



California State Board of Pharmacy

1625 N. Market Blvd, N219, Sacramento, CA 95834

Phone: (916) 574-7900

Fax: (916) 574-8618

www.pharmacy.ca.gov

STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

NOTICE OF MEETING AND AGENDA

Public Board Meeting

May 3 & 4, 2011

**Contact Person: Virginia Herold
(916) 574-7911**

This board meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Richard Hultgren at (916) 574-7934, by emailing richard.hultgren@dca.ca.gov or sending a written request to the Board of Pharmacy, 1625 N. Market Blvd., Suite N-219, Sacramento, CA 95834. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

DATE: May 3 & 4, 2011
PLACE: Radisson Hotel Newport Beach
4545 MacArthur Blvd.
Newport Beach, CA 92660

NOTE: Pharmacists and pharmacy technicians who attend in person the full day of the Board Meeting may be awarded 6 hours of CE, in accordance with the Board's CE policy.

Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 574-7900 or access the Board's Web site at www.pharmacy.ca.gov.

Discussion and action may be taken on any item on the agenda. An opportunity for public comment is provided for each open agenda item and at the end of each committee's report. All times are approximate and subject to change. Time limitations for discussion and comment will be determined by the President.

Agenda

Tuesday, May 3, 2011

Call to Order

9:30 a.m.

- I. **General Announcements**
- II. **Approval of the Full Board Meeting Minutes of February 1 & 2, 2011**
- III. **Approval of the Full Board Meeting Minutes of March 30, 2011**

IV. ENFORCEMENT COMMITTEE REPORT

Report of the Meeting Held March 29, 2011

- a. **Discussion and Possible Action Regarding Requests for Exemptions from 16 California Code of Regulations Section 1707.5 Label Requirements for Prescription Drug Containers as Authorized by Section 4076.5 (SB 1489, Negrete-McLeod, Chapter 653, Statutes of 2010)**
 1. From GE Healthcare for Radiopharmaceuticals
 2. From Walgreen for TPN Labels
 3. From the California Pharmacists Association for Skilled Nursing Facilities
- b. **Discussion and Possible Action to Implement DCA's Recommendations of the Substance Abuse Coordination Committee, Pursuant to SB 1441 (Ridley-Thomas, Chapter 548, Statutes of 2011), as Board of Pharmacy Regulations**
- c. **Questions and Answers from the Public on the Board's Implementation of 16 California Code of Regulations Sections 1735-1735.8, Pharmacies That Compound, and Sections 1751-1751.8, Pharmacies That Compound Sterile Injectable Medications**
- d. **Minutes of the Meeting Held March 29, 2011**

Other Enforcement Committee Items

- e. **Discussion on the President's Comments to the Federal Food and Drug Administration Pursuant to Determination of System Attributes for Tracking and Tracing of Prescription Drugs; Public Workshop (Document ID FDA-2010-N-0633-001)**
- f. **Discussion on CalRecycle's Report to the Legislature "Recommendations for Home-Generated Pharmaceutical Collection Programs in California"**
- g. **Selection of Enforcement Committee Meeting Dates for 2011**
- h. **Review of Enforcement Statistics and Performance Standards of the Board**
- i. **Third Quarterly Update of the Committee's Strategic Performance Goals for 2010/11**

V. REPORT OF THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AFFAIRS

VI. LICENSING COMMITTEE REPORT

Report of the Meeting Held March 8, 2011

- a. **Update on the Board's Psychometric Evaluation of the ExCPT and PTCB Examinations**
- b. **Continued Discussion About a Proposal to Specify Continuing Education Credit for Pharmacists in Specific Content Areas**
- c. **Discussion About a Request to Modify 16 California Code of Regulations Section 1732.2 Regarding Continuing Education Credit for Pharmacists Gaining Certification by the Board of Pharmacy Specialties**
- d. **Update on the Board's Efforts to Implement 16 California Code of Regulations Section 1702, Mandatory Submission of Fingerprints for Pharmacists**
- e. **Discussion Concerning DCA's Focus on Continuing Competency**
- f. **Discussion of the Office of Statewide Health Planning and Development's Manpower Assessment and Survey of Licensees**
- g. **Discussion Regarding the Licensing Committee Presentation by the Emergency Management Services Agency on the Role and Involvement of Pharmacists in Emergency Response in California**

- h. **Competency Committee Report**
- i. **Minutes of the Meeting Held March 8, 2011**

Other Licensing Committee Items

- j. **Discussion Regarding the Joint Board of Pharmacy/Drug Enforcement Administration Conference on “Drug Security for Pharmacies” Held in Los Angeles April 12, 2011 in Los Angeles, and Discussion and Possible Approval to Award Continuing Education Credit for Future Joint Conferences in Southern California**
- k. **Selection of Licensing Committee Meeting Dates for 2011**
- l. **Licensing Statistics for 2010/11**
- m. **Third Quarterly Update of Strategic Plan for the Licensing Committee**

VII. RECOGNITION AND CELEBRATION OF PHARMACISTS LICENSED FOR 50 YEARS IN CALIFORNIA

11:30 a.m.

*Note: this item will be taken up at 11:30 a.m., regardless of what subject is then under discussion on the agenda for this Board Meeting.

VIII. LEGISLATION AND REGULATION COMMITTEE

PART I – REGULATIONS

a. For Board Discussion and Possible Action to Modify Proposed Changes

Amend Title 16 Sections 1715, 1784, 1735.2, and 1751– Update of Self-Assessment Forms for Pharmacies, Sterile Injectable Compounding Pharmacies, Hospitals and Wholesalers
[45-day comment period: March 11 – April 25, 2011]

b. Board Approved Regulations – Rulemaking File Being Compiled

Amend Title 16 CCR Section 1732.2 – Board Accredited Continuing Education

c. Board Approved Regulations – Recently Noticed

Amend Title 16 Section 1793.5 – Pharmacy Technician Application; Requirement for Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB-HIPDB)
[45-day comment period: April 8 – May 23, 2011]

d. Board Approved – Awaiting Notice

1. Add Title 16 Section 1707.6 and to Amend Section 1707.2 Regarding Consumer Notices and Duty to Consult – Consumer Notice for Language Assistance Interpretive Services Provided in Pharmacies and the Ability to Request 12-Point Font on Prescription Drug Container Labels
2. Add Title 16 Section 1727.2 – Requirements for Pharmacist Interns – To Require Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB-HIPDB)
3. Amend Title 16 Section 1728 – Requirements for Pharmacist Examination - Amend to Require Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB-HIPDB)

e. **Board Approved – Under Development** (*Update Only*)

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

PART II – LEGISLATION

a. **Board Sponsored Legislation**

SB 431 (Emmerson) Pharmacies: Regulation

- Sections 4040.5, 4081 and 4126.5 – Proposal Regarding Return of Medicine to Reverse Distributors
- Sections 4104, 4105 and 4112 – Enforcement Enhancements

SB 943 (Senate Committee on Business, Professions & Economic Development) Omnibus

- Section 4200 – Pharmacist Examination

b. **Legislation Impacting the Practice of Pharmacy or the Board’s Jurisdiction**

1. Board of Pharmacy/Licensing

- AB 377 (Solorio) Pharmacy: Centralized Hospital Packaging
- AB 399 (Lowenthal, Bonnie) Corrections: offender pharmacies
- AB 847 (Lowenthal, Bonne) Pharmacy: clinics
- SB 632 (Emmerson) Pharmacy

2. Controlled Substances/Marijuana

- AB 507 (Hayashi) Pain Management
- SB 847 (Correa) Medical Cannabis Licensing Act

3. Reporting Requirements/Records

- AB 1280 (Hill) Ephedrine: Retail Sale
- SB 315 (Wright) Ephedrine and Pseudoephedrine
- SB 360 (DeSaulnier) Controlled Substance Utilization Review and Evaluation System

4. Healing Arts/DCA

- AB 675 (Hagman) Continuing Education
- AB 958 (Berryhill) Regulatory boards: Limitation Periods
- SB 541 (Price) Regulatory Boards: Expert Consultants
- SB 544 (Price) Healing Arts
- SB 667 (Wyland) Naturopathic Doctors

5. Other

- AB 389 (Mitchell) Bleeding Disorders: Blood Clotting Products
- AB 604 (Skinner) Needle Exchange Programs
- SB 41 (Yee) Hypodermic Needles and Syringes
- SB 514 (Simitian) Dextromethorphan: Sale to Minors Prohibited

6. Additional Legislation Impacting the Board or Its Regulatory Jurisdiction

IX. ELECTION OF BOARD OF PHARMACY OFFICERS FOR 2011/12

X. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA/AGENDA ITEMS FOR FUTURE MEETINGS

Note: The board may not discuss or take action on any matter raised during this 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, 11125.7(a)]

RECESS FOR DAY

Wednesday, May 4, 2011

CALL TO ORDER

8:30 a.m.

XI. COMMUNICATION AND PUBLIC EDUCATION COMMITTEE REPORT AND ACTION

There was no meeting of this Communication and Public Education Committee this quarter

- a. Update of the State's Emergency Contraception Protocol Regulation (16 California Code of Regulations Section 1746.) and Consumer Fact Sheet
- b. Public Education Campaign for Patient-Centered Prescription Drug Container Labels
- c. Development of Consumer Education Videos for the Board's Web Site – Viewing of a Short Public Education Video on Purchasing Drugs on the Internet, Developed by the Department of Consumer Affairs
- d. Update on Consumer Fact Sheet Series with California Schools of Pharmacy Interns
- e. Update on the Committee's Assessment of the Board's Public Education Materials
- f. Update on *The Script*
- g. Update on Public Outreach Activities
- h. Third Quarterly Report on the Committee's Goals for 2010/11

XII. ORGANIZATIONAL DEVELOPMENT COMMITTEE REPORT

There was no meeting of the Organizational Development Committee this quarter

- a. **Budget Update/Report**
 1. Budget Report for 2010/11
 2. Fund Condition Report
 3. Budget Change Proposals for the 2011/12 Budget
 4. Update on BreEZe, DCA's Plans for a New Computer System
 5. Reimbursement to Board Members
- b. **Future Development of a Strategic Plan for 2011/12 to 2016/17**
- c. **Recognition Program of Pharmacists Who Have Been Licensed 50 Years**
- d. **Transition Issues of Governor Brown's Administration**
- e. **Personnel Update**

- f. Discussion and Possible Action Regarding the Future Sunset Review of the Board of Pharmacy by the California Legislature
- g. Third Quarterly Report on the Committee's Goals for 2010/11

XIII. EXECUTIVE OFFICER'S REPORT

XIV. SELECTION OF BOARD MEETING DATES FOR 2012

XV. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA/AGENDA ITEMS FOR FUTURE MEETINGS

Note: The board may not discuss or take action on any matter raised during this 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, 11125.7(a)]

XVI. PETITION FOR EARLY TERMINATION OF PROBATION

12:30 p.m.

All Med Drugs, PHY 49827

XVII. PETITION FOR REINSTATEMENT OF LICENSE

Clifford Victor, RPH 41656

XVIII. CLOSED SESSION

Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on the Petitions for Reinstatement and Other Disciplinary Matters.

ADJOURNMENT