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STATE AND CONSUMERS AFFAIRS AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
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Legislation and Regulation Committee

Kenneth Schell, PharmD, Chair
Rosalyn Hackworth, Public Member
Greg Lippe, Public Member
Shirley Wheat, Public Member
Tappan Zee, Public Member

The Legislation and Regulation Committee will meet on October 19, 2010. A review of the information that will be discussed by the committee is provided below.

LEGISLATION AND REGULATION COMMITTEE

Report of the meeting held October 19, 2010

PART 2: REGULATION REPORT

a. FOR DISCUSSION AND POSSIBLE ACTION To Initiate a Rulemaking to Adopt 1707.6. – Notices to Consumers and Amend Section 1707.2. Notice to Consumers and Duty to Consult

ATTACHMENT 1

Background

On June 10, 2010, the board adopted proposed regulation 16 CCR § 1707.5. to establish requirements for a patient-centered prescription drug container label. That regulation is currently undergoing administrative review.

The patient-centered prescription label regulation requires a pharmacy to provide a consumer with 12-point font for certain components of a prescription label, if requested; it also requires a pharmacy to provide oral interpretive services.

During the rulemaking process to adopt the prescription drug labeling requirements, it was suggested that the board establish requirement(s) that consumers be notified of the availability of oral language interpretive services and of 12-point font, as specified in the adopted regulation.

At the July 2010 Board Meeting, staff provided the board with draft language for consideration and possible action. The board discussed the draft text and directed staff to develop new draft language. At that time, the board voted to move the existing consumer notices from 16 CCR § 1702. to a new section that also includes any notice(s) regarding language interpretive services and larger font sizes.

Attachment 1 contains newly drafted language for the board's continued consideration and possible action.

b. FOR INFORMATION: Board Adopted Regulations – Approved by the Office of Administrative Law

Title 16 CCR Amend Sections 1721 and 1723.1 – Dishonest Conduct on a Pharmacist Licensure Examination; Confidentiality

ATTACHMENT 2

At the October 2007 Board Meeting, the board voted to approve proposed amendments to 16 CCR §1721 and §1723.1 to strengthen the penalty an applicant would incur for dishonest conduct during an examination, as well as further clarify the penalty an applicant would incur for conveying or exposing any part of a qualifying licensing examination.

The formal rulemaking was noticed on October 30, 2009, and the 45-day comment period concluded on December 14, 2009. The board did not receive any comments to the proposed rulemaking.

The board adopted the regulation at its January 2010 Board Meeting, and the rulemaking was submitted to the department for review in March 2010. Following department approval, the rulemaking was submitted to the Office of Administrative Law for review in July 2010; that office approved the file and filed the regulation with the Secretary of State. The regulation was effective on September 17, 2010. A copy of the approved text is provided in Attachment 2.

c. FOR INFORMATION: Board Adopted Regulations – Undergoing Administrative Review

Adoption of New Section at Title 16 California Code of Regulations Section 1707.5 – Requirements For Patient-Centered Prescription Drug Container Labels

ATTACHMENT 3

The formal rulemaking was noticed for the 45-Day Comment Period on November 20, 2009 and a regulation hearing was held on January 20, 2010. The first 15-day comment period started on February 22, 2010 and the second 15-day comment period began on April 28, 2010. The board received about 1,200 comments.

The board adopted the regulation text at its June 2010 Board Meeting. The rulemaking file was compiled and submitted to the Department for review in July 2010. The rulemaking file was transmitted to the Office of Administrative Law for review on October 5, 2010. The board is utilizing "Subscriber Alert" notifications to advise subscribers of the status of the regulation. "Subscriber Alerts" were issued on August 11, August 31 and October 6, 2010. The Final Statement of Reasons and Adopted Text have been added to the board's Web site.

d. FOR INFORMATION: Board Approved Regulations – Recently Noticed (Not For Discussion At This Meeting)

Proposed Amendments to § 1732.2. – Board Accredited Continuing Education

ATTACHMENT 4

At the February 2010 Board Meeting, the board voted to initiate the rulemaking process to amend 16 CCR § 1732.2. related to board-accredited continuing education. The proposed text was formally noticed for comment on October 8, 2010, and the 45-day comment period concludes on November 22, 2010. A copy of the proposed regulation is provided in Attachment 4.

The proposed regulation would modify the term "continuing education *credit*" to "continuing education *hours*" and would add board-approved continued education for the following:

- A pharmacist serving on a designated subcommittee for conducting a review of exam test questions (up to 6 hours of CE)
- Attending a full-day board meeting (up to 6 hours annually)
- Attending a full committee meeting (up to 2 hours for each meeting, maximum of four hours annually)
- A pharmacist who completes the PSAM administered by the National Association of Boards of Pharmacy (up 6 hours of CE)
- Successfully passing the examination administered by the Commission for Certification in Geriatric Pharmacy (3 hours of CE)

e. Proposed Regulations – Awaiting Board Approval to Notice

Proposed Amendments to § 1728. and § 1793.5., and Proposed Addition of § 1727.2., and Application Forms to Require Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB—HIPDB)

The Licensing Committee considered at its October 5, 2010, meeting a proposal to amend Sections 1728. and 1793.5., and a proposal to add Section 1727.2. to Title 16 of the California Code of Regulations. The Licensing Committee has provided a recommendation to the board to initiate the rulemaking process to require that applicants, as specified in the proposal, submit to the board a Self Query Report from the National Practitioner Data Bank – Healthcare Integrity and Protection Data Bank (NPDB-HIPDB). For additional information, as well as a copy of the language considered, please reference the Licensing Committee materials and attachments for Items 9.b and 9.c.

f. Regulations Under Development

1. Proposed Amendments to § 1746 – Emergency Contraception Protocol

   In 2004, the board adopted a statewide protocol for dispensing emergency contraception products, resulting in the codification of Title 16 CCR Section 1746. The regulation became operative on December 2, 2004. The board discussed updates to the regulation at its January and July 2010 Board Meetings. Updates to the Dedicated Emergency Contraception regulation will be addressed by a subcommittee or ad hoc committee to address changes to existing drugs or the inclusion of additional drugs approved since the regulation was established six years ago. Any updates to the protocol are required to first be approved by the Medical Board prior to the board's initiation of a rulemaking.

2. Proposed Amendments to § 1751.9. – Accreditation Agencies for Pharmacies that Compound Injectable Sterile Drug Products

   Business and Professions Code section 4127.1 requires a separate license to compound sterile injectable drug products. Section 4127.1(d) provides exemptions to the licensing requirement for pharmacies that have current accreditation from the Joint Commission on Accreditation of Healthcare Organizations, or other private accreditation agencies approved by the board. The proposed regulation would specify the criteria the board will utilize to consider approval of accreditation agency requests. Staff is working with counsel to develop language for consideration at a future meeting.

3. Proposed Amendments to § 1780 – Update the USP Standards Reference Manual (Minimum Standards for Drug Wholesalers)

   Section 1780 of the California Code of Regulations sets minimum standards for drug wholesalers. This regulation currently references the 1990 edition of the United States Pharmacopeia Standards (USP Standards) for temperature and humidity. USP Standards are updated and published annually. Section 1780(b) requires amendment to reflect the 2005 version of the USP Standards and to hold wholesalers accountable to the latest standards, if determined appropriate.

   Because of stated concerns about whether referencing the 2005 USP Standards would be an unreasonable burden on wholesalers, at the October 2008 Board Meeting, the board voted to address the issue of updating the USP Standards reference materials within this section.

   The board established a subcommittee for this purpose but, as a result of board vacancies, the subcommittee has not held any meetings and no action has been taken with respect to this regulation change.

4. Proposed Amendments to § 1785 – Self-Assessment of a Veterinary Food-Animal Drug Retailer

   The requirements of § 1785 establish a self-assessment form for veterinary food-animal drug retailers and requires a designated representative-in-charge to complete this form to ensure compliance with pharmacy law. Self-assessment forms also aid licensees in complying with legal requirements of their operations and, therefore, increase public safety as a result of this compliance.

   In 2007 the Enforcement Committee and the Board approved draft amendments to the regulation and related self-assessment form; subsequently, however, the licensing committee was advised of potential problems with the licensing requirements for designated representatives working at these facilities.

   The Licensing Committee has not yet initiated a program review of the Veterinary Food-Animal Drug Retailer program. Staff does not anticipate proceeding with this regulation until such time that the Licensing Committee completes its review.

g. Proposal to Initiate Rulemaking to Update 16 CCR § 1784 – Self Assessment by a Wholesaler by the Designated Representative in-Charge

Pharmacy Law requires pharmacies and wholesalers to conduct self-assessments to promote compliance with various federal and state laws and regulations through self-examination and education. Self-assessment forms provide references to relevant laws and regulations, and also serve as an easy reference guide for the Pharmacist-in-Charge (PIC) or Designated Representative-in-Charge (DRIC).

Section 1715 of Title 16 Cal. Code of Regs applies to the self-assessment of a pharmacy by the Pharmacist-in-Charge. The regulation was established in 1997 and was last amended in 2009. The following self-assessment forms are incorporated by reference in § 1715:

- 17M-13 (Rev 10/08) "Community Pharmacy & Hospital Outpatient Pharmacy Self-Assessment"
- 17M-14 (Rev 10/08) "Hospital Pharmacy and Self-Assessment"

Section 1784 of Title 16 Cal. Code of Regs applies to wholesalers. This regulation was established in 2007 and was also updated in 2009. It incorporates by reference the following self-assessment form:

- 17M-26 (Rev 10/08) "Wholesaler Dangerous Drugs & Dangerous Devices Self-Assessment"

After the conclusion of the 2009/2010 Legislative Session, board staff will draft changes to the self-assessment forms to reflect statutory changes for the board's consideration at a future meeting. Copies of the self-assessment forms with proposed amendments may be provided at the meeting.

h. Notification of Temporary Delay in Implementing New Section at Title 16 California Code of Regulations Section 1702 – Fingerprint Submissions for Pharmacists

Attachment 1

Potential Regulatory Proposal(s) re: Notices to Consumers

OPTION 1: DISCUSSED AT JULY 29, 2010 BOARD MEETING

Delete 16 CCR § 1707.2, subds. (f) and (g)

Add 16 CCR § 1707.6. Notices Required in Pharmacies.

(a) In every pharmacy there shall be prominently posted, in a place conspicuous to and readable by prescription drug consumers, at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, notices containing the text in subdivisions (b), (c), (d) and (e). The board has previously developed and distributed standardized posters for the notices that are required by subdivisions (b) and (c). The board shall similarly develop a standardized poster for the notice required by subdivision (d). For the notices required by subdivisions (b), (c), and (d), the pharmacy shall display the poster developed by the board, or a full-color duplicate thereof.

As an alternative to printed notices, the pharmacy may display one or more required notices on a video screen located at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, where the video screen display meets the following requirements:

(1) The video screen is at least 30 inches, measured diagonally;

(2) The text and format of the notice(s) is the same as it would be in printed form, including the size of the notice(s), the size of the text, and the colors utilized;

(3) The text of the notice(s) remains on the screen for a minimum of 30 seconds;

(4) Where the entire text of a notice does not fit onto a single screen, the text is displayed on consecutive/scrolling screens, each of which displays for at least 30 seconds; and

(5) No more than four minutes elapses between displays of any notice on the screen, as measured between the time that a one-screen notice or the final screen of a multi-screen notice ceases to display and the time that the first or only page of that notice re-displays.

Staff Note: Subdivision (b) is the Notice to Consumers currently at § 1707.2, subd. (f)

(b) There shall be a notice containing the following text:

NOTICE TO CONSUMERS

At your request, this pharmacy will provide its current retail price of any prescription without obligation. You may request price information in person or by telephone.

Ask your pharmacist if a lower-cost generic drug is available to fill your prescription.

Prescription prices for the same drug vary from pharmacy to pharmacy. One reason for differences in price is differences in services provided.

Before taking any prescription medicine, talk to your pharmacist; be sure you know:

What is the name of the medicine and what does it do?

How and when do I take it - and for how long? What if I miss a dose?

What are the possible side effects and what should I do if they occur?

Will the new medicine work safely with other medicines and herbal supplements I am taking?

What foods, drinks or activities should I avoid while taking this medicine?

Ask your pharmacist if you have additional questions.

Staff Note: Subdivision (c) is the Notice to Consumers currently at § 1707.2, subd. (g)

(c) There shall be a notice containing the following text:

NOTICE TO CONSUMERS

Know your rights under California law concerning medicine and devices prescribed to you.

You have the right to receive medicine and devices legally prescribed to you, unless:

1. The medicine or device is not in stock in the pharmacy,

2. The pharmacist, based upon his or her professional judgment determines providing the item:

- is against the law,
- could cause harmful drug interaction, or
- could have a harmful effect on your health.

This pharmacist may decline to fill your prescription for ethical, moral or religious reasons, but the pharmacy is required to help you get the prescription filled at this or another nearby pharmacy timely.

The pharmacy may decline to provide the medicine or device if it is not covered by your insurance or if you are unable to pay for the item or any copayment you owe.

If the pharmacy is unable to fill your prescription, you are entitled to have the prescription returned to you or transferred to another nearby pharmacy. Ask about our procedure to help you get an item that we don’t have in stock.

Any questions? Ask the pharmacist!

(d) There shall be a notice containing the following text:

NOTICE TO CONSUMERS

The container label for your prescription medication contains vital information. Please take a moment to check the container label before you leave the pharmacy to be sure that:

The container label has the correct patient name;

The container label has the correct medication name and strength;

The container label has the correct directions for use; and

The container label includes the purpose or condition for which the medication was prescribed, if that information was included in the prescription.

All of these four categories of information must be clustered into one area of the label, and must appear on the label, in the order given above, in at least a 10 point font.

If you would like the text on your container label to be larger, please ask. Upon request, the pharmacy will print a label with the text for these four categories of information in at least a 12-point font. This may result in use of a larger label and/or a larger container.

If you have questions about any of the information on the label, ask the pharmacist.

(e) There shall be a notice containing the following text, repeated in English and in each of the languages for which interpretive services are available, printed in at least an 18-point boldface type in a color that sharply contrasts with the background color of the notice:

NOTICE TO CONSUMERS

> It is very important that you understand the information on the container label for your prescription medication. If you have trouble reading or understanding English, this pharmacy will make interpretive services available to you in your own language.

(f) The pharmacy shall also post or provide the following statement, repeated in English and in each of the languages for which interpretive services are available, written in at least an 18-point boldface type in a color that sharply contrasts with the background color of the statement, with each repetition enclosed in a box with at least a 1/4 inch clear space between adjacent boxes:

> Point to your language. Language assistance will be provided at no cost to you.

This statement, repeated in all available languages, may be made available by posted notice or by video screen if the posted notice or video screen is positioned so that a consumer can easily point to and touch the statement identifying the language in which he or she is requesting assistance.

If the posted notice or video screen is not positioned so that a consumer can easily point to and touch the notice or video screen, the statement, repeated in all available languages, shall be made available on a cardstock flyer or handout kept within reach of consumers at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished. Such flyer/handout shall be at least 8 inches by 11 inches, on at least 8 point cardstock, which may be laminated. At least one copy of the flyer/handout shall be available at all hours that the pharmacy is open.

OPTION 2: NEW STAFF PROPOSAL BASED ON JULY 29, 2010 BOARD DISCUSSION

Delete 16 CCR § 1707.2, subds. (f) and (g)

Add 16 CCR § 1707.6. Notices Required in Pharmacies.

(a) In every pharmacy there shall be prominently posted, in a place conspicuous to and readable by prescription drug consumers, at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, a notice containing the text in subdivision (b). Each pharmacy shall use the standardized poster-sized notice provided or made available by the board, unless the pharmacy has received prior approval of another format or display methodology from the board. The board may delegate authority to give such approval to a committee or the Executive Officer.

The pharmacy may also or instead display the notice on video screen(s) located at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, so long as: (1) the video screen is at least 30 inches, measured diagonally; (2) The text, format, size, and colors utilized are the same as the poster-sized notice; (3) The notice remains on-screen for a minimum of sixty (60) seconds; and (4) Where the text of the notice does not fit on one screen, the text is displayed on consecutive/scrolling screens, each of which displays for at least sixty (60) seconds.

(b) The notice shall contain the following text:

NOTICE TO CONSUMERS

You may ask this pharmacy to use larger print on your prescription drug labels.

Interpretive language services will be made available to you in this pharmacy at no cost.

Before taking your medicine, be sure you know: the name of the medicine and what it does; how and when to take it, for how long, and what to do if you miss a dose; possible side effects and what you should do if they occur; whether the new medicine will work safely with other medicines or supplements; and what foods, drinks, or activities should be avoided while taking the medicine. Ask the pharmacist if you have any questions.

This pharmacy must provide any medicine or device legally prescribed for you, unless: it is not covered by your insurance; you are unable to pay the cost or a copayment; or the pharmacist determines doing so would be against the law or potentially harmful to health. If a medicine or device is not in stock, or cannot be immediately provided, the pharmacy will work with you to ensure that you get your medicine or device in a timely manner.

You may ask this pharmacy for information on drug pricing and use of generic drugs.

(c) Every pharmacy, in a place conspicuous to and readable by prescription drug consumers, at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, shall post or provide a notice containing the following text repeated in English and in each of the languages for which interpretive services are available, printed in an least an 18-point boldface type in a color that sharply contrasts with the background color of the notice, with each repetition enclosed in a box with at least a 1/4 inch clear space between adjacent boxes:

Point to your language. Language assistance will be provided at no cost to you.

This text shall be repeated in at least fourteen (14) languages, to include all of the non-English languages now or hereafter identified by the Medi-Cal Managed Care Division, Department of Health Care Services, for translation of vital documents, as well as any other primary languages for groups of ten thousand (10,000) or more limited-English-proficient persons in California.

The pharmacy may post this notice in paper form or on a video screen meeting the requirements of subdivision (a) if the posted notice or video screen is positioned so that a consumer can easily point to and touch the statement identifying the language in which he or she requests assistance. Otherwise, the notice shall be made available on a cardstock flyer or handout clearly visible from and kept within easy reach of each counter in the pharmacy where dangerous drugs are dispensed or furnished, available at all hours that the pharmacy is open. The flyer/handout shall be at least 8 1/2 inches by 11 inches, shall be printed on durable cardstock, and may be laminated.

Attachment 2

Order of Adoption

Board of Pharmacy

California Code of Regulations

Amend Section 1721 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

1721. Dishonest Conduct During Examination

An applicant for examination as a pharmacist who engages in dishonest conduct during the examination shall not have that examination graded, shall not be approved to take the examination for ~~twelve months~~ three years from the date of the incident, and shall surrender his or her intern ~~card~~ license until eligible to take the examination. The applicant may not be issued a pharmacy technician license until the applicant is again eligible to take the examination.

Note: Authority cited: Section 4005, Business and Professions Code. Reference: Sections 123, 496, and 4200, Business and Professions Code.

Amend Section 1723.1 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

1723.1. Confidentiality of Examination Questions

Examination questions are confidential. Any applicant for any license issued by the board who removes all or part of any qualifying examination from the examination room or area, or who conveys or exposes all or part of any qualifying examination to any other person may be disqualified as a candidate for a license. The applicant shall not be approved to take the examination for three years from the date of the incident and shall surrender his or her intern license until again eligible to take the examination. The applicant may not be issued a pharmacy technician license until the applicant is again eligible to take the examination.

Note: Authority cited: Section 4005, Business and Professions Code. Reference: Sections 123 and 496, Business and Professions Code.

Virginia Herold
Executive Officer
Board of Pharmacy

Attachment 3

Order of Adoption
Board of Pharmacy
California Code of Regulations

Specific Language to Add Section 1707.5.

Add Section 1707.5. to Article 2 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

§ 1707.5. Patient-Centered Labels on Medication Containers.

(a) Labels on drug containers dispensed to patients in California shall conform to the following format to ensure patient-centeredness.

(1) Each of the following items shall be clustered into one area of the label that comprises at least 50 percent of the label. Each item shall be printed in at least a 10-point sans serif typeface or, if requested by the consumer, at least a 12-point typeface, and listed in the following order:

(A) Name of the patient

(B) Name of the drug and strength of the drug. For the purposes of this section, "name of the drug" means either the manufacturer's trade name, or the generic name and the name of the manufacturer.

(C) Directions for use.

(D) Purpose or condition, if entered onto the prescription by the prescriber.

(2) For added emphasis, the label shall also highlight in bold typeface or color, or use blank space to set off the items listed in subdivision (a)(1).

(3) The remaining required elements for the label specified in section 4076 of the Business and Professions Code, as well as any other items of

information appearing on the label or the container, shall be printed so as not to interfere with the legibility or emphasis of the primary elements specified in paragraph (1) of subdivision (a). These additional elements may appear in any style, font, and size typeface.

(4) When applicable, directions for use shall use one of the following phrases:

(A) Take 1 [insert appropriate dosage form] at bedtime

(B) Take 2 [insert appropriate dosage form] at bedtime

(C) Take 3 [insert appropriate dosage form] at bedtime

(D) Take 1 [insert appropriate dosage form] in the morning

(E) Take 2 [insert appropriate dosage form] in the morning

(F) Take 3 [insert appropriate dosage form] in the morning

(G) Take 1 [insert appropriate dosage form] in the morning, and Take 1 [insert appropriate dosage form] at bedtime

(H) Take 2 [insert appropriate dosage form] in the morning, and Take 2 [insert appropriate dosage form] at bedtime

(I) Take 3 [insert appropriate dosage form] in the morning, and Take 3 [insert appropriate dosage form] at bedtime

(J) Take 1 [insert appropriate dosage form] in the morning, 1 [insert appropriate dosage form] at noon, and 1 [insert appropriate dosage form] in the evening

(K) Take 2 [insert appropriate dosage form] in the morning, 2 [insert appropriate dosage form] at noon, and 2 [insert appropriate dosage form] in the evening

(L) Take 3 [insert appropriate dosage form] in the morning, 3 [insert appropriate dosage form] at noon, and 3 [insert appropriate dosage form] in the evening

(M) Take 1 [insert appropriate dosage form] in the morning, 1 [insert appropriate dosage form] at noon, 1 [insert appropriate dosage form] in the evening, and 1 [insert appropriate dosage form] at bedtime

(N) Take 2 [insert appropriate dosage form] in the morning, 2 [insert appropriate dosage form] at noon, 2 [insert appropriate dosage form] in the evening, and 2 [insert appropriate dosage form] at bedtime

(O) Take 3 [insert appropriate dosage form] in the morning, 3 [insert appropriate dosage form] at noon, 3 [insert appropriate dosage form] in the evening, and 3 [insert appropriate dosage form] at bedtime

(P) If you have pain, take ___ [insert appropriate dosage form] at a time. Wait at least ___ hours before taking again. Do not take more than ___ [appropriate dosage form] in one day

(b) By October 2011, and updated as necessary, the board shall publish on its Web site translation of the directions for use listed in subdivision (a)(4) into at least five languages other than English, to facilitate the use thereof by California pharmacies.

(c) Beginning in October 2010, the board shall collect and publish on its Web site examples of labels conforming to these requirements, to aid pharmacies in label design and compliance.

(d) The pharmacy shall have policies and procedures in place to help patients with limited or no English proficiency understand the information on the label as specified in subdivision (a) in the patient's language. The pharmacy's policies and procedures shall be specified in writing and shall include, at minimum, the selected means to identify the patient's language and to provide interpretive services in the patient's language. The pharmacy shall, at minimum, provide interpretive services in the patient's language, if interpretive services in such language are available, during all hours that the pharmacy is open, either in person by pharmacy staff or by use of a third-party interpretive service available by telephone at or adjacent to the pharmacy counter.

(e) The board shall re-evaluate the requirements of this section by December 2013 to ensure optimal conformance with Business and Professions Code section 4076.5.

(f) As used in this section, "appropriate dosage form" includes pill, caplet, capsule or tablet.

Authority cited: Sections 4005 and 4076.5, Business and Professions Code.
Reference: Sections 4005, 4076, and 4076.5, Business and Professions Code.

Virginia Herold
Executive Officer
Board of Pharmacy

Attachment 4

Title 16. Board of Pharmacy
Proposed Language

To Amend Section 1732.2. of Article 4 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

1732.2. Board Accredited Continuing Education

(a) Individuals may petition the board to allow continuing education ~~credit~~ hours for specific coursework which is not offered by a provider but meets the standards of Section 1732.3.

(b) Notwithstanding subdivision (a) of this section, coursework which meets the standard of relevance to pharmacy practice and has been approved for continuing education by the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California shall, upon satisfactory completion, be considered approved continuing education for pharmacists.

(c) A pharmacist serving on a designated subcommittee of the board for the purpose of developing the California Practice Standards and Jurisprudence Examination for pharmacists pursuant to section 4200.2 of the Business and Professions Code may annually be awarded up to six hours of continuing education hours for conducting a review of exam test questions. A subcommittee member shall not receive continuing education hours pursuant to this subdivision if that subcommittee member requests reimbursement from the board for time spent conducting a review of exam test questions.

(d) A pharmacist or pharmacy technician who attends a full day board meeting may be awarded up to six hours of continuing education on an annual basis. The board shall designate on its public agenda which day shall be eligible for continuing education credit. A pharmacist or pharmacy technician requesting continuing education hours pursuant to this subdivision must sign in and out on an attendance

sheet at the board meeting that requires the individual to provide his or her first and last name, license number, time of arrival and time of departure from the meeting.

(e) A pharmacist or pharmacy technician who attends a full committee meeting of the board may be awarded up to two hours of continuing education on an annual basis. A maximum of four continuing education hours may be earned each year by attending the full meetings of two different board committees. A pharmacist or pharmacy technician requesting continuing education hours pursuant to this subdivision must sign in and out on an attendance sheet at the committee meeting that requires the individual to provide his or her first and last name, license number, time of arrival and time of departure from the meeting.

(f) A pharmacist who completes the Pharmacist Self-Assessment Mechanism (PSAM) administered through the National Association of Boards of Pharmacy, may be awarded up to six hours of continuing education.

(g) An individual may be awarded three hours of continuing education for successfully passing the examination administered by the Commission for Certification in Geriatric Pharmacy.

Note: Authority cited: Section 4005, Business and Professions Code.
Reference: Sections 4200.2, 4202, 4231 and 4232, Business and Professions Code.