



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

## **ACTION ITEMS – January 2004 BOARD MEETING**

*The board packet materials for this meeting are available on the board's website.*

### **ORGANIZATIONAL DEVELOPMENT COMMITTEE**

#### **The board:**

- Elected Stan Goldenberg, R.Ph. as Vice-President.
- Directed that each committee review the strategic plan during its next quarterly meeting and bring any changes to the April 2004 board meeting.
- Approved proposed amendments to Business and Professions Code section 4409 (regarding scholarship donations) and 4403 (regarding payment of fees for the reissuance and renewals of permits) to the annual omnibus legislation.
- Reported that the staff of the National Association of Boards of Pharmacy (NABP) recommended that California become an “active” member of NABP.
- Reported that the previous Administration mandated a 12 percent (or \$422,518) cut in Personnel Services for 2003/04. This amount is linked to the loss of six positions, cuts to board member compensation, overtime, and operations. No staff will need to be laid off to meet this reduction.
- Provided a status report on the recommendations from the Joint Legislative Sunset Review Committee and Department of Consumer Affairs recommendations for the board and its operations.
- Provided the 180-day post audit status report on the findings of the operational audit of the board to Department of Consumer Affairs, Internal Audits Office.
- Approved the minutes of the October 29 and 30, 2003 board meeting.

### **COMMUNICATION AND PUBLIC EDUCATION COMMITTEE**

#### **The board:**

- Discontinued its plans to sponsor a web design contest among pharmacy students and instead will involve pharmacy students in the board's public education program by having students develop new public education materials on specific health-related topics.
- Reported that the January 2004 edition of *The Script* has been written and is undergoing review. This issue should be published in late February.
- Reported that staff is working on publishing a new *Health Notes on Pain Management*. This new issue will contain new pain management therapies and the new prescribing and dispensing requirements for controlled drugs enacted by SB 151 (Burton, Chapter 406), which will take place in 2004 through 2005 in sequential stages.

- Reported that the board's continuing education course was presented in November to a local pharmacists association for a total of eight presentations since January 2003. Board staff presented compounding pharmacy information to 25 health directors of large U.S. hospital chain.

## LICENSING COMMITTEE

### The board:

- Approved a statewide protocol for emergency contraception. The protocol includes the Plan B therapy of a single dose within 5 days. The protocol has been referred to the Medical Board of California for its approval in accordance with Senate Bill 490 (Chapter 651, Statutes of 2003).
- Approved proposed statutory changes to the intern program. The proposals include: a ratio of two interns to one pharmacist, a requirement that the pharmaceutical experience comply with the Standards of Curriculum established by the Accreditation Council for Pharmacy Education (ACPE), and elimination of the extension provision for the intern permit and the definition of preceptor.
- Recognized the new School of Pharmacy at Lake Erie College of Osteopathic Medicine. This is a new school of pharmacy that has been ranked as "candidate status" by ACPE. It will not be issued full accreditation until it has graduated one class of students.
- Reported on the implementation of NAPLEX and the California Pharmacist Jurisprudence Examination (CPJE). The board intends to administer the CPJE via computer terminals beginning March 2004. Information on the new examination process and the application forms are available on the board's Web site: [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov).
- Reported that the application for the security printers for controlled substance prescription documents as a result of SB 151 (Burton, Chapter 406, Statutes of 2003) will be available on the board's Web site by the end of January.
- Received the final report from the UCSF, School of Pharmacy on the study on the evaluation of pharmacy technicians in a unit-dose drug distribution system.
- Reported that the workgroup on compounding with the Department of Health Services – State Food and Drug Branch will begin meeting. Board Members Ken Schell, Pharm.D. and John Tilley, R.Ph. and Supervising Inspector Dennis Ming Pharm.D. will be representing the board.
- Announced the committee meeting dates for 2004: March 3<sup>rd</sup>, June 9<sup>th</sup>, September 22<sup>nd</sup> and December 1<sup>st</sup>.

## ENFORCEMENT COMMITTEE

### The board:

- Postponed its plan to hold a summit before its April board meeting to discuss importation of prescription drugs from Canada and access to safe prescription medications.
- Voted to sponsor legislation this year to implement a proposed citation and fine statute for wholesale violations and to strengthen the statutory framework for wholesale transactions.
- Did not take any action on the proposed statutory language that was developed by the Medical Board of California and the Board of Pharmacy Joint Task Force on Prescriber Dispensing. The task force recommended that a medical group be allowed to dispense prescription medications pursuant to a special permit issued by the Board of Pharmacy.

- Reported on the implementation of the new enforcement provisions from SB 361. SB 361(Figueroa) was the legislative vehicle for the board’s sunset extension and contains statutory recommendations approved by the Joint Legislative Sunset Review Committee.
- Reported on the implementation of SB 151(Burton). This bill repeals the triplicate prescription requirement for schedule II controlled substance prescriptions and replaces it with a tamper-resistant prescription form that may be obtained from approved printers.
- Announced the committee meeting dates for 2004: March 18<sup>th</sup>, June 23<sup>rd</sup>, September 29<sup>th</sup>, and December 15<sup>th</sup>.

## **LEGISLATION AND REGULATION COMMITTEE**

### **The board:**

- Approved proposed amendments to Business and Professions Code section 4101 to correct usage errors.
- Approved proposed amendments to Health and Safety Code section 11155 to correct a usage error.
- Approved proposed amendments to Health and Safety Code section 11159.1 to correct an erroneous code section reference.
- Approved proposed amendments to Health and Safety Code section 11207 to correct errors and clarify that a pharmacy technician may assist the pharmacist in filling controlled substance prescriptions.
- Reported that Governor Schwarzenegger issued Executive Order 3-2-03 that requires the board to review all rulemaking adopted since January 6, 1999. This required a review of 19 regulations that the board has adopted. The review must be completed by February 17<sup>th</sup>, and submitted to the Governor’s Legal Affairs Secretary. The Executive Order also placed a moratorium on all rulemaking activity for 180 days to provided the administration time to review pending proposals. This moratorium has delayed the recently approved rulemaking on sterile compounding. The board requested an exemption to the moratorium because of its impact on the public health and safety. The request was denied; however, it will be resubmitted. Finally, the order requires the board to review existing standards of practice to identify any potential “underground” regulations. The review did not uncover any potential underground regulations.