



California State Board of Pharmacy
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STATE AND CONSUMERS AFFAIRS AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
ARNOLD SCHWARZENEGGER, GOVERNOR

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**California State Board of Pharmacy
Department of Consumer Affairs
Notice of Public Board Meeting
January 28 and 29, 2009**

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 Tessa Fraga at (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.

DATE: January 28 and 29, 2009
PLACE: Sheraton Hotel - Mission Valley
1433 Camino Del Rio South
San Diego, CA, 92108
(619) 260-0111

Note: Pharmacists and pharmacy technicians who attend the full day of the board meeting on Wednesday, January 28, 2009, may be awarded 6 hours of CE, in accordance with the board's CE policy.

The board's strategic plan organizes board activities into five committees of the board. Correspondingly, the board's meeting agenda is organized around the committee reports as updates to the board on each committee's recent activities. Action may be taken on any item on the agenda. An opportunity for public comment is provided at the end of each committee's report.

Time limitations will be determined by the President.

Agenda

Wednesday, January 28, 2009*

CALL TO ORDER

9:00 a.m.

General Announcements

I. Approval of the Full Board Meeting Minutes of October 29 and 30, 2008

II. Approval of the Board Meeting Minutes of November 20, 2008 of the Summit on E-Prescribing

III. Approval of the Board Meeting Minutes of November 20, 2008 of the Forum on Designing Patient-Centered Prescription Labels

IV. Enforcement Committee Report and Action

A. Presentation and Request from San Diego County for an Exemption to Distribute Prophylaxis Drugs to Emergency Response Staff Prior to a Declared Emergency

B. New Data Collection Vendor Secured for the Controlled Substance Utilization Review and Evaluation System (CURES), Effective January 1, 2009

*(*Times are approximate and subject to change)*

Meeting Materials will be posted on the board's Web site at www.pharmacy.ca.gov by January 26, 2009

- C. Department of Consumer Affairs Professionals Achieving Consumer Trust (PACT) Policy Statement**
- D. Presentation by Jan Hirsch, PhD, UCSD, On Research Regarding Use of Automated Dispensing Machines in Community Pharmacies**
- E. Report on the Meeting of December 9, 2008**
 - 1. Update on the Implementation of Model Programs for Drug Take Back from Patients (SB 966, Simitian, Chapter 542, Statutes of 2007)
 - 2. Sharps Take Back by Pharmacies
 - 3. Future Activities to Support E-Prescribing Implementation
 - 4. Fingerprinting Initiative of the Department of Consumer Affairs for Health-Related Boards
 - 5. Citation and Fine Program Overview 2007-2008
 - 6. DEA Policy on Correcting Schedule II Prescriptions
 - 7. Theft of Dangerous Drugs from the Pharmaceutical Supply Chain
 - 8. Summary of the Enforcement Committee Meeting held December 9, 2008
- F. Second Quarterly Report on Enforcement Committee Goals for 2008/09**
- G. Enforcement Statistics 2008/09**
- H. Public Comment**

V. Communication and Public Education Committee Report and Action

- A. Discussion Regarding Action to Implement SB 472, Patient-Centered Medication Container Labels**
- B. Update and Discussion Regarding the Consumer Fact Sheet Series with California Schools of Pharmacy Interns**
- C. Development of New Consumer Brochures by the Board**
- D. Update on *The Script***
- E. Update on Public Outreach Activities**
- F. Second Quarterly Report on Communication and Public Education Committee Goals for 2008/09**
- G. Public Comment**

VI. Recognition of Pharmacists Licensed with the Board for 50 Years

11:30 a.m.

Lunch

VII. Organizational Development Committee Report and Action

1:30 p.m.

- A. Governor's Executive Order to Furlough State Employees and Close the Board's Office Twice Monthly on Current Business Days**
- B. Presentation to the Board of the 2008 Audit Report Regarding the Independent Review of the Board's Fee Structure by Sjoberg Evashenk Consulting, Inc.**
- C. Possible Recommendation to Sponsor Legislation to Increase All Board Licensing Fees**
- D. Report of the Meeting of January 8, 2009**
 - 1. Budget Update/Report
 - a. Budget for 2008/09
 - b. Fund Condition Report
 - c. Board Member Reimbursement
 - d. Ethics Course for Board Members Due

- e. Sexual Harassment Prevention Training Due
- 2. I-Licensing Progress
- 3. Recognition Program of Pharmacists Who Have Been Licensed for 50 Years
- 4. Personnel Update

E. Second Quarterly Report on the Committee's Goals for 2008/09

F. Public Comment

VIII. Legislation and Regulation Committee Report and Action

Report of the Legislation and Regulation Committee Meeting of January 7, 2009

A. Regulation Report and Action (Note: CCR as used below means California Code of Regulations)

1. Regulations Adopted by Board

Action to Amend Title 16 CCR Section 1760 – Disciplinary Guidelines

2. Action to Repeal Title 16 CCR Sections 1716.1 and 1716.2, Adopt Sections 1735-1735.8 and Amend Sections 1751-1751.8 Regarding Requirements for Pharmacy Compounding and Sterile Injectable Compounding

3. Regulations Previously Adopted by the Board

- a. Amend Title 16 CCR Section 1773 and Add Section 1773.5 -- Establishment of an Ethics Course as an Optional Enforcement Component for Discipline
- b. Amend Title 16 CCR Section 1715 – Self-Assessment Forms for Community and Inpatient Pharmacies
- c. Amend Title 16 CCR Section 1784 – Self-Assessment Form for Wholesalers

4. Board Approved Regulations – Awaiting Notice

- a. Add Title 16 CCR Section 1785 – Self-Assessment of a Veterinary Food-Animal Drug Retailer
- b. Add Title 16 CCR Section 1751.8 – Accreditation Agencies for Pharmacies that Compound Injectable Sterile Drug Products
- c. Amend Title 16 CCR Sections 1721 and 1723.1 – Dishonest Conduct During a Pharmacist's Licensure Examination/Confidentiality

5. Regulations Under Development

- a. Amend Title 16 CCR Section 1780 – Update the USP Standards Reference Material
- b. Amend Title 16 CCR Section 1732.2 – Continuing Education for Competency Committee Members

B. Legislative Report and Action

1. Legislation Sponsored by the Board of Pharmacy

- a. Reintroduction of 2008 Omnibus Provisions Contained in SB 1779 (2008)
- b. Omnibus Provisions for 2009
 - (1) Disposal of Sharps – Amend Section 4146
 - (2) Subscriber Alert – Add Section 4013
 - (3) Nonresident Pharmacy – Amendment to Section 4112
 - (4) Pharmacist-in-Charge, Designated Representative – Termination of Status – Amendment to Section 4101
 - (5) Pharmacist-in-Charge – Amendment to Section 4113
 - (6) Wholesaler Licenses – Amendment to Section 4160
 - (7) Veterinary Food Animal Drug Retailer – Amendment to Section 4196
 - (8) Entry into Pharmacists Recovery Program – Amendment to Section 4362
 - (9) Sunset Date for Remedial Education for Four-Time Failers on Pharmacist Exams -- Amendment to Section 4201
- c. Immunization Proposal – Amendment to Business and Professions Code Section 4052 and Addition of Section 4052.8
- d. Elements of a Prescription Label – Amendment to Business and Professions Code Section 4076

2. Legislative Proposal Regarding Return of Medicine to Reverse Distributors

3. Legislation Introduced Impacting the Practice of Pharmacy or the Board's Jurisdiction

- a. AB 67 (Nava) – Pharmacy Patient Protection Act of 2008
- b. SB 26 (Simitian) – Home-Generated Pharmaceutical Waste

4. Additional California Legislation Introduced Affecting the Board's Regulatory Jurisdiction

C. Summary of the Legislation and Regulation Committee Meeting Held January 7, 2009

D. Second Quarterly Report on Legislation and Regulation Committee Goals for 2008/09

E. Public Comment

IX. Licensing Committee Report and Action

A. Report of the Licensing Committee Meeting Held December 17, 2008

1. Emergency and Disaster Response Planning -- Emergency Pharmaceutical Assistance Program
2. Formation of Subcommittee to Evaluate Drug Distribution Within Hospitals
3. Update on the Coalition on Shortages of Allied Health Professionals -- A Workgroup to Assess Shortages of Pharmacists in Hospitals
4. Number of Intern Hours That Can Be Earned Outside a Licensed Pharmacy
5. Task Force to Evaluate Pharmacy Technician Qualifications
6. Florida Rule Change Regarding the NAPLEX Examination
7. Competency Committee Report

B. Summary of the Licensing Committee Meeting Held December 17, 2008

C. Second Quarterly Report on Licensing Committee Goals for 2008/09

D. Public Comment

X. Public Comment for Items Not on the Agenda – Agenda Items for Future Meetings

Note: The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide to place the matter on the agenda of a future meeting. [Government Code Sections 11125 and 11125.7(a)]

XI. Recess for Day

Thursday, January 29, 2009

XII. Petition for Reduction of Penalty

Karen Hartson, RPh 45399

8:00 a.m.

XIII. Closed Session

- A. The board will convene in closed session pursuant to Government Code section 11126(c)(1) to discuss and evaluate the administration of the pharmacist licensure examination.
- B. The board will move into closed session pursuant to Government Code section 11126(c)(3) to deliberate on disciplinary matters and the petition for reduction of penalty.

ADJOURNMENT

11:00 a.m.