

Board of Pharmacy

Modified Text

Changes made to the regulatory text noticed on September 5, 2008, are indicated. Deletions to the regulatory text are indicated by double strike-through, thus: ~~deleted language~~. Additions to the regulatory text, are indicated by a double underline, thus: added language.

Add Section 1773.5 to Division 17 of Title 16 of the California Code of Regulations to read as follows:

§ 1773.5 Ethics Course Required as Condition of Probation.

When directed by the board, a pharmacist or intern pharmacist may be required to complete an ethics course that meets the requirements of this section as a condition of probation, license reinstatement or as abatement for a citation and fine. Board approval must be obtained prior to the commencement of an ethics course.

- a. The board will consider for approval an ethics course that at minimum satisfies the following requirements:
- (1) Duration. The course shall consist of a minimum of 22 hours, of which at least 14 are contact hours and at least 8 additional hours are credited for preparation, evaluation and assessment.
 - (2) Faculty. Every instructor shall either possess a valid unrestricted California professional license or otherwise be qualified, by virtue of prior training, education and experience, to teach an ethics or professionalism course at a university or teaching institution.
 - (3) Educational Objectives. There are clearly stated educational objectives that can be realistically accomplished within the framework of the course.
 - (4) Methods of Instruction. The course shall describe the teaching methods for each component of the program, e.g., lecture, seminar, role-playing, group discussion, video, etc.
 - (5) Content. The course shall contain all of the following components:
 - (A) A background assessment to familiarize the provider and instructors with the factors that led to the prospective candidate's referral to the class.
 - (B) A baseline assessment of knowledge to determine the participant's knowledge/awareness of ethical and legal issues related to the practice of ~~medicine~~ pharmacy in California, including but not limited to those legal and ethical issues related to the specific case(s) for which the participant has been referred to the program.
 - (C) An assessment of the participant's expectations of the program, recognition of need for change, and commitment to change.

- (D) Didactic presentation of material related to those areas that were problems for the participants based upon the results of the background assessments and baseline assessments of knowledge.
- (E) Experiential exercises that allow the participants to practice concepts and newly developed skills they have learned during the didactic section of the class.
- (F) A longitudinal follow-up component that includes (1) a minimum of two contacts at spaced intervals (e.g., 6 months and 12 months) within one year after course completion or prior to completion of the participant's probationary period if probation is less than one year, to assess the participant's status; and (2) a status report submitted to the division within 10 calendar days after the last contact.
- (6) Class Size. A class shall not exceed a maximum of 12 participants.
- (7) Evaluation. The course shall include an evaluation method that documents that educational objectives have been met - e.g. written examination or written evaluation - and that provides for written follow-up evaluation at the conclusion of the longitudinal assessment.
- (8) Records. The course provider shall maintain all records pertaining to the program, including a record of the attendance for each participant, for a minimum of 3 years and shall make those records available for inspection and copying by the board or its designee.
- (9) Course Completion. The provider shall issue a certificate of completion to a participant who has successfully completed the program. The provider shall also notify the board or its designee in writing of its determination that a participant did not successfully complete the program. The provider shall fail a participant who either was not actively involved in the class or demonstrated behavior indicating a lack of insight (e.g., inappropriate comments, projection of blame). This notification shall be made within 10 calendar days of that determination and shall be accompanied by all documents supporting the determination.

Authority cited: Section 4005, Business and Professions Code. Reference: Section 4300, Business and Professions Code.