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STATE AND CONSUMER SERVICES AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
ARNOLD SCHWARZENEGGER, GOVERNOR

LEGISLATION COMMITTEE UPDATE

The Legislation and Regulation Committee has not met since the last board meeting. Below is a brief summary of the bills the board took a position on at the April 2006 meeting as well as their current status.

1. Board-Sponsored Legislation Update

AB 595 (Negrete McLeod) Pharmacy: compounding of prescription drugs.
Status: Senate Floor.

This bill would establish standards for pharmacies that compound drugs and provide direction for regulations that will follow later this year. The board approved this legislative proposal at its January 2005 meeting.

The board continues to meet with the Department of Health Services, which opposes some provisions in the bill, to address their concerns to ensure the successful passage of this legislation.

AB 2408 (Negrete McLeod) Pharmacists, pharmacies, and nonresident pharmacies.
Status: Referred to Senate Appropriations Committee.

This bill would update the definition of a pharmacy, nonresident pharmacy, and the professional practice of pharmacy. It would restructure current code section 4052 as well.

The board recently received opposition from the California Medical Association (CMA). Board staff is working with CMA to address their concerns during the Legislature's summer recess.

SB 1475 (Senate Business and Professions and Economic Development Committee) Omnibus Bill.
Status: Referred to Assembly Appropriations Committee

The board approved eight proposals for the omnibus legislation, however only three of the eight proposals are currently in the bill.

Approved Proposals in SB 1475
B&P 4104 Licensed Employee, Theft, Impairment: Pharmacy Procedures.
B&P 4162 Wholesalers Surety Bond Requirements.

B&P 4180-4182 and 4190-4192 Nonprofit or Free Clinics.

Approved Proposals NOT in SB 1475
B&P 4314 & 4315 Cite and Fine, Letter of Admonishment.
B&P 4084 Adulterated or Counterfeit Drug or Dangerous Device.
B&P 4160 Wholesaler License.
B&P 4127.1 Injectable Sterile Drug Products.
B&P 4073 Substitution of Generic Drug, Check off Box on Electronic Prescriptions.
B & P 4162.5 Wholesale License Surety Bond Requirements. (This amendment was approved for inclusion at the April 2006 Board meeting.)

Board staff have been working with the committee's consultant to have these additional amendments included in this legislation.

2. Legislative Update on Bills Where the Board Has Taken a Position

AB 2583 (Nation) Dispensing prescription drugs and devises: refusal to dispense.
Status: Referred to Senate Appropriations Committee
Position: Support

This bill requires that the consumer notice posted in pharmacies contain a statement describing patients' rights relative to access to prescription drugs or devices.

The board initially had an "oppose unless amended" position on this bill. Amendments were made to the bill that require the board modify the existing Notice to Consumers to advise patients of these rights. At the direction of the board president, the board's position was changed after these amendments were made to a support position immediately before the Senate policy committee hearing.

SB 1476 (Figueroa) Board Sunset Extension Bill.
Status: Referred to Assembly Appropriations Committee
Position: Support

This bill will extend the board's sunset date two years, from 2008 to 2010. The board's sunset report to the Legislature will be due September 2008. Additionally the measure would repeal B&P section 4163.5, effectively moving the implementation date of electronic pedigree requirement from January 1, 2007 to January 1, 2008.

The board's Enforcement Committee holds a quarterly meeting with manufacturers and wholesalers on the implementation progress of the electronic pedigree requirement.

ARJ 40 (Chan) Medicare Prescription Drugs.
Status: Chaptered by Secretary of State
Position: Support

This resolution advocated for the enactment of H.R. No. 3861, "The Medicare Informed Choice Act of 2005." The board sent a support letter to the author in late April.

2006 Bills of Interest

AB 2198 (Houston) Health care: controlled substances and dangerous drugs.
Status: Senate Appropriations Committee
Committee Recommendation: None.

Revises and recasts existing law relating to the prescribing or administration of drugs for the treatment or management of pain, and provides that physicians who have a medical basis for prescribing or administering dangerous drugs or controlled substances shall not be subject to disciplinary action or prosecution under specified circumstances. Also revises and recasts provisions relating to physicians who prescribe, dispense, or administer a controlled substance to an addict or habitual user, and recasts and broadens the Intractable Pain Treatment Act to allow physicians to prescribe or administer certain drugs for the treatment of pain or a condition causing pain, including, but not limited to intractable pain.

AB 2308 (Plescia) Ambulatory surgical centers: licensure.
Status: Referred to Senate Appropriations Committee.
Committee Recommendation: None.

This bill requires the Department of Health Services (DHS) to convene a workgroup to develop licensure criteria to protect patients receiving care in ambulatory surgical centers, and to submit workgroup conclusions and recommendations to the appropriate policy committees of the Legislature no later than March 1, 2007, and revises existing law to replace the term "licensed surgical clinic" with "ambulatory surgical centers."

AB 2743 (Matthews) Pharmacists: ancillary personnel.
Status: Died in Assembly
Committee Recommendation: No Position.

This bill would prohibit a pharmacy from employing more than 8 ancillary personnel, as defined, per pharmacist. The bill would give a pharmacist discretion as to how many personnel he or she supervises, subject to the limits of existing law. Because this bill would create a new prohibition under the Pharmacy Law, the violation of which would be a crime, it would impose a state-mandated local program.

AB 2986 (Mullin) Controlled substances: prescription requirements.
Status: Senate Appropriations Committee.
Committee Recommendation: No Position.

The purpose of this bill is to bring California law in conformity with the federal National All Schedules Prescription Electronic Reporting (NASPER) Act of 2005 by including Schedule IV controlled substances within the CURES (Controlled Substance Utilization Review and Evaluation System) and to require more frequent reporting of controlled substance data.

SB 1366 (Aanestad) Controlled substances.
Status: Died in Senate.
Committee Recommendation: Neutral.

This bill would remove the requirement that authorized persons write prescriptions for controlled substances on a specialized secured prescription form and delete the exceptions therefore. This bill would allow the court to issue an order prohibiting the prescriber from prescribing controlled substances when the prescriber is charged with a specified felony offense. Because a violation of this requirement would be a crime, the bill would impose a state-mandated local program.

3. 2006 Watch Bills

Note: The following list of bills is included for your information. Copies of the bills can be found on the Internet at http://www.leginfo.ca.gov/bilinfo.html.

AB 1908 (Karnette) Medi-Cal: pharmacy reimbursement.
Status: Died in Assembly.

AB 2057 (Cogdill) Controlled substances.
Status: Died in Assembly.

AB 2373 (Plescia) Automated drug delivery system.
Status: Referred to Senate Appropriates Committee.

AB 2730 (Nation) Medi-Cal: contract drug list: advertising.
Status: Died in Assembly.

AB 2856 (Hancock) Informed consent: prescription medication off-label use.
Status: Died in Assembly.

AB 2877 (Frommer) Prescription drugs: importation: procurement.
Status: Senate Appropriates Committee.

AB 2911 (Nunez) California Discount Prescription Drug Program.
Status: Senate Rules Committee.

AJR 49 (Nation) Direct-To-Consumer Prescription Drug Advertisements
Status: Senate Appropriations Committee.

SB 1305 (Figueroa) The Medical Waste Management Act.
Status: Chaptered.

SB 1430 (Alquist) The Local Pandemic and Emergency Health Preparedness Act of 2006.
Status: Assembly Judicial Committee.

SB 1683 (Scott) Pharmaceutical information: clinical trial data.
Status: Died in Senate.

4. **2005 Watch Bills**

Note: The following list of bills is included for your information. Copies of the bills can be found on the Internet at http://www.leginfo.ca.gov/bilinfo.html.

AB 651 (Berg) California Compassionate Choices Act.
Status: In committee: Set second hearing. Failed passage. Reconsideration granted.

AB 21 (Levine) Pharmacists: contraceptive devices.
Status: In committee: Set first hearing. Failed passage. Reconsideration granted.

AB 71 (Chan) Pharmaceuticals: adverse drug reactions: Office of Ca. Drug Safety Watch.
Status: Re-referred to Senate Committee on Health

AB 75 (Frommer) Pharmaceutical assistance program.
Status: Senate Health Committee - Hearing Cancelled.

AB 225 (Negrete McLeod) Electronic prescription information.
Status: Re-referred to Senate Appropriations Committee

AB 283 (Koretz) Pseudoephedrine: retail sale.
Status: Re-referred to Senate Committee on Public Safety.

AB 657 (Karnette) Pharmacies: prescription containers.
Status: Senate Business, Professions, and Economic Development Committee - Hearing Cancelled.

SB 380 (Alquist) Drugs: adverse event reporting.
Status: Re-referred to Assembly Rules Committee.

SB 592 (Aanestad) Acute care hospitals: inpatient pharmacy technician services.
Status: Assembly Health Committee - Failed passage in committee. Reconsideration granted.

State of California

Department of Consumer Affairs

Memorandum

To: **Board Members**

Date: July 19, 2006

From: **Legislation and Regulation Committee**

Subject: **Strategic Plan Update**

The Legislation and Regulation Committee did not have a meeting during the last quarter following the April Board Meeting.

At this meeting, the board will join Committee Members Schell and Zinder in updating the committee's Strategic Plan.

ITEM 1. Approval of the Committee's Strategic Plan:

The committee's strategic plan follows this page. After discussion and possible amendment, the board will need to approve it.

Legislation and Regulation Committee

Goal 3:	**Advocate legislation and promulgate regulations that advance the vision and mission of the Board of Pharmacy.**
Outcome:	**Improve the health and safety of Californians.**

Objective 3.1: **Measure:**	**Annually identify and respond with legislative changes to keep pharmacy laws current and consistent with the board's mission.** **100 percent successful enactment of promoted legislative changes**
Tasks:	1. Secure extension of board's sunset date (SB 1476). 2. Sponsor legislation to update pharmacy law (SB 1475). 3. Advocate the board's role and its positions regarding pharmacists' care and dispensing of dangerous drugs and devices (AB 2408). 4. Secure statutory standards for pharmacies that compound medications (AB 595) 5. Secure implementation of e-pedigrees on prescription drugs dispensed in California (SB 1476)

Objective 3.2: **Measure:**	**Annually identify and respond with regulatory changes to keep pharmacy regulations current and consistent with the board's mission.** **Percentage successful enactment of promoted regulatory changes**
Tasks:	1. Authorize technicians to check technicians in inpatient pharmacies with clinical pharmacist programs (sections 1793.7-1793.8). 2. Authorize the use of prescription drop boxes and automated delivery machines for outpatient pharmacies (sections 1713 and 1717(e)) 3. Make technical changes in pharmacy regulations to keep the code updated Section 1706.2 criteria for abandonment of files

	Section 1775.4 contested citations Section 1709.1 designation of pharmacist-in-charge Section 1780 standards for wholesalers Section 1780.1 standards for veterinary food animal drug retailers Section 1781 exemption certificate Section 1786 exemptions 4. Notice of posting regarding electronic files (section 1717.2) 5. Disciplinary guidelines revision and update (section 1760) 6. Self-assessment of a wholesaler by the designated representative section (1784) 7. Exempt the address of records of interns from display on the board's Web site (section 1727.1) 8. Modification of building standards for pharmacies – rulemaking by the California Building Standards Commission

Objective 3.3:	**Review 5 areas of pharmacy law for relevancy, currency and value for consumer protection by June 30, 2011**
Measure:	**Number of areas of pharmacy law reviewed**
Tasks:	

STRATEGIC ISSUES TO BE ADDRESSED

1. Cost of medical/pharmaceutical care

Providing necessary medication for all Californians is a concern; there is an increasing demand for affordable health care services. Also, spiraling medical care and prescription drug costs may influence people to take short cuts on their drug therapy or to seek medications from nontraditional pharmacy sources. Tiered pricing is a global reality. Due to global communication, patients can access drugs at different prices, worldwide. Patients seek lower cost medications from these sources because patients assume that prescription drugs are of the same quality as they are accustomed to obtaining from their neighborhood pharmacies. However, the cost of drugs drives unscrupulous individuals (such as counterfeiters and diverters) as well as conscientious health care providers to operate in this marketplace, the former endanger public health and confidence in the prescription drugs patients take.

Objectives:

3.1 Annually identify and respond with legislative changes to keep pharmacy laws current and consistent with the board's mission.

3.2 Annually identify and respond with regulatory changes to keep pharmacy regulations current and consistent with the board's mission.

3.3 Review 5 areas of pharmacy law for relevancy, currency and value for consumer protection by June 30, 2011.

2. Aging population

There are increasingly more senior citizens, and that population is living longer. Aging consumers often have decreased cognitive skills, eyesight and mobility. Consequently as the senior population increases so will the volume of prescriptions and the impact on pharmacists and pharmacy personnel to meet the demand.

Many senior citizens, who previously may not have had prescription drug insurance coverage, will benefit from the new prescription drug benefit of Medicare that started in January 2006. However, this new benefit has been implemented with significant problems for some seniors, and as a complicated new program, will require public education and perhaps statutory modification.

Objectives:

3.3 Review 5 areas of pharmacy law for relevancy, currency and value for consumer protection by June 30, 2011.

3. Pharmacists' ability to provide care

The ability of pharmacy to provide optimal care for patients with chronic conditions is being challenged. Drugs are becoming more powerful and it is anticipated that more intervention by pharmacists will be required. The challenge is even greater when consumers fill multiple prescriptions at different pharmacies. The pharmacist shortage, increased consumer demand for prescription drugs, patient compliance in taking medications and polypharmacy are issues which will impact pharmacists' ability to provide care.

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4. Changing demographics of California patients

The diversity of California's population is growing with respect to race, ethnicity and linguistic skills, as is the segment that seeks drugs and products from foreign countries. This requires greater knowledge, understanding and skills from health care practitioners. The increasing diversity of patients is coupled with culturally-based beliefs that undervalue the need for licensed pharmacists and pharmacies, and instead encourage purchase of prescription drugs from nontraditional locations and providers.

There also is widespread belief that there must be a medication solution for every condition or disease state.

5. Laws governing pharmacists

New laws enhancing pharmacists' roles as health care providers are needed. The laws must address several key issues including: expansion of the scope of pharmacy practice, the ratio of personnel overseen by pharmacists, delineation of the role of pharmacists relative to selling

versus nonselling duties of personnel, and the responsibility for legal and regulatory compliance of the pharmacist-in-charge.

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6. Integrity of the drug delivery system

Implementation of the e-pedigree for prescription drugs will reduce the growing incidence of counterfeit medications in California's pharmacies. Additionally the federal government has demonstrated an increasing interest in regulating health care to safeguard consumer interests. New legislation and regulation may be created in response to emergency preparedness, disaster response and pandemics. Changes in the prescription drug benefits provided to Medicare beneficiaries will continue to command attention.

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7. Technology Adaptation

Technology will greatly impact the processing and dispensing of medication. Electronic prescribing and 'channeling' to locations other than a traditional pharmacy may become the business model. Automated pharmacy systems and electronic prescribing will impact pharmacy. New methods of dispensing medications raise additional liability issues. New medication, perhaps engineered for specific patients, will become available at high costs and require special patient monitoring systems.

Objectives:

3.3 Review 5 areas of pharmacy law for relevancy, currency and value for consumer protection by June 30, 2011.

8. Internet issues

The availability of prescription drugs over the Internet is on the rise. Multiple and easy access of drugs without pharmacist participation is dangerous. Entities promoting illegal drug distribution schemes have taken advantage of the Internet. Monitoring and protecting the public from improper drug distribution from these Internet pharmacies is severely impaired with continued resource constraints by both the federal and state agencies with jurisdiction.

9. Disaster planning and response

Pharmacists need to be ready to be positioned to provide emergency care and medication in response to natural disasters and terrorism. This requires specialized knowledge, advance planning and integration of local, state and federal resources that can be quickly mobilized.

Additionally, regulatory adjustments to the September 11 terrorism may affect persons' rights to privacy.

Objectives:

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10. Qualified staff

The state's fiscal crisis has affected the board's ability to investigate customer complaints or hire staff. The board lost 20 percent of its staff during the prior four years due to the state's hiring freezes. Loss of these staff has altered the provision of services by the board. The salary disparity between the private and public sectors in compensation for pharmacists will make it difficult to recruit and retain pharmacist inspectors. Moreover, for all staff, if wages remain essentially frozen, the retention of current employees could be impacted.

11. Pharmacy/health care in the 21st century

The state's health care practitioners (pharmacists, physicians, nurses) are being influenced by a variety of internal and external factors that affect and will continue to effect health care provided to patients. Improved patient

care will result from improved integration among these professions. Also, a renewed emphasis on patient consultation will benefit patient knowledge about their drug therapy and thus improve their care.

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3.3 Review 5 areas of pharmacy law for relevancy, currency and value for consumer protection by June 30, 2011.

12. Information Management

Creation, maintenance and transfer of electronic patient records and prescription orders will be the norm in the future. Patient records need to remain confidential and secured from authorized access. Pharmacies and wholesalers need to ensure the availability of an e-pedigree for drugs obtained, transferred and dispensed. It is likely that all controlled drugs dispensed in California will be tracked electronically by the CURES system.

Objectives:

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3.2 Annually identify and respond with regulatory changes to keep pharmacy regulations current and consistent with the board's mission.

3.3 Review 5 areas of pharmacy law for relevancy, currency and value for consumer protection by June 30, 2011.

Goal Alignment Matrix – Strategic Issues

	Goal 1: Exercise oversight on all pharmacy activities	**Goal 2: Ensure the qualifications of licensees.**	**Goal 3: Advocate legislation and promulgate regulations that advance the Vision and Mission of BOP.**	**Goal 4: Provide relevant information to consumers and licensees.**	**Goal 5: Achieve the Board's Mission and Goals.**
Strategic Issues					
1. Cost of medical/pharm-aceutical care	X		X	X	X
2. Aging population	X	X		X	X
3. Pharmacists' ability to provide care	X	X	X		X
4. Changing demographics of CA patients	X	X		X	X
5. Laws governing pharmacists	X	X	X	X	
6. Integrity of the drug delivery system	X	X	X		
7. Technology adaptation	X		X	X	X
8. Internet Issues	X			X	X
9. Disaster planning and Response	X	X	X	X	X
10. Qualified staff	X	X			X
11. Pharmacy/ Healthcare Integration in the 21st century	X	X	X	X	X
12. Information Management	X	X	X	X	X

Strategic Plan Status Report
Third Quarter 2005/2006
April 1, 2006 to June 30, 2006

Legislation and Regulation Committee

Goal 3:	**Advocate legislation and promulgate regulations that advance the vision and mission of the Board of Pharmacy.** **Outcome:** Improve the health and safety of Californians.
Objective 3.1:	**Annually identify and respond with legislative changes to keep pharmacy laws current and consistent with the board's mission.** **Measure:** 100 percent successful enactment of promoted legislative changes.
Tasks:	1. Secure extension of board's sunset date. ▪ **Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361)** ▪ **SB 1476 (2006) – Would extend the board's next sunset review two additional years, with a report due 2008** 2. Sponsor legislation to strengthen and update licensing requirements for pharmacy technicians. ▪ **Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361)** 3. Sponsor legislation to add enforcement options for non-compliance issues. ▪ **Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361)** 4. Sponsor legislation to update pharmacy law to standardize terminology regarding cancellation of licenses, waiving pharmacy law requirements during declared emergencies. ▪ **Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361)** 5. Advocate the board's role and its positions regarding pharmacists' care and dispensing of dangerous drugs and devices. ▪ **Advocacy: AB 320, AB 1826, AB 1960, AB 2184, AB 2660, AB 2682, SB 1159, AB 1196, SB 1427, SB 1563, SB 1735, SB 151, SB 175, SB 361, SB 490, SB 545, SB 774** ▪ **Technical Assistance: AB 262, AB 746, AB 1196, AB 1957, AB 2125, SB 151, SB 175, SB 292, SB 361, SB 490, SB 545, SB 774, SB 907, SB 1149, SB 1333** 6. Sponsor clean-up language to B & P Code section 4312. ▪ **Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361)** 7. Sponsor public meetings 4 times a year to solicit comments on areas needing legislative changes. ▪ **Public meetings held on March 27, 2003 and September 11, 2003.** ▪ **Public meeting held on March 30, 2004.** ▪ **Public meeting held on October 25, 2005.** ▪ **Public meeting held on January 26, 2006.** ▪ **Public meeting held on April 19, 2006.** 8. Sponsor legislation to strengthen consumer protections in wholesale transactions. ▪ **Completed 9/29/2004 – Chapters 857 and 887, Statutes of 2004.** ▪ **SB 1476 (2006) – Would require an electronic pedigree for all prescription drugs effective January 1, 2008, delaying one year the effective date.**

	9. Sponsor legislation to address licensing issues related to the UC Davis Veterinary Medical Teaching Hospital. ▪ **Governor signed SB 1913 September 22, 2004.** 10. Sponsor legislation to define "compounding and establish standards for pharmacies that compound drug products for patients. ▪ **AB 595 (Negrete McLeod) Pharmacy: Compounding of Prescription Drugs. Introduced February 17, 2005.** 11. Support for Senate B&P Committee Omnibus bill that includes changes to the following code sections: ▪ **B&P 4005 & 4206, 4053, 4127.5, 4205 & 4400, 4231 & 4232, 4360-4373, 4023.5, 4038, 4114, 4115, 4115.5 & 4202, 4315, 4104** ▪ **SB 1111 (B&P Com.) Omnibus Bill. Chapter 621, Statutes of 2005.** 12. Sponsor legislation to update the definition of a pharmacy, nonresident pharmacy, and the professional practice of pharmacy. ▪ **AB 2408 (Negrete McLeod) Pharmacists, pharmacies, and nonresident pharmacies. Most recently amended June 1, 2006.** 13. Support for Senate B&P Committee Omnibus bill that includes changes to the following code sections: ▪ **B&P 4104, B&P 4162 , B&P 4180-4182 and 4190-4192** ▪ **SB 1475 (2006) Omnibus Bill.** ▪ **Additional board approved amendments provided to the committee consultant for inclusion before the end of the session.**
Objective 3.2:	**Annually identify and respond with regulatory changes to keep pharmacy regulations current and consistent with the board's mission.** **Measure:** Percentage successful enactment of promoted regulatory changes.
Tasks:	1. Strengthen standards for compounding sterile injectable drug products. ▪ **Completed. Regulation effective October 29, 2004.** 2. Authorize the executive officer the authority to issue citations and fines. ▪ **Completed. Regulation effective October 11, 2003.** 3. Eliminate the clerk typist ratio. ▪ **Completed. Regulation effective October 3, 2004.** 4. Allow pharmacists to be pharmacist-in-charge of two locations simultaneously. ▪ **Completed. Regulation effective October 2, 2004.** 5. Update pharmacy self-assessment form. ▪ **January 2005 – Board adopted** 6. Allow central filling by hospital pharmacies. ▪ **Completed. Regulation effective October 22, 2004.** 7. Revise regulations concerning electronic prescribing to conform to AB 2245, and require that the pharmacist confirm the authenticity of any electronic prescription in which there is an uncertainty or ambiguity. ▪ **Completed. Regulation effective October 22, 2004.** 8. Modify patient notification provision of the quality assurance regulation to require notification only if the error results in the medication being administered to the patient or a clinically significant delay in therapy. ▪ **Completed. Regulation effective October 22, 2004.** 9. Require pharmacies using a common electronic file to adopt policies to ensure confidentiality of patient information. ▪ **Completed. Regulation effective October 22, 2004.** 10. Update pharmacy technician regulations to conform to SB 361. ▪ **Completed. Regulation effective October 22, 2004.**

	11. Update pharmacist licensure regulations to conform to SB 361. ▪ **Completed. Regulation effective October 22, 2004.** 12. Complete a Section 100 filing to clean up regulations in conformity with recent legislation. ▪ Board approved technical changes will be ready for board action at January 2007 board meeting. 13. Omnibus rule making package covering the following areas: abandonment of application files, pharmacist identification, pharmacy self assessment, pharmacy practice, recognized schools of pharmacy, application of pharmacist examination and licensure, supervision of intern pharmacists, intern pharmacist, requirements for examination, pharmacist candidates, continuing education, fees, partial filling of schedule II prescriptions, foreign graduates. ▪ **Completed. Regulation effective October 7, 2005.** 14. Revise regulations regarding the posting of posting of intern pharmacist addresses on the Board's Web site. ▪ **Regulation noticed on August 16, 2005.** ▪ **Board adopted proposed regulation at October 2005 board meeting.** ▪ **Regulation filed with OAL on July 20, 2006.** 15. Allow the use of automated dispensing devices to dispense refill prescriptions. ▪ **Regulation noticed on August 16, 2005.** ▪ **Pending regulation withdrawn after October 2005 board meeting.** ▪ **Revised language noticed on February 24, 2006.** ▪ **Board adopted proposed regulation language with amendments at April 2006 board meeting.** ▪ **15-day notice completed on May 2, 2006.** 16. Permit the use of drop boxes to drop off prescriptions. ▪ **Regulation noticed on August 16, 2005.** ▪ **Pending regulation withdrawn after October 2005 board meeting.** ▪ **Revised language noticed on February 24, 2006.** ▪ **Board adopted proposed regulation language with amendments at April 2006 board meeting.** 17. Create wholesaler surety bond forms. ▪ OAL Approved $100,000 bond form in December 2005 ▪ OAL Approved $25,000 bond form on January 24, 2006 18. Allow the use of automated dispensing devices to dispense refill prescriptions. ▪ **Regulation noticed on February 24, 2006.** ▪ **Board adopted proposed regulation language with amendments at April 2006 board meeting.** ▪ **15-day notice completed on May 2, 2006.** 19. Allow the use of pharmacy technicians in hospital inpatient pharmacies to check other pharmacy technicians filling floor stock, ward stock and unit dose cassettes. ▪ **Regulation Noticed on March 3, 2006.** ▪ **Board adopted proposed regulation language with amendments at April 2006 board meeting.** ▪ **15-day notice completed on May 2, 2006.**
Objective 3.3:	**Review 5 areas of pharmacy law for relevancy, currency and value for consumer protection by June 30, 2005.** **Measure:** Number of areas of pharmacy law reviewed.
Tasks:	1. Evaluate electronic prescribing laws involving controlled substances. 2. Evaluate the prescribing and dispensing of veterinary drugs.

	a. Completed – Chapter 250, Statutes of 2003 (SB 175) 3. Evaluate group dispensing by prescribers. b. **August 2003 -** Draft legislation developed in concert with the Medical Board. Awaiting board action. 4. Evaluate pharmacist intern statutes and regulations. c. **December 2003** – Draft legislation and regulations prepared and presented to the Licensing Committee. **d. January 2004** – Draft legislation and regulations approved by the board. **e. February 2004** – Rulemaking noticed on approved regulations. f. **March 2004** – Statutory provisions introduced in SB 1913. Governor signed SB 1913 on September 22, 2004. 5. Evaluated out of state distributor requirements. **g. Completed – Chapter 725, Statutes of 2004 (AB 2628)** **h. Completed – Chapter 857, Statutes of 2004 (SB 1307)** 6. Evaluated clinic licensing. **i. March 2005** – Initiated. j. **October 2005 -** Draft legislation prepared and presented to the Legislation and Regulation Committee. **k. SB 1475 (2006) – Omnibus bill includes revisions to sections 4180-4182 and 4190-4192.** **7. Obtain Cite and Fine & Letter of Admonition sanctions for those who violate Health and Safety Code 150200-150206 regarding redistribution of drugs from skilled nursing facilities to the medically indigent. (proposed for inclusion in SB 1475 (2006) omnibus)**