



**California State Board of Pharmacy**

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STATE AND CONSUMER SERVICES AGENCY  
DEPARTMENT OF CONSUMER AFFAIRS  
GOVERNOR EDMUND G. BROWN JR.

## NOTICE OF MEETING AND AGENDA

### Public Board Meeting

July 26 & 27, 2011

**Contact Person: Virginia Herold  
(916) 574-7911**

This board meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Richard Hultgren at (916) 574-7934, by emailing [richard.hultgren@dca.ca.gov](mailto:richard.hultgren@dca.ca.gov) or sending a written request to the Board of Pharmacy, 1625 N. Market Blvd., Suite N-219, Sacramento, CA 95834. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

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**DATE:** July 26 & 27, 2011  
**PLACE:** Department of Consumer Affairs  
First Floor Hearing Room  
1625 N. Market Boulevard, Suite N-219  
Sacramento, CA 95834

**WEBCAST:** <http://www.dca.ca.gov/stream/audiocast.asx>  
(link to Webcast will not be available until 9:00 a.m. on July 26, 2011)

*NOTE: Pharmacists and pharmacy technicians who attend in person the July 26<sup>th</sup> day of the Board Meeting may be awarded 6 hours of CE, in accordance with the Board's CE policy. Sign in and sign out that day are required for the CE credit.*

Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 574-7900 or access the Board's Web site at [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov).

Discussion and action may be taken on any item on the agenda. An opportunity for public comment is provided for each open agenda item and at the end of each committee's report. All times are approximate and subject to change. Time limitations for discussion and comment will be determined by the President.

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## Agenda

### Tuesday, July 26, 2011

#### Call to Order

**9:15 a.m.**

#### I. General Announcements

**II. Approval of the Full Board Meeting Minutes of May 3 & 4, 2011**

**III. ENFORCEMENT COMMITTEE REPORT**

**a. Presentation by the National Association of Boards of Pharmacy (NABP) on:**

1. Prescription Monitoring Interconnect Program for Controlled Substances
2. Pharmacist Assessment for Remediation and Evaluation (PARE)
3. Update on Other NABP Activities

**Report of the Enforcement Committee Meeting Held July 25, 2011**

- b. Discussion and Possible Action Regarding a Request for Exemption from 16 California Code of Regulations Section 1707.5 Label Requirements for Prescription Drug Containers as Authorized by Section 4076.5 of the California Business and Professions Code From the California Pharmacists Association for Skilled Nursing Facilities**
- c. Discussion and Possible Action to Consider Recommendations by the Committee to Amend the Board's Disciplinary Guidelines at 16 California Code of Regulations Section 1760, Including to Incorporate Recommendations of the Substance Abuse Coordination Committee (Pursuant to SB 1441, Ridley-Thomas, Chapter 548, Statutes of 2008)**

**Other Enforcement Committee Items**

- d. Selection of Enforcement Committee Meeting Dates for 2011**
- e. Meeting Planned of the Compounding Subcommittee**
- f. Review of Enforcement Statistics and Performance Standards of the Board**
- g. Fourth Quarterly Update of the Committee's Strategic Performance Goals for 2010/11**

**IV. LICENSING COMMITTEE REPORT**

There was no meeting of the Licensing Committee this quarter due to travel restrictions on state agencies

- a. Update on the Board's Efforts to Implement 16 California Code of Regulations Section 1702, Mandatory Submission of Fingerprints for Pharmacists**
- b. Competency Committee Report**
- c. Selection of Licensing Committee Meeting Dates for 2011**
- d. Licensing Statistics for 2010/11**
- e. Fourth Quarterly Update of Strategic Plan for the Licensing Committee**

**V. RECOGNITION AND CELEBRATION OF PHARMACISTS LICENSED FOR 50 YEARS IN CALIFORNIA\***

**11:30 a.m.**

\*Note: this item will be taken up at 11:30 a.m., regardless of what subject is then under discussion on the agenda for this Board Meeting.

**VI. LEGISLATION AND REGULATION COMMITTEE**

There was no meeting of the Legislation and Regulation Committee this quarter due to travel restrictions on state agencies

## **PART I – REGULATIONS**

### **a. Public Notice Period Completed: for Board Discussion and Action to Adopt**

1. Add Title 16 Section 1727.2 – Requirements for Pharmacist Interns – To Require Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB-HIPDB) *[45-day comment period: May 6-June 30, 2011]*
2. Amend Title 16 Section 1728 – Requirements for Pharmacist Examination - Amend to Require Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB-HIPDB) *[45-day comment period: May 6-June 20, 2011]*

### **b. Board-Approved – Undergoing Review by the Department of Consumer Affairs (Update Only)**

1. Amend Title 16 Sections 1715, 1784, 1735.2, and 1751– Update of Self-Assessment Forms for Pharmacies, Sterile Injectable Compounding Pharmacies, Hospitals and Wholesalers *[45-day comment period: March 11 – April 25, 2011]*
2. Amend Title 16 CCR Section 1732.2 – Board Accredited Continuing Education *[45-day comment period: October 8-November 22, 2010; February 4-21, 2011]*
3. Amend Title 16 Section 1793.5 – Pharmacy Technician Application; Requirement for Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB-HIPDB) *[45-day comment period: April 8 – May 23, 2011]*

### **c. Board Approved – Hearing Scheduled July 27, 2011 (Update Only)**

Add Title 16 Section 1707.6 and to Amend Section 1707.2 Regarding Consumer Notices and Duty to Consult – Consumer Notice for Language Assistance Interpretive Services Provided in Pharmacies and the Ability to Request 12-Point Font on Prescription Drug Container Labels *[45-day comment period: May 27- July 11, 2011]*

### **d. Board Approved – Under Development (Update Only)**

1. Proposed Amendments to § 1746 – Emergency Contraception Protocol
2. Proposed Amendments to § 1751.9 – Accreditation Agencies for Pharmacies that Compound Injectable Sterile Drug Products
3. Proposed Amendments to § 1780 – Update the USP Standards Reference Manual (Minimum Standards for Drug Wholesalers) [referred to subcommittee]
4. Proposed Amendments to § 1785 – Self-Assessment of a Veterinary Food-Animal Drug Retailer [referred to Licensing Committee]

## **PART II – LEGISLATION**

### **a. Board-Sponsored Legislation**

#### **SB 431 (Emmerson) Pharmacies: Regulation**

- Sections 4081 and 4126.7 – Proposal Regarding Return of Medicine to Reverse Distributors
- Sections 4104, 4105 and 4112 – Enforcement Enhancements

**SB 943 (Senate Committee on Business, Professions & Economic Development) Omnibus**

- Section 4200 – Pharmacist Examination

**b. Legislation Impacting the Practice of Pharmacy or the Board's Jurisdiction**

**1. Board of Pharmacy/Licensing**

- AB 377 (Solorio) Pharmacy: Centralized Hospital Packaging  
Currently 2-year bills
- AB 847 (Lowenthal, Bonne) Pharmacy: clinics
- SB 632 (Emmerson) Pharmacy

**2. Controlled Substances**

- AB 507 (Hayashi) Pain Management

**3. Reporting Requirements/Records**

- AB 1280 (Hill) Ephedrine: Retail Sale
- SB 850 (Leno) Medical Records: Confidential Information  
Currently 2-year bills
- SB 315 (Wright) Ephedrine and Pseudoephedrine
- SB 360 (DeSaulnier) Controlled Substance Utilization Review and Evaluation System

**4. Healing Arts/DCA**

- SB 541 (Price) Regulatory Boards: Expert Consultants  
Currently 2-year bills
- AB 675 (Hagman) Continuing Education
- AB 958 (Berryhill) Regulatory boards: Limitation Periods
- SB 544 (Price) Healing Arts
- SB 667 (Wyland) Naturopathic Doctors

**5. Other**

- AB 389 (Mitchell) Bleeding Disorders: Blood Clotting Products
- AB 604 (Skinner) Needle Exchange Programs
- SB 41 (Yee) Hypodermic Needles and Syringes
- SB 514 (Simitian) Dextromethorphan: Sale to Minors Prohibited

**6. Additional Legislation Impacting the Board or Its Regulatory Jurisdiction**

**PART III – Legislation and Regulation Committee**

**Fourth Quarterly Report on the Committee's Goals for 2010/11**

**VII. COMMUNICATION AND PUBLIC EDUCATION COMMITTEE REPORT AND ACTION**

There was no meeting of this Communication and Public Education Committee this quarter

- a. Update of the State's Emergency Contraception Protocol Regulation (16 California Code of Regulations Section 1746.) and Consumer Fact Sheet
- b. Update on Public Outreach Activities
- c. Fourth Quarterly Report on the Committee's Goals for 2010/11

**VIII. FUTURE MEETING DATES OF THE BOARD OF PHARMACY FOR 2012**

**IX. PUBLIC COMMENT ON 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 whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a)]*

**X. PETITION FOR REINSTATEMENT OF LICENSE**

**3:30 p.m.**

Robert Mix – Petition for Reinstatement of Pharmacist License

**XI. CLOSED SESSION**

Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on the Petition for Reinstatement and Other Disciplinary Matters.

**RECESS FOR DAY**

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**Wednesday, July 27, 2011**

**CALL TO ORDER**

**8 a.m.**

**XII. CLOSED SESSION**

Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on Disciplinary Matters.

**OPEN SESSION:**

**XIII. REGULATION HEARING**

**10 a.m.**

Regulation Hearing Regarding a Proposal to Add Title 16 Section 1707.6 and to Amend Section 1707.2 Regarding Consumer Notices and Duty to Consult – Consumer Notice for Language Assistance Interpretive Services Provided in Pharmacies and the Ability to Request 12-Point Font on Prescription Drug Container Labels  
*[45-day comment period: May 27- July 11, 2011]*

**XIV. DISCUSSION AND POSSIBLE ACTION TO MAKE CHANGES IN RESPONSE TO COMMENTS OR TO ADOPT OR AMEND PROPOSED TEXT AT 16 CCR SECTIONS 1707.6 AND 1707.2 REGARDING CONSUMER NOTICES AND DUTY TO CONSULT—CONSUMER NOTICE FOR LANGUAGE ASSISTANCE INTERPRETIVE SERVICES PROVIDED IN PHARMACIES AND THE ABILITY TO REQUEST 12 POINT FONT ON PRESCRIPTION DRUG CONTAINER LABELS.**

**XV. ORGANIZATIONAL DEVELOPMENT COMMITTEE REPORT**

**There was no meeting of the Organizational Development Committee this quarter**

**a. Budget Update/Report**

1. Budget Report for 2010/11
2. Fund Condition Report
3. Update on BreZE, DCA's Plans for a New Computer System
4. Reimbursement to Board Members

**b. Recognition Program of Pharmacists Who Have Been Licensed 50 Years**

**c. Personnel Update**

**d. Discussion and Possible Action Regarding the Future Sunset Review of the Board of Pharmacy by the California Legislature**

**e. Future Evaluation of the Board's Executive Officer**

**f. Sunset Review of the Board of Pharmacy**

**g. Fourth Quarterly Report on the Committee's Goals for 2010/11**

**XVI. STRATEGIC PLAN WORKSHOP FOR THE BOARD OF PHARMACY**

**1 p.m.**

**Lead by Daniel Iocafano, MIG. Please see separate agenda, attached**

**XVII. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA/AGENDA ITEMS FOR FUTURE MEETINGS**

**6 p.m.**

*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 whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a)]*

**XVIII. CLOSED SESSION**

Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on Disciplinary Matters.

**ADJOURNMENT**

**6:30 p.m.**

**Board of Pharmacy**  
**STRATEGIC PLAN WORKSHOP**  
**AGENDA**

*Location: Department of Consumer Affairs  
First Floor Hearing Room  
1625 N. Market Boulevard  
Sacramento, CA*

**July 27, 2011**

**1 p.m.**

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| 1:00 pm | <b>I. Welcome and Introduction</b> <ul style="list-style-type: none"><li>A. Purpose and Introduction</li><li>B. Agenda Overview</li></ul> |
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|  | <b>II. Progress Report on the BOP Strategic Plan:</b> <ul style="list-style-type: none"><li>A. Review of Accomplishments</li><li>B. Identification of BOP “Customers and Constituencies”</li><li>C. Defining Success for the BOP</li></ul> |
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|  | <b>III. Environmental Scan:</b> <ul style="list-style-type: none"><li>A. Trends, Challenges and Opportunities</li><li>B. Identification of Strategic Issues</li></ul> |
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|  | <b>IV. Review and Confirmation of BOP Mission, Vision and Goals</b> |
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| 2:30 | <i>Break . . .</i> |
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| 2:45 | <b>V. Action Plan Development: Potential Strategies and Actions</b> <ul style="list-style-type: none"><li>A. Licensing</li><li>B. Regulation and Enforcement</li><li>C. Public and Professional Information and Education</li><li>D. Organizational Relationships</li><li>E. Board Development</li></ul> |
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| 4:30 | <i>Break . . .</i> |
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| 4:45 | <b>VI. Monitoring , Measuring and Reporting Results</b> |
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| 5:40 | <b>VII. Public Comments</b> |
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| 5:55 | <b>VIII. Summary and Wrap-Up</b> |
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6:00 pm

*Close*