposed Amendment of 16 CCR § 1706.2 – Abandonment of Application Files for Veterinary Food-Animal Drug Retailer, Hypodermic Needle and Syringes Distributor and Designated Representative

### **2. Proposed Regulation Changes**

- a. Section 100 Changes
  - (1) Amend 16 CCR § 1715 Self Assessment of a Pharmacy by the Pharmacist-in-Charge to Update for Changes in Pharmacy Law
  - (2) Amend 16 CCR § 1793.8 to Update Regulation Reference to Recodified Business and Professions Code § 4052
- b. Proposal to Require the Self Assessment of a Veterinary Food Animal Drug Retailer Premises, Addition of 16 CCR § 1785

### **3. Approved Regulations**

- a. Repeal 16 CCR § 1717(e) and add 16 CCR 16, §1713 – Prescription Drop Boxes and Automated Self-Use Delivery Device for Refill Prescriptions
- b. Amend 16 CCR § 1793.7 and Add § 1793.8 Pharmacy Technician Checking Pharmacy Technicians in an Acute Care Hospital Pharmacy

### **4. Pending Regulations**

#### **a. Board Adopted – Pending Administration Approval**

- (1) Proposed Repeal of CCR § 1717.2 – Notice of Electronic Prescription Files
- (2) Proposed Adoption of 16 CCR § 1784 – Self-Assessment of a Wholesaler by the Designated Representative-In-Charge

#### **b. Board-Approved – Awaiting Public Notice**

- (1) Proposed Amendment to 16 CCR § 1709.1 – Replace the term “Exemptee-in-Charge” with “Designated Representative-in-Charge” (Section 100 Technical Change)
- (2) Proposed Amendment to 16 CCR § 1780 – Update the USP Standards Reference Material (Section 100 Technical Change)
- (3) Proposed Amendment to 16 CCR § 1780.1 and 1781 – Replace the term “Exemptee” with “Designated Representative” (Section 100 Technical Change)
- (4) Proposed Repeal of 16 CCR § 1786 – Return of Exemption Certificate (Section 100 Technical Change)
- (5) Proposed Amendment to 16 CCR § 1760 – Disciplinary Guidelines

#### **c. Board Approved – Awaiting Conformance with California Building Standards Rulemaking Process**

Addition to the California Building Code – 24 CCR § 490A.3 and 505.12.2 Related to Compounding Parenteral Solutions; Technical Changes to the Building Code Relating to Pharmacies

#### **d. Board Approved – Proposed Language to be Developed**

Proposed Regulation on the Process and Criteria to Approve Accreditation Agencies for Pharmacies that Compound Sterile Injectable Drug Products

## **Public Comment**

## **Legislation Report and Action**

### **5. Introduced Legislation Related to the Practice of Pharmacy**

### **6. Proposals for Board-Sponsored Legislation**

- a. Omnibus Provisions
  - (1) Extension for Bonding Requirements for Wholesalers, Amend Business and Professions Code §§ 4162 and 4162.5
  - (2) Authorize Citation and Fine Authority for Repositories for Redistribution of Unused Medication (as authorized by SB 798, Chapter 444, Statutes of 2005), Amend Business and Professions Code §§ 4314 - 4315
  - (3) Authorize Board Inspectors to Embargo Misbranded Drugs, Amend Business and Professions Code § 4084
  - (4) Establish a Temporary License Fee for Wholesalers, Amend Business and Professions Code §§ 4160(f) and 4161(k)

- (5) Authorize the Board to Extend an Intern Pharmacist License, Amend Business and Professions Code § 4208
  - b. Delay Implementation of CURES Provisions Enacted by AB 2986 (Nation, Chapter 286, Statutes of 2006)
- 6. Meeting Summary of the January 8, 2007 Meeting
- 7. Meeting Summary of the October 25, 2006 Meeting
- 8. Second Quarterly Report on Committee Goals for 2006/2007

Public Comment

**D. Enforcement Committee**

**2:00 p.m.**

- 1. Proposal to Develop an Ethics Course for Pharmacists Disciplined by the Board
- 2. Discussion Regarding Board Support of DEA's Proposed 90-Day Rule for Prescriptions for Schedule II Controlled Substances
- 3. Report of the Workgroup on E-Pedigree
- 4. Meeting Summary of the Meeting of December 12, 2006
- 5. Report on Enforcement Actions
- 6. Second Quarterly Status Report on Committee Goals for 2006/07

Public Comment

- 7. Demonstration by IBM of an Electronic Pedigree System to Track Prescription Medicine From Manufacturers through Wholesalers to Pharmacies **3:00 p.m.**

Public Comment

- 8. Discussion and Action Regarding Proposed Medicaid Program: Prescription Drugs, Proposed Rule 42 CFR Part 447 **4:00 p.m.**

Public Comment

**E. Organizational Development Committee**

**4:30 p.m.**

- 1. Report on the January 16, 2007 Meeting
  - a. Recognition of Pharmacists who Have Been Licensed 50 Years
  - b. Development of Parameters for Board Recognition of Notable California Pharmacists
  - c. Personnel Update and Training Report
  - d. Budget Update and Report
    - (1) Current Year's Budget 2006/07
    - (2) Board Fund Condition
    - (3) Future Budget 2007/08
    - (4) I-Licensing Update
    - (5) Reimbursement to Board Members
  - e. CURES Feasibility Study Report
  - f. New July Board 2007 Meeting Date
  - g. Meeting Summary
- 2. First Quarterly Report on the Committee's Goals for 2006/07
- 3. Approval of Full Board Minutes (October 25 and 26, 2006)

Public Comment

**IV. New Business/Agenda Items for Future Meetings**

**5:00 p.m.**

**Thursday, February 1, 2007**

**V. Closed Session**

**7:30 a.m.**

The board will move into closed session pursuant to Government Code section 11126(c)(3) to deliberate on disciplinary matters.

**VI.**

**Public Forum on Medicare Part D Plans 9 – 11 a.m.**

**VII. Petitions**

**11:00 a.m.**

**a. Reinstatement**

Evan Stein

Richard Schweitz

Kenneth Foresta

**VIII. Closed Session**

At the close of the hearings, the board will move into closed session pursuant to Government Code section 11126(c)(3) to deliberate on the requests for reinstatements, reduction of penalty, and early termination of probation.

**IX.**

**Open Session**

**Adjournment**

**5:00 p.m.**