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

NOTICE OF MEETING and AGENDA
LEGISLATION AND REGULATION COMMITTEE

Contact Person: Virginia Herold
(916) 574-7911

Date: **October 19, 2010**
Time: **2:00 p.m. – 5:00 p.m.**
Location: **UC San Diego**
Health Sciences Education Center Auditorium
9500 Gilman Drive
La Jolla, CA 92093
(Map of campus, including parking areas for the public, follows at the end of the agenda)

This committee 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 Carolyn Klein at (916) 574-7913, at least five working days prior to the meeting.

Opportunities are provided to the public to address the committee on each open agenda item. Board members who are not on the committee may attend the meeting as observers. Action may be taken on any item on the agenda.

Agenda

Note: Pharmacists and pharmacy technicians who attend the full committee meeting can be awarded two hours of continuing education (CE), in accordance with the board's CE policy. A maximum of four CE hours can be earned each year by attending the meetings of two different board committees.

Call to Order **2:00 p.m.**

A. LEGISLATION REPORT

1. Board-Sponsored Legislation

SB 1489 Omnibus Provisions (Senate Committee on Business, Professions and Economic Development) – Chapter 653, Statutes of 2010

- General Omnibus Provisions
- Provisions to update references to the Department of Public Health
- Provision to update a reference to the Physical Therapy Board of California (formerly known as the Physical Therapy Examining Committee of California)
- Provisions to update references to the Department of Health Care Services

2. Legislation Impacting the Practice of Pharmacy or the Board's Jurisdiction

a. Chaptered

Board of Pharmacy

- AB 2104 (Hayashi, Chapter 374, Statutes of 2010) – Board of Pharmacy: DCA Approval of Appointment of EO

Licensing / General / Other

- AB 2699 (Bass, Chapter 270, Statutes of 2010) – Licensure exemption: State of Emergency.
- SB 1172 (Negrete McLeod, Chapter 517, Statutes of 2010) – Diversion Programs
- AB 1414 (Hill, Chapter 76, Statutes of 2010) – Controlled Substances: Apomorphine: Unscheduled.

Sunset Review and Legislative Oversight Proposals

- AB 1659 (Huber) – State Government, Agency Repeals
- AB 2130 (Huber) – Joint Committee on Boards, Commissions and Consumer Protection

Distribution of Needles and Syringes

- AB 1701 (Chesbro) – Hypodermic Needles and Syringes

Other Legislation Impacting the Board's Jurisdiction

- SB 294 (Negrete McLeod) – Professions and Vocations: Regulation
- SB 700 (Negrete McLeod, Chapter 505, Statutes of 2010) – Healing Arts: Peer Review

b. Vetoed

- AB 1858 (Blumenfield) – Hypodermic Needles and Syringes: Exchange Services
- AB 2077 (Solorio) – Centralized Hospital Packaging Pharmacies
- AB 2747 (Lowenthal) – Prisoners: Pharmacy Services
- SB 971 (Pavley) – Bleeding Disorders: Blood Clotting Products
- SB 1029 (Yee) – Hypodermic Needles and Syringes

c. Legislation That Failed Passage
- SB 1390 (Corbett) – Patient-Centered Prescription Labels
- AB 1455 (Hill) –Ephedrine; retail sale
- SB 1071 (DeSaulnier) – CURES
- SB 1106 (Yee) – Prescribers – Dispensing of Samples
- AB 2551 (Hernandez) – Pharmacy Technician: Scholarship & Loan Repayment Program
- AB 1310 (Hernandez) – Healing Arts Database

3. Legislation for Sponsorship During 2011-12 Session

a. Previously-Approved Board-Sponsored Legislation for 2011-2012
- Section 4362 – Entry Into Pharmacists Recovery Program (Omnibus provision)
- Sections 4040.5, 4081 and 4126.5 – Proposal Regarding Return of Medicine to Reverse Distributors
- Sections 4104, 4105 and 4112 – Enforcement Enhancements

b. Legislation for Consideration During 2011-2012 Legislative Session
- Section 4200 – Pharmacist Examination (Omnibus provision)
- Section 4301.1 – To Allow the Board to Suspend the License of a Pharmacist or Pharmacist Intern for a Felony Conviction for a Crime of Unprofessional Conduct

B. REGULATION REPORT

Note: All section references are to Title 16 of the California Code of Regulations unless otherwise stated

1. Discussion and Possible Action to Initiate a Rulemaking to Adopt §1707.6. – Notices to Consumers, and to Amend §1707.2. Notice to Consumers and Duty to Consult

2. Proposal to Initiate a Rulemaking to Update 16 CCR Section 1715 Self-Assessment of a Pharmacy by the Pharmacist-in-Charge and 16 CCR 1784 Self-Assessment by a Wholesaler by the Designated Representative-in-Charge

3. Board Adopted Regulations – Approved by OAL
New Sections 1721 and 1723.1 in Division 17 of Title 16 of the Code of Regulations Regarding Dishonest Conduct During a Pharmacist's Licensure Exam/Confidentiality (effective 9/17/2010)

4. Board Adopted Regulations – Undergoing Administrative Review
Proposed Adoption of New Section 1707.5. in Title 16 of the California Code of Regulations – Requirements For Patient-Centered Prescription Drug Container Labels

5. Board Approved Regulations – Recently Noticed *(Not for Discussion at this Committee Meeting)*
Proposed Amendments to § 1732.2. – Board Accredited Continuing Education

6. **Board Approved Regulations – Awaiting Notice**
   Proposed Amendments to §1728, §1728.2, and §1793.5., and Application Forms To Require Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB/HIPDB)

7. **Regulations Under Development**
   a. Proposed Amendments to § 1746 – Emergency Contraception Protocol
   b. Proposed Amendments to § 1751.9 – Accreditation Agencies for Pharmacies that Compound Injectable Sterile Drug Products
   c. Proposed Amendments to § 1780 – Update the USP Standards Reference Manual (Minimum Standards for Drug Wholesalers) [referred to subcommittee]
   d. Proposed Amendments to § 1785 – Self-Assessment of a Veterinary Food-Animal Drug Retailer [referred to Licensing Committee]

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

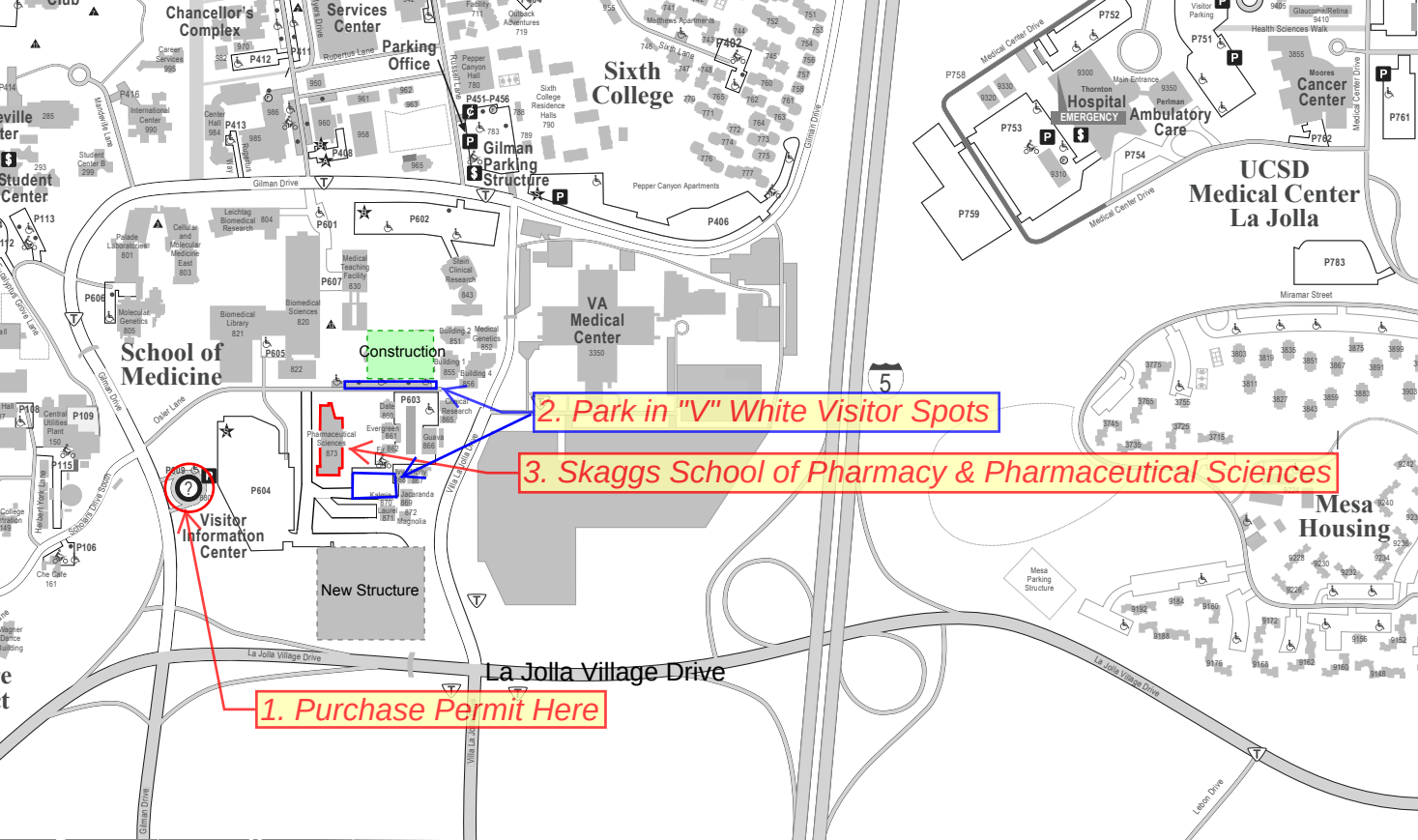
C. First Quarterly Report on Legislation / Regulations Committee Goals for 2010/2011

D. Request for Legislative and Regulation Changes Submitted by the Public or Staff
The committee will consider future legislative and regulatory proposals. Stakeholders are encouraged to submit these proposals in writing to the committee before or during the meeting.

E. Public Comment for Items Not On the Agenda*
*Note: The committee may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. Government Code Sections 11125 and 11125.7(a).

Adjournment (Note: Adjournment time is approximate) 5:00 p.m.

Committee materials will be available on the board's Web site by October 13, 2010.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Services Center
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Sixth College
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School of Medicine
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