



California State Board of Pharmacy

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BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR.

NOTICE OF MEETING AND AGENDA

Public Board Meeting

January 29 & 30, 2014

Contact Person: Laura Hendricks
(916) 574-7918

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 Laura Hendricks at (916) 574-7918, by emailing laura.hendricks@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.

DATE: January 29-30, 2014

PLACE: Department of Consumer Affairs
First Floor Hearing Room
1625 North Market Blvd
Sacramento, CA 95834

WEBCAST: <http://www.dca.ca.gov/stream/audiocast.aspx>
(Link to Webcast will not be available until 9:30a.m. on January 29, 2014, and until 8:00 a.m. on January 30, 2014)

NOTE: Pharmacists and pharmacy technicians who attend in person the January 29th session 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.

For verification of the meeting, call (916) 574-7918 or (916) 574-7900 or access the board's Web site at www.pharmacy.ca.gov.

Discussion and action may be taken on any item on the agenda. The board may discuss agenda items in any order on each day, unless noticed as "time certain." 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.

Agenda

Wednesday, January 29, 2014

Note: The Legislation and Regulation Committee Meeting will be held immediately before the board meeting from 8:00 a.m. – 9:30 a.m. in the First Floor Hearing Room.

Call to Order

9:30 a.m.

- I. **GENERAL ANNOUNCEMENTS**
- II. **APPROVAL OF THE FULL BOARD MEETING MINUTES OF OCTOBER 29-30, 2013**
- III. **APPROVAL OF THE FULL BOARD MEETING MINUTES OF NOVEMBER 14, 2013**
- IV. **BOARD MEETING DATES FOR 2014**
- V. **INTRODUCTION AND REMARKS FROM HIEU T. TRAN – DEAN OF SCHOOL OF PHARMACY AMERICAN UNIVERSITY OF HEALTH SCIENCES**
- VI. **RECOGNITION AND CELEBRATION OF PHARMACISTS LICENSED FOR 50 YEARS IN CALIFORNIA**
- VII. **PRESCRIPTION DRUG ABUSE PRESENTATION BY JOSEPH RANNAZZISI, DEPUTY ASSISTANT ADMINISTRATOR, OFFICE OF DIVERSION CONTROL, US DRUG ENFORCEMENT ADMINISTRATION**
- VIII. **LUNCH**

A lunch break will be taken at some point during the day's meeting.

IX. LICENSING COMMITTEE

A report on the Licensing Committee meeting held on December 11, 2013

- a. Update on the Evaluation of the Text for Criminal Conviction Questions on Board Applications
- b. Update on Discussion of the Pharmacist Interns Hour Requirements from Business and Professions Code section 4209 and 16 California Code of Regulations Section 1728 and the Intern Hours Affidavit Form 17A-29
- c. Update on the Implementation Schedule for SB 809 (DeSaulnier, Chapter 400, Statutes of 2013)
- d. Update on the Implementation Schedule for SB 493 (Hernandez, Chapter 469, Statutes of 2013)
- e. Update on the Implementation Schedule for SB 294 (Emmerson, Chapter 565, Statutes of 2013)
- f. Report on the New Pharmacy Technician Accreditation Commission (PTAC)
- g. Report on the Pharmacy Compounding Accreditation Board (PCAB) Pharmacy Technician

Certification Requirement Changes

- h. Competency Committee Report
- i. Licensing Statistics
- j. Second Quarterly Report on the Committee's Goals for 2013/14

X. ORGANIZATIONAL DEVELOPMENT COMMITTEE REPORT

The Organizational Development Committee did not meet this quarter.

a. Budget Update/Report

- 1. Budget Report for 2013/14
- 2. Fund Condition Report
- 3. Update on BreEZe
- 4. Updates on Board Member Attendance, Reimbursement and Mail Votes

b. Personnel Update

c. Discussion and Possible Action on Recommendation for Board Policy to Delegate Hearing of Petitions for Reinstatement of a License and Petitions for Modification of Penalty to a Committee of the Board

XI. EXECUTIVE OFFICER REPORT

- a. Update on Activities of the Medical Board of California –Kimberly Kirchmeyer, Interim Executive Director
- b. Settlement with CVS for Violation of California Business and Professions Code Section 17200 (unfair Business Practices) by the San Diego, Alameda and Riverside District Attorney's Offices for Failure to Consult Patients
- c. Program Growth at the Board of Pharmacy in Recent Years
- d. Sterile Compounding Training for Inspector Staff
- e. Discussion on the Implementation Schedule for the New CURES System and Impediments of the Current System

XII. PRESCRIPTION MEDICATION ABUSE SUBCOMMITTEE REPORT

A report on the Prescription Medication Drug Abuse Subcommittee meeting held on December 4, 2013

- a. Possible Action to Adopt the Mission Statement for the Subcommittee
- b. Review of Statistics Documenting the Issues of Prescription Medication Abuse in California
- c. Review of the Medical Board of California's *Guidelines for Prescribing Controlled Substances for Pain*
- d. Report on the Presentation by National Association of Boards of Pharmacy regarding the Parameters of the National Prescription Drug Monitoring Program Currently in Use

- e. Report on the Discussion and Identification of Effective Ways to Educate Pharmacists about Prescription Drug Abuse and Corresponding Responsibility
- f. Summary of Presentations by San Diego Task Force to Educate Parents, Teens, Educators, Law Enforcement, Medical and Pharmacy Professionals About Prescription Drug Abuse
- g. Summary of Presentation by the County of Orange Health Care Agency on Its Public Education Program about Prescription Drug Abuse
- h. Report on Public Outreach to Address Prescription Drug Abuse

XIII. COMMUNICATION AND PUBLIC EDUCATION COMMITTEE

A report on the Communication and Public Education Committee meeting held on January 6, 2014

- a. Update on the Approved Requests from California Pharmacies Related to Title 16 California Code of Regulations Section 1707.6
 - 1. Walmart’s Request to Use an Alternate Format of the “Notice of Interpreter Availability” Poster (1707.6(e))
 - 2. Safeway/Von’s Request to Use an Alternate Display Methodology of the Board’s “Notice to Consumers” Poster (1707.6(a))
- b. Update on the Status of the Updated Emergency Contraception Fact Sheet, as Required by Title 16 California Code of Regulations Section 1746
- c. Report on the Research Project on Prescription Container Labels by Amir Zargarzadeh and Anandi Law, Titled “Design and Test of Preference for a New Prescription Medication Label”
- d. Continued Assessment of California’s Patient-Centered Labeling Requirements as Required by Title 16 California Code of Regulations Section 1707.5(e)
- e. Update on the Committee’s Goals for 2012-2017 to Fulfill the Board’s Strategic Plan
- f. Update on *The Script*
- g. Discussion Regarding Recent Public Outreach Activities to Address Prescription Drug Abuse
 - 1. Public Continuing Education Training Session Provided by the California State Board of Pharmacy, the Los Angeles Field Division of the Drug Enforcement Administration and County Orange Health Care Agency: January 22, 2014 in Brea, CA
 - 2. Public Continuing Education Training Session by the California State Board of Pharmacy and Federal Drug Enforcement Administration Scheduled for January 31, 2014 in Sacramento
- h. Report on the Public Outreach Activities Conducted by the Board

XIV. CLOSED SESSION

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

ADJOURNMENT FOR THE DAY

THURSDAY, JANUARY 30, 2014

RESUMPTION OF OPEN SESSION

8:00 a.m.

XV. ENFORCEMENT COMMITTEE REPORT

a. Discussion and Possible Action to Make Changes in Response to Comments or to Adopt or Amend Proposed Text at Title 16 California Code of Regulations Sections 1735 et seq. and 1751 et seq. Relating to Pharmacy Compounding

A report on the Enforcement and Compounding Committee meeting held on January 10, 2014

b. Enforcement Matters

1. Discussion and Possible Action on the Preemption of California's e-Pedigree Requirements, as Required by California Business and Professions Code Section 4034.1 and Enacted HR 3204, the Federal Drug Quality and Security Act
2. Discussion and Possible Action on Federal Legislation that Eliminated Licensure of Third Party Logistics Providers as Wholesalers, Pursuant to the Enacted HR 3204, the Federal Drug Quality and Security Act
3. Update on Implementation of AB 1136 (Levine, Chapter 304, Statutes of 2013) Regarding Warning Labels on Prescription Container Labels
4. Report on the Request for Comments from the DEA on the Possible Scheduling of Tramadol into Federal Schedule IV
5. Update on Presentation from MedAvail for a Waiver of Title 16 California Code of Regulations Section 1713(d) to Permit Expanded Use of Automated Prescription Dispensing Machines
6. Discussion and Possible Action on the Request from UCSD and Sharp Healthcare for a Waiver of Title 16 California Code of Regulations Section 1713(d) to Permit Expanded Use of Automated Prescription Dispensing Machines
7. Discussion and Possible Action on the Requests from Scripps Health San Diego and Sharp Health System for Waiver of California Business and Professions Code Section 4118 Pertaining to Licensure as a Centralized Hospital Packaging Pharmacy, California Business and Professions Code Sections 4128 et seq.
8. Summary of the Presentation from K. Scott Guess, Pharm.D., RPh - Proposal for Safe, Effective Dispensing of Controlled Substances
9. Enforcement Statistics
10. Second Quarterly Report on the Committee's Goals for 2013/14

c. Compounding Matters

1. Update on Implementation of New California Sterile Compounding Laws: Senate Bill 294 (Emmerson) and Assembly Bill 1045 (Quirk-Silva)
2. Discussion and Possible Action Regarding Extension of Board Approval of Accreditation Agencies for Sterile Injectable Compounding Pharmacies until July 1, 2014:
 - A. Accreditation Commission for Health Care, Inc. (ACHC) Currently Approved Through February 2014
 - B. Community Health Accreditation Program (CHAP) Currently Approved Through February 2014
 - C. Pharmacy Compounding Accreditation Board (PCAB) Currently Approved Through February 2014
 - D. American Osteopathic Association Healthcare Facilities Accreditation Program (HFAP) Currently Approved Through February 2014.
3. Update on Compounding Provisions Enacted by HR 3204, the Federal Drug Quality and Security Act
4. Summary of Recalls of Compounded Drugs Throughout the United States

d. Summary of September 10, 2013, Presentation From Da Vita Rx Regarding Prescription Drugs Dispensed to Renal Clinics for Administration to Specific Patients

XVI. LUNCH

A lunch break will be taken at some point during the day's meeting.

XVII. LEGISLATION AND REGULATION COMMITTEE REPORT

The Legislation and Regulation Committee will meet on January 29, 2014.

a. Legislation Report

1. Status of Board-Sponsored Provisions
 - A. Issuance of a Public Reprimand for Violations That Would Not Warrant License Denial or Issuance of a Probationary License
 - B. Designated Representatives – Minimum Age Requirement
2. Legislation Impacting the Practice of Pharmacy or the Board's Jurisdiction
 - A. AB 467 (Stone) Prescription Drug Collection and Distribution Program
 - B. SB 506 (Hill) Retail Sales of Ephedrine Products: Pilot Project
 - C. SB 727 (Jackson) Medical waste: pharmaceutical product stewardship

b. Regulation Report

1. Discussion and Possible Initiation of Rulemaking to Amend Section 1707.5 of Title 16 California Code of Regulations Regarding Patient-Centered Labeling Requirements
2. Board-Approved – Undergoing Administrative Review (Information Only)
 - A. Fee Schedule –Proposal to Amend Title 16 California Code of Regulations Section 1749
 - B. Combined Rulemaking – Proposal to Amend Sections 1745 and 1769, and to add Section 1761 to Title 16 California Code of Regulations Related to Partial Fill of a Schedule II Prescription, Criteria for Rehabilitation, and to Define Unprofessional Conduct
3. Board-Approved – Discussion and Possible Action
 - A. Combined Rulemaking – Proposal to Amend Title 16 California Code of Regulations Sections 1732.2, 1732.5, and 1732.05 related to Continuing Education
4. Board-Approved – Awaiting Notice
 - A. Combined Rulemaking – Proposal to Amend Title 16 California Code of Regulations Sections 1702, 1702.1, 1702.2 and 1702.6 Related to Renewal Requirements
 - B. Proposal to Amend Title 16 California Code of Regulations Section 1703 Related to “Section 100” Regulatory Actions

XVIII. 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)]

XIX. CLOSED SESSION

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

ADJOURNMENT

5:00 p.m.