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STATE AND CONSUMER SERVICES AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
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REGULATION COMMITTEE REPORT

Pending Regulations

Filed with Office of Administrative Law

- **Section 1727.1 – Exemption from Posting Pharmacy Intern Addresses Online**

  On October 25, 2005 the board approved CCR 1727.1 to exclude the posting of pharmacist intern addresses of record on the board's Web page. This proposed rulemaking was filed with OAL for review and approval. It is anticipated that this regulation will be effective in the fall of 2006.

Board Approved – 15-Day Notice to be completed

- **Sections 1793.7 and 1793.8 – Pharmacy Technicians checking Pharmacy Technicians in an Acute Care Pharmacy**

  On April 26, 2006 the board approved an amendment to CCR 1793.7 and to adopt CCR 1793.8 to define the conditions under which a pharmacy technician may check the work of another pharmacy technician. Board staff are adding materials to the rulemaking file (to formally admit underlying studies, written legal opinions and other relevant background information) which requires a 15-day notice. There after the rulemaking file will be submitted to the Administration for review. These documents were not included in the Initial Statement of Reasons. It is anticipated that this regulation will be effective early next year.

Board Approved – Regulation Package being completed for administrative review

- **Section s 1713 and 1717(e) – Prescription Drop Boxes and Automated Self-Use Delivery Device for Refill Prescriptions**

  On April 26, 2006 the board voted to amend section 1717(e) and adopt section 1713. Staff completed the necessary 15-day notice as required in May 2006 to incorporate changes approved by the board during the April Board Meeting. As no new comments were received relevant to the specific changes made by the board, board staff is moving forward to compile the rulemaking file to submit for administrative review. It is anticipated that this regulation will be effective early next year.

Board Approved – To be noticed for action at the October 2006 Board Meeting

- **Repeal CCR 1717.2, Notice of Electronic Prescription Files**

  The purpose for repealing the regulation is to remove a barrier that prevents pharmacists, in certain situations, from having full knowledge of all the prescription drugs that a patient is taking. Removing this barrier will result in better patient care while protecting patient medical record privacy. Because of staff changes the draft Initial Statement of Reasons and Notice documents have not been completed.

- **Amend CCR 1760, Disciplinary Guidelines**

  This rulemaking would allow the board to use the 2006 revision of the Disciplinary Guidelines when deciding appropriate discipline action to take for violations of Pharmacy Law. The Guidelines will be ready for public notice and the formal start of the rulemaking process at the October board meeting.

- **Add CCR 1784, Self-Assessment of a Wholesaler by the Designated Representative-In-Charge**

  Staff has competed its internal review of this new self assessment form for wholesalers. It will be publicly noticed and brought to the board for action at the board's October 2006 meeting.

Board Approved - Awaiting Notice

- **Addition to the California Building Code – 24 CCR 490A.3 and 505.12.2 Related to Compounding Parenteral Solutions; Technical Changes to the Building Code Relating to Pharmacies**

  On April 26, 2006, the board voted to amend the language in the California Building Code, Title 24, California Code of Regulations, section 490A.3 and 505.12 related to pharmacies that compound parenteral solutions. Board still will need to compile materials for submission to the CA Building Commission.

We have additional regulation changes pending that will be noticed for action at the January 2007 meeting.

- **Board omnibus regulation provisions involving technical clean up for 2006**

  16 CCR § 1706.2 - Abandonment of Application Files
  16 CCR § 1775.4 – Reschedule of an Office Conference to Contest a Citation
  16 CCR § 1709.1 - Designation of Pharmacist in Charge
  16 CCR § 1780 -Minimum Standards for Wholesalers
  16 CCR § 1780.1 - Minimum Standards for Veterinary Food-Animal Drug Retailers

16 CCR § 1781 - Exemption Certificate
16 CCR § 1786 (repeal) – Exemptions

Board Approved – Proposed Language to be Developed.

At the April Meeting, the board agreed to move forward with a proposed regulation on the process and criteria to approve accreditation agencies for pharmacies that compound sterile injectable sterile drug products. Language will be developed for the next Legislation and Regulation Committee.