



ACTION ITEMS – February 2006 BOARD MEETING

The board meeting materials are on the Web site.

ORGANIZATIONAL DEVELOPMENT COMMITTEE

The board:

- Announced the appointment of Marian Balay to the committee.
- Has recognized (since July 2005) 507 pharmacists who have been licensed for at least 50 years. These pharmacists were mailed an award certificate with a congratulatory letter. The board publicly acknowledged 5 pharmacists who attended the January meeting. The recognition will continue to be published in the board's newsletter, along with the list of recipients.
- Publicly recognized pharmacists for who provided disaster response to the Gulf Coast storm victims.
- Approved a maximum of 4 hours of continuing education per year that a pharmacist and pharmacy technician can earn for attending committee meetings; however only 2 hours of continuing education can be earned per committee meeting and the maximum 4 hours must be earned from different committees. This is in addition to the 6 hours of continuing education that a pharmacist and pharmacy technician can earn annually for attending a board meeting.
- Approved the board president as the official delegate to the annual meeting of National Association of Boards of Pharmacy (NABP). If the president cannot attend the meeting or is absent for a portion of the meeting, the president will designate an alternate delegate to vote on matters before the NABP.
- Reported that the annual meeting of the National Association of Boards of Pharmacy will be in April 8-11, 2006, in San Francisco.
- Reported that it will revise its strategic plan at the April 2006 board meeting and a survey will be available on the board's Web site and sent to stakeholders requesting input into the board's strategic planning process.
- Relocated its office in December. The new address is 1625 North Market Blvd, Suite N219, Sacramento, CA 95834.
- Announced the nomination of Board Vice-President William Powers as the consumer representative to the Medication Errors Panel enacted by SCR 49 (Speier).
- Reported on the participation of the board president and executive officer on the California Pharmacy Council that is comprised of representatives from the 7 schools of pharmacy, the two professional pharmacists associations, the Pharmacy Foundation of California and the board.

- Received an update of the iLicensing project (to allow the on-line renewal of licenses) and notice of a planned study of CURES data by a physician at the UCD Med Center.
- Reported that the Governor's proposed budget for 2006/07 will restore 2.5 of the 10 staff positions lost during the last five years.
- Approved the minutes of the October 25 and 26, 2005 board meeting.

COMMUNICATION AND PUBLIC EDUCATION COMMITTEE

The board:

- Reported that the January 2006 The Script has been published and was mailed to all pharmacies, interns and wholesalers. The Pharmacy Foundation of California will print and mail this issue to all California pharmacists. Future issues will include disciplinary actions taken by the board.
- Reported that the 10 consumer fact sheets that were developed by pharmacy students from UCSF, School of Pharmacy are undergoing final staff and legal review. Once the review is completed, the fact sheets will be available online and distributed at public health events. The committee is also working on the development of additional consumer materials such as the new labeling requirements that mandate a description of the medication be placed on a prescription container, the Beers list of drugs that should not be prescribed to patients over 75 years of age, the importance of information found on a container's label and a revision to the board's "Facts About Older Adults and Medicines."
- Announced that the California Health Communication Partnership will launch its fourth coordinated project on generics. The current plan is to follow a program along the lines of "Generics Makes Sense [Cents, \$]," a campaign to raise awareness among consumers about cost-savings of generic medicines.
- Agreed to collaborate with the Department of Health Services, Office of AIDS, on an educational outreach program, which is aimed at educating pharmacists about the law that allows local health jurisdictions to authorize nonprescription syringe sales by pharmacies to prevent HIV and Hepatitis.
- Reported on the third subcommittee meeting on the Medicare Drug Benefit Plans. The purpose of the meeting was to discuss the implementation of the Medication Prescription Drug Act, and specifically the Part D Benefit for prescription drugs. The changes, which began January 1, 2006, are an enormous change in the Medicare benefit program. The changes affect Medicare beneficiaries, their families and caregivers as well as pharmacists, physicians, nurses and patient advocates. Since the program's inception, there have been numerous problems reported that have resulted in patients being unable to obtain their needed medication. Representatives from the Centers for Medicare and Medicaid Services present at the meeting heard testimony from patients and pharmacists about the inability to verify coverage especially for long-term care patients

- and patients receiving home infusion services. These are very sick patients whose care has been severely impacted.
- Heard additional testimony from pharmacists on how the new Medicare Part D Prescription Drug Benefit program continues to negatively impact patients. The board directed the president to continue efforts to communicate the board's grave concerns on how this prescription benefit program continues to have problems that impact patient care and the ability of pharmacists and patients to obtain necessary medications and that the U.S. Congress needs to act to address the myriad of problems that have been identified and yet to be resolved.
 - Reported that two *Health Notes* are under development. *Health Notes* is a monograph, produced by the board that contains up-to-date drug therapy guidelines for a specific subject area. The two issues are on Pain Management and Pharmacy Emergency Response to Patients in Declared Disaster Area. Articles for both publications have been written. Seven issues have been produced since 1996; however, no issues have been published in the last two years because of lack of resources to commit to this project.
 - Provided four presentations to students in pharmacy or technician schools, and six presentations to professional associations and law enforcement groups.
 - Announced the Center for Health Improvement has released its report on "Opportunities for Improving the Pharmacist-Patient Consultation Process."

LICENSING COMMITTEE

The board:

- Agreed to pursue statutory changes to update the definition of pharmacy to include prescription processing and review, patient consultation, drug utilization review, medication therapy management and/or other cognitive pharmacy services for patients. A pharmacy would not be required to store and dispense dangerous drugs and dangerous devices. The proposal would provide an option for California pharmacists practicing independently to be licensed as an "advice/clinical center pharmacy."
- Agreed to pursue statutory changes that would update the definition of a nonresident pharmacy to include prescription review and processing patient consultation, drug utilization review, medication therapy management, or other cognitive pharmacy services for California patients. The board will also pursue changes to strengthen its authority to discipline a nonresident pharmacy.
- Agreed to pursue statutory changes to update the definition of pharmacy practice to reflect existing practice and the professional development of pharmacists, to specify the recordkeeping requirements for pharmacists that practice outside a pharmacy, make technical amendments to current

law regarding collaborative practice by pharmacist, and unprofessional conduct.

- Considered request from pharmacy students that the board notice at a future meeting a proposal to increase the number of intern hours that can be earned outside a pharmacy and still be included in the 1500 hours of experience needed for licensure.
- Announced the California Pharmacist Jurisprudence Examination (CPJE) will be constructed using a new content outline effective April 1, 2006.
- Announced the pass rate on the CPJE for April 1 – September 30, 2005 was 77.5 percent.
- Announced that according to NABP, the 2005 pass rate on the NAPLEX is now 92.86 percent, lower than the 2004 average of 97.38 percent.

ENFORCEMENT COMMITTEE

The board:

- Agreed to form a workgroup to discuss the implementation of the electronic pedigree requirements. The workgroup will be a part of the Enforcement Committee.
- Will clarify in its next newsletter the authority of a pharmacy to accept a faxed prescription from a patient as long as the original prescription is received prior to dispensing the medication to the patient.
- Approved a proposed amendment to indicate that the prohibition of a generic substitution by a prescriber on an electronic data prescription does not require the handwritten initials of the prescriber.

LEGISLATION AND REGULATION COMMITTEE

The board:

- Reported on the adopted regulation change to add 16 CCR § 1727.1 that would exempt an intern pharmacist's address from being available on an interactive communication system such as the "World Wide Web" and "Internet" is undergoing review by the Administration.
- Approved a proposed regulation change to repeal 16 CCR § 1717(e) and to add 16 CCR § 1713 regarding the use of prescription drop boxes and an automated self-use delivery device for refill prescriptions. The proposed regulation change will be noticed for a regulation hearing at a future board meeting.
- Approved a proposed regulation change to amend 16 CCR § 1793.7(b) and to add 16 CCR § 1793.8 that would allow a hospital inpatient pharmacy that has a clinical program to establish a program that would allow a specially trained pharmacy technician to check other pharmacy technicians filling floor stock, ward stock and unit dose cassettes
- Approved the following proposed regulation changes that will be noticed for a regulation hearing at a future board meeting. The proposed regulation changes are:
 1. Repeal 16 CCR § 1717.2 – Notice of Electronic Prescription Files

2. Amend 16 CCR § 1760 – Disciplinary Guidelines
 3. Add 16 CCR § 1784 – Self-Assessment of a Wholesaler by the Designated Representative-In-Charge
 4. Repeal 16 CCR § 1786 – Exemptions for a Supplier
 5. Amend 16 CCR § 1706.2 – Abandonment of Application Files for Veterinary Food-Animal Drug Retailer, Hypodermic Needle and Syringes Distributor and Designated Representative
 6. Amend 16 CCR § 1775.4 – Reschedule of an Office Conference to Contest a Citation
 7. Amend 16 CCR § 1709.1 – Replace the term “Exemptee-in-Charge” with “Designated Representative-in-Charge” (Section 100 Technical Change)
 8. Amend 16 CCR § 1780 – Update the USP Standards Reference Material (Section 100 Technical Change)
 9. Amend 16 CCR § 1780.1 and 1781 – Replace the term “Exemptee” with “Designated Representative” for Veterinary Food-Animal Retailer (Section 100 Technical Change)
- Took a support position on AJR 40 (Chan, 2006), which would memorialize to the United States Congress and President to enact H.R. No. 3861, “The Medicare Informed Choice Act of 2005”