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

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California State Board of Pharmacy
Department of Consumer Affairs
Notice of Public Board Meeting
April 18 and 19, 2007

This board meeting is open to the public and is held in a barrier-free facility in accordance with the Americans with Disabilities Act. Any person with a disability who requires a disability-related modification or accommodation in order to participate in the public meeting may make a request for such modification or accommodation by contacting Gloria Schultz at (916) 574-7912, at least five working days prior to the meeting.

Opportunities are provided to the public to address the board on each open agenda item.

Agenda

DATE: **April 18 and 19, 2007**

PLACE: **Department of Consumer Affairs**
First Floor Hearing Room
1625 N. Market Boulevard
Sacramento, CA 95834

Note: Pharmacists and pharmacy technicians who attend the full day of the board meeting on Wednesday, April 18, 2007, may be awarded 6 hours of CE, in accordance with the board's CE policy.

Wednesday, April 18, 2007

CALL TO ORDER — *9:00 a.m.

General Announcements

I. Committee Reports And Action

Each committee report contains an update to the board on the committee's recent activities and may include recommendations for board action. An opportunity for public comment is provided at the end of each report.

A. Communication and Public Education Committee — 9:05 a.m.

1. Discussion and Action on the Board's Public Forum on Medicare Prescription Drug Plans
   a. Summary of the Meeting of February 1, 2007 (San Diego)
   b. Summary of the Meeting of March 30, 2007 (Los Angeles)

Times are approximate and are subject to change
Meeting Materials will be available on the board's Web site at www.pharmacy.ca.gov by April 13, 2007

2. Report and Action of Items Discussed at the Communication and Public Education Committee Meeting of April 3, 2007
   a. Update of the Committee's Strategic Plan for 2007-08
   b. Pill Splitting by Patients
   c. Update on the Development of Consumer Fact Sheet Series with UCSF's Center for Consumer Self Care
   d. Update Report on the Activities of the California Health Communication Partnership
   e. Update Report on The Script
   f. New Board Web Page Under Development
   g. Development of New Consumer Brochures
   f. Update on Public Outreach Activities
   g. Articles in the Media
   h. Meeting Summary
3. Discussion and Action on the SCR 49 Medication Errors Report
4. Third Quarterly Report on Committee Goals for 2006/07

Public Comment

Break

B. Enforcement Committee — 10:30 a.m.

1. Report and Action of Items Discussed at the Enforcement Committee and Workgroup on E-Pedigree Meeting of March 21, 2007
   a. Proposal to Develop an Ethics Course for Pharmacists Disciplined by the Board
   b. Update of the Committee's Strategic Plan for 2007-08
   c. Letter of Concern to CMS regarding the Federal Deficit Reduction Act's Use of Average Manufacturers' Price as the Reimbursement Base of Medications for Medicaid Patients
   d. Report of the Workgroup on E-Pedigree and Summary of the March 8, 2007 EPCglobal Meeting with Board Representatives
   e. Meeting Summary
2. Report on Enforcement Actions
3. Third Quarterly Status Report on Committee Goals for 2006/07

Public Comment

Recognition of Pharmacists — 11:30 a.m.

LUNCH — 11:45 a.m.

C. Licensing Committee — 1:15 p.m.

1. Report and Action of Items Discussed at the Licensing Committee Meeting of March 7, 2007
   a. Update of the Committee's Strategic Plan for 2007-08
   b. Request by Pacific University of Oregon to Receive Board Recognition for Purposes of Issuing California Intern Licenses
   c. Request to Accept the Certification Examination of the Commission for Certification in Geriatric Pharmacy for Continuing Education Credit for Pharmacists
   d. Proposed Regulation Requirements for Pharmacies That Compound Medication – Amendments to 16 California Code of Regulations Sections 1716.1 and 1716.2 and the Adoption of Sections 1735-1735.8
   e. Legislative Proposals
      (1) Renaming of the "Multistate Pharmacy Jurisprudence Exam for California" to More Accurately Reflect Examination Content
      (2) Establishment of State Protocols for Immunizations by Pharmacists
   f. Update of Emergency Preparedness for California Pharmacy
   g. Update on the Request to Add the Exam for the Certification of Pharmacy Technicians as a Qualifying Method for Pharmacy Technician Registration

h. California Schools of Pharmacy Proposal to Identify and Agree on the Professional Competencies that Should be Achieved by the End of Basic Internship Experiences
i. Competency Committee Report – Including Announcement of a New Test Administration Company for the CPJE
j. Meeting Summary of the March 7, 2007 Meeting

2. Licensing Statistics
3. Third Quarterly Report on Committee Goals for 2006/07

Public Comment

D. Legislation and Regulation Committee 2:00 p.m.

Update of the Committee's Strategic Plan for 2007-08

Regulations Report and Action

Note: CCR as used below means California Code of Regulations

1. **Board Action on Regulations**
   Proposed Amendment of 16 CCR 1707.2 – Notice to Consumers

2. **Approved Regulations**
   a. Repeal of 16 CCR 1717.2 – Notice of Electronic Prescription Files
   b. Adoption of 16 CCR 1784 – Self-Assessment of a Wholesaler by a Designated Representative-in-Charge

3. **Pending Regulations**
   a. **Board Adopted – Pending Administration Approval**
      (1) Proposed Amendment of 16 CCR 1706.2 – Abandonment of Application Files
      (2) Proposed Amendment to 16 CCR 1775.4 – Reschedule of an Office Conference to Contest a Citation
   b. **Board-Approved – Awaiting Public Notice**
      (1) Section 100 Technical Changes
         -- Proposed Amendment to 16 CCR § 1709.1 – Replace the term "Exemptee-in-Charge" with "Designated Representative-in-Charge"
         -- Proposed Amendment to 16 CCR § 1780 – Update the USP Standards Reference Material
         -- Proposed Amendment to 16 CCR § 1780.1 and 1781 – Replace the term "Exemptee" with "Designated Representative"
         -- Proposed Repeal of 16 CCR § 1786 – Return of Exemption Certificate
         -- Proposed Amendment to 16 CCR § 1715 Self Assessment of a Pharmacy by the Pharmacist-in-Charge to Update for Changes in Pharmacy Law
         -- Proposed Amendment to 16 CCR §1793.8 to Update Regulation Reference to Recodified Business and Professions Code § 4052
      (2) Proposal to Require the Self Assessment of a Veterinary Food Animal Drug Retailer Premises, Addition of 16 CCR § 1785
      (3) Proposed Amendment to 16 CCR § 1760 – Disciplinary Guidelines
   c. **Board Approved – Awaiting Conformance with California Building Standards Rulemaking Process**
      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
   d. **Board Approved – Proposed Language to be Developed**
      Proposed Regulation on the Process and Criteria to Approve Accreditation Agencies for Pharmacies that Compound Sterile Injectable Drug Products

Public Comment

Legislation Report and Action

4. **Board-Sponsored Legislation**
   a. Omnibus Provisions

(1) Extension for Bonding Requirements for Wholesalers, Amend Business and Professions Code §§ 4162 and 4162.5
(2) Authorize Citation and Fine Authority for Repositories for Redistribution of Unused Medication (as authorized by SB 798, Chapter 444, Statutes of 2005), Amend Business and Professions Code §§ 4314 - 4315
(3) Authorize Board Inspectors to Embargo Misbranded Drugs, Amend Business and Professions Code § 4084
(4) Establish a Temporary License Fee for Wholesalers, Amend Business and Professions Code §§ 4160(f) and 4161(k)
(5) Authorize the Board to Extend an Intern Pharmacist License, Amend Business and Professions Code § 4208

b. Delay Implementation of CURES Provisions Enacted by AB 2986 (Nation, Chapter 286, Statutes of 2006)

5. Legislation Introduced Impacting the Practice of Pharmacy or the Board's Jurisdiction
   a. AB 110 (Laird) Drug Paraphernalia: Clean Needle and Syringe Exchange Projects
   b. AB 249 (Eng) Licensees: Healing Arts: Settlement Agreements
   c. AB 501 (Swanson) Pharmaceutical Devices
   d. AB 543 (Plescia) Ambulatory Surgical Centers: Licensure
   e. AB 851 (Brownley) Prescription Drugs: Informational Insert
   f. AB 865 (Davis) State Agencies: Live Customer Service Agents
   g. AB 1025 (Bass) Professions and Vocations: Denial of Licensure
   h. AB 1137 (Eng) Boards and Commissions
   i. AB 1276 (Karnette) Pharmacies: Prescription Containers: Labels
   j. AB 1399 (Richardson) Pharmacies: Prescription Labels
   k. AB 1587 (De La Torre) Personal Information: Pharmacy
   l. SB 472 (Corbett) Prescription Drugs: Labeling Requirements
   m. SB 615 (Oropeza) Pharmacy Technicians: Scholarship and Loan Repayment Program
   n. SB 809 (Ashburn) Nurse Practitioners
   o. SB 822 (Aanestad) Psychology: Scope of Practice
   p. SB 963 (Ridley-Thomas) Regulatory Boards: Termination
   q. SB 966 (Simitian) Pharmaceutical Drug Disposal
   r. SB 993 (Calderon) Psychologists: Scope of Practice: Prescribing Drug
6. Other Legislation
   a. AB 14 (Laird) Discrimination: Civil Rights Act of 2007
   b. AB 64 (Berg) Uniform Emergency Volunteer Health Practitioners Act
   c. AB 106 (Berg) Immunizations
   d. AB 329 (Nakanishi) Chronic Diseases: Telemedicine
   e. AB 374 (Berg) California Compassionate Choices Act
   f. AB 436 (Salas) Health Insurance Portability And Accountability Act Of 2001
   g. AB 555 (Nakanishi) Healing Arts: Medical Records
   h. AB 703 (Ruskin) Social Security Numbers
   i. AB 1302 (Horton) Health Insurance Portability and Accountability Act
   j. ACR 9 (Dymally) Legislative Task Force on Substance Abuse
   k. SB 254 (Aanestad) Health Facilities: Licensure
   l. SB 907 (Calderon) Physicians and Surgeons: Referrals
7. Meeting Summary of the April 3, 2007 Meeting
8. Second Quarterly Report on Committee Goals for 2006/2007

Public Comment

E. Organizational Development Committee — 5:00 p.m.

1. Report and Action of Items Discussed at the Organizational Development Meeting of April 9, 2007
   a. Proposed Regulation Change to Increase Fees Effective January 1, 2008
   b. Update of the Committee's Strategic Plan for 2007-08
   c. Update of the Board's Strategic Plan for 2007-08
   d. Recognition of Pharmacists who Have Been Licensed 50 Years

e. Board Meeting Dates for 2008
f. Development of Parameters for Board Recognition of Notable California Pharmacists
g. Personnel Update and Training Report
h. Budget Update and Report
   (1) Current Year's Budget 2006/07
   (2) Board Fund Condition
   (3) Future Budget 2007/08
   (4) I-Licensing Update
   (5) Reimbursement to Board Members
i. CURES Feasibility Study Report
j. Meeting Summary

2. Third Quarterly Report on the Committee's Goals for 2006/07
3. Approval of Full Board Minutes (January 31 and February 1, 2007)

Public Comment

II. Election of Officers

III. New Business/Agenda Items for Future Meetings 5:30 p.m.

Thursday, April 19, 2007

IV. Closed Session 7:30 a.m.

The board will move into closed session pursuant to Government Code section 11126(c)(3) to deliberate on disciplinary matters.

V. Petitions 8:00 a.m.

a. Reinstatements
Hoda Soliman
Chu Vu
Hoichi Cheung
Dewane McConnell

b. Early Termination & Reduction of Penalty
Robert Garlick
Faramarz (Fred) Ganjian

VI. Closed Session

At the close of the hearings, the board will move into closed session pursuant to Government Code section 11126(c)(3) to deliberate on the requests for reinstatements, reduction of penalty, and early termination of probation.

Adjournment 5:00 p.m.