



COMMUNICATION AND PUBLIC EDUCATION COMMITTEE

Ricardo Sanchez, Public Member, Chairperson
Valerie Muñoz, Public Member, Vice Chairperson
Ryan Brooks, Public Member
Shirley Kim, Public Member
Debbie Veale, Licensee Member

- a. **Call to Order and Establishment of Quorum**
- b. **Public Comment about Items Not on the Agenda; Matters for Future Meetings**
Note: The committee may not discuss or take action on any matter raised during the public comment section that is not on this agenda, except to place the matter on a future meeting agenda. [Government Code sections 11125 & 11125.7(a)]
- c. **Approval of the July 24, 2019, Communication and Public Education Committee Meeting Minutes**

A draft of the minutes is in **Attachment 1**.

- d. **Discussion and Review of Online Registry Being Developed for Pharmacies Providing Health Care Services**

Background

At the July 2019 meeting, staff proposed creating a registry on the board's website that consumers could search to find pharmacies offering new health care services. Such services would include medications that pharmacists can initiate or furnish without a prescription pursuant to SB 493 or other legislation:

- Self-administered and emergency hormonal contraception.
- Naloxone.
- Vaccinations.
- Travel medications.
- Nicotine replacement therapy.

The registry would be voluntary. Pharmacies that want to be included would list the services they offer and their address and phone number.

At its July meeting, the board approved the committee's recommendation to direct staff to evaluate the possibility of creating the registry.

For discussion and review today

Staff reports DCA is developing an online registry. Pharmacies that participate will be able to submit the requested information online. Staff will review and post the information, allowing consumers to be able to search the registry by pharmacy name, city or ZIP code.

Staff has set up a demonstration to explain and guide committee members through the sign-up process for pharmacies and the search function for consumers. The registry should be live on the board's website by early spring.

e. Public Education Materials Regarding SB 159 (Wiener, Chapter 532, Statutes of 2019) Related to HIV Preexposure and Postexposure Prophylaxis

Background

At the November 2019 board meeting, the Licensing Committee was directed to develop emergency regulations by July 1, 2020, to implement SB 159. The board also directed the Communication and Public Education Committee to develop public education materials for licensees and consumers regarding SB 159.

For the committee's information today

Staff has begun identifying important types of information and tools to communicate with licensees and consumers regarding SB 159. This work includes monitoring developments at Licensing Committee meetings and reaching out to other state agencies and community organizations for assistance and partnerships in developing and communicating materials.

At a January 10 Licensing Committee meeting, SB 159 stakeholders discussed the importance of educating pharmacists about operational issues that may not be covered in a training program. For example, pharmacists will need to know what specific types of records to keep and how long to keep them. The board could provide this information to licensees via its website, subscriber alerts and Script articles.

In addition, the board may direct staff to create a webinar or other training materials for pharmacists seeking to furnish HIV prophylaxis. This would be similar to webinars the board has produced on pharmacy law, ethics and naloxone.

Staff has also contacted the Office of AIDS, which has agreed to assist in educating the public about the new availability of HIV prophylaxis at pharmacies. Staff will reach out to other agencies and community-based groups on developing and timing public messages for greatest effectiveness as the implementation of SB 159 approaches.

f. Discussion and Consideration of Proposed Changes to Notice to Consumers Poster

Background

At the July 2019 committee meeting, members asked staff to recommend changes to refresh the Notice to Consumers poster.

requires pharmacies to post the notice (or an approved video display) in a prominent location that consumers can see and read. Section 1707.6 also provide specific wording to be printed on the notice.

Attachment 2 contains the current Notice to Consumers in English and the text of CCR section 1707.6. The poster also is available in Chinese, Korean, Russian, Spanish, Tagalog, and Vietnamese.

For discussion and consideration today

Before a possible redesign, staff suggests the committee may wish to consider possible changes in the text for the Notice to Consumers. Any change in wording would require rulemaking to amend section 1707.6, which was last amended in 2012.

The current notice does not reflect changes in prescription labeling requirements, including font size, that took effect in 2015. Further, staff suggests it may be appropriate to provide information on how to verify a license and how to file a complaint with the board.

As an example, the Medical Board of California requires its licensees to display the following notice:

NOTICE TO CONSUMERS
Medical doctors are
licensed and regulated by
the Medical Board of California
(800) 633-2322
www.mbc.ca.gov

g. Educating Licensees about Possible Consequences of DUI Conviction

Background

At the July 2019 board meeting, members suggested providing education to warn licensees about the possible professional consequences if they are convicted of driving under the influence (DUI). It was noted that licensees may not realize a DUI conviction could result in a citation and fine or disciplinary action by the board, including license suspension or revocation. Board members asked the Communication and Public Education Committee to discuss this matter.

For discussion today

Staff notes that disciplinary cases involving DUI convictions currently are included among cases summarized in the Script, although citations for such violations are not similarly posted. The board could publish a brief article about the possible consequences of a DUI conviction in the Script and post the information on the website. It would be important to emphasize that each case is unique and the outcome represents a totality of the facts.

Staff requests direction from the committee on this topic.

h. Update on Communication and Public Education Activities by Board Staff

1. The Script

The next issue of the newsletter will focus on new laws for 2020. Additional articles include the top 10 citation, corresponding responsibility, and tips on reporting data to CURES. Two articles will focus on case investigations involving a compounding error and a shortage in pill counts. Articles planned for publication are undergoing legal review.

2. Projects

Billboards advertising the board's "Use, Don't Abuse" campaign to promote safe disposal of unused medications were erected in California in September. Outfront Media generously donated the locations, including two billboards in the Sacramento area and one in Fresno. Two additional locations are planned in Southern California. A photo of a billboard next to Highway 50 in West Sacramento and a press release about the billboards is in **Attachment 3**.

Staff is working on a new pharmacy law update webinar for 2020. The webinar will be posted on the board's website.

3. News Media

Staff provided information to news reporters in response to recent media inquiries listed in **Attachment 4**.

4. Public Outreach

Staff participated in recent outreach activities listed in **Attachment 5**.

i. Future Meeting Dates

Additional committee meeting dates in 2020 are set:

- May 6, 2020
- July 6, 2020
- October 27, 2020

Attachment 1

July 24, 2019, Meeting Minutes



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

Business, Consumer Services and Housing Agency
Department of Consumer Affairs
Gavin Newsom, Governor



**DRAFT COMMUNICATION AND PUBLIC EDUCATION COMMITTEE
MEETING MINUTES**

Date: July 24, 2019

Location: Embassy Suites Anaheim North
3100 E. Frontera St.
Anaheim, CA 92806

Committee Members Present: Ricardo Sanchez, Public Member, Chairperson
Shirley Kim, Public Member
Deborah Veale, Licensee Member

Committee Members Not Present: Ryan Brooks, Public Member
Valerie Muñoz, Public Member

Staff Present: Anne Sodergren, Interim Executive Officer
Laura Freedman, DCA Staff Counsel
Kelsey Pruden, DCA Staff Counsel
MaryJo Tobola, Senior Enforcement and Administration Manager
Debbie Damoth, Administrative Manager
Bob Dávila, Public Information Officer

a. Call to Order and Establishment of Quorum

Chairperson Sanchez called the meeting to order at 11:33 a.m. A quorum was established.

b. Public Comment for Items Not on the Agenda; Matters for Future Meetings

There were no public comments.

c. Approval of May 7, 2019, Communication and Public Education Committee Meeting Minutes

M/S: Veale/Sanchez

- Support: Sanchez, Veale.
- Oppose: None.
- Abstain: Kim.
- Not present: Brooks, Muñoz.

d. Discussion and Consideration of Policy on Subscriber Alerts

Following direction given at the May 7 committee meeting, staff proposed creating a new listserv for the general public. This email list would be used to send subscriber alerts about meetings, consumer information, press releases, and other types of general board news. Staff said this would reduce the volume of subscriber alerts sent to licensed facilities and would enable the board to communicate more effectively with the public.

Committee members suggested adding a new email list for the public and another new email list for all types of subscriber alerts. Staff recommended the executive officer have discretion to create additional listservs as needed and to determine which types of subscriber alerts are appropriate for each email list.

There was no public comment.

The committee adopted the following recommendation to the board:

Recommendation: Give the interim executive officer/executive officer and staff the ability to expand the board's listservs to provide more flexibility in communicating with various groups and avoid overloading any listserv with subscriber alerts.

M/S: Veale/Kim

- Support: Sanchez, Kim, Veale.
- Oppose: None.
- Abstain: None.
- Not present: Brooks, Muñoz.

e. Discussion and Consideration of Proposal to Create Online Search Tool for Pharmacies Providing Health Care Services

Chairperson Sanchez noted the board is committed to informing consumers about new pharmacy services to meet their needs.

Staff proposed creating a registry on the board's website that consumers could search to find pharmacies offering other types of new health care services such as hormonal contraception, naloxone, vaccinations, and travel medications. Staff said the registry would be voluntary; pharmacies that want to be included would provide information about their types of services, location, hours, etc., and also would notify the board of any changes.

Ms. Veale asked if the board would have an obligation to verify the registry information. Ms. Freedman said that because the information about pharmacies would be self-reported, the board would not be at large risk of liability.

Staff suggested providing links to other website listings of pharmacies providing hormonal contraception and naloxone. The committee indicated a preference for a single registry on the board's website without links to a hodge-podge of lists on other websites.

Public comment: Steve Gray expressed support for the registry and said it is important that participation be voluntary because some pharmacies might not want to be available to the public. He said the registry information should be current and comprehensive.

The committee adopted the following recommendation to the board:

Recommendation: Direct staff to evaluate the possibility of creating a list of California pharmacies providing health care services for posting on the board's website and the resources that would be necessary to implement the list.

M/S: Veale/Sanchez

- Support: Sanchez, Kim, Veale.
- Oppose: None.
- Abstain: None.
- Not present: Brooks, Muñoz.

f. Discussion and Consideration of Proposed Brochure about Pharmacy Inspections

Staff presented a draft informational brochure about board inspections, which was presented in concept and discussed at the May 2019 committee meeting. Chairperson Sanchez said the brochure would be posted online and distributed upon arrival by inspectors so that pharmacies can know in advance what to expect during an inspection.

Chairperson Sanchez noted the draft was approved by legal counsel. Ms. Pruden said that text in the draft brochure had been changed to reflect that letters of admonishment and citations are not disciplinary actions, and that letters of admonishment can be appealed in an informal office conference but not in a formal hearing.

The committee requested adding reasons why pharmacies are inspected – e.g., some are routine inspections, others may be related to a complaint. The committee also requested emphasizing an inspection is an opportunity for licensee education and highlighting the process for filing anonymous complaints about inspections. The committee said other changes could be made over time based on public input.

Public comment: Danny Martinez of CPhA expressed support for the brochure. He requested the brochure provide a time frame for inspectors to notify pharmacies about possible violations. Committee members noted inspectors sometimes need time to do additional research after a site visit to determine whether a violation has occurred.

Steve Gray recommended the brochure include information about what to do when

inspectors want to take document from the pharmacy. Staff said the brochure is intended to provide general information about inspections, not address specific issues during a visit.

g. Discussion and Consideration of the Committee's Strategic Goals

The committee received a brief status report on each of the communication and public education goals in the board's 2016 Strategic Plan. Staff asked the committee to review and provide comments, suggestions or direction for additional progress. The committee urged continued progress and made no changes to the strategic plan goals.

Committee members asked what efforts have been made to collect mobile numbers from all licensees for text messaging to improve communications, as specified in goal 4.3. Staff noted that legislation was adopted requiring licensees to register their email addresses with the board but not mobile numbers.

The committee asked staff to recommend changes to refresh the "Notice to Consumers" poster and "Point to your language" notice in accordance with goal 4.7, which relates to revising consumer-facing materials to improve consumer awareness of their rights and how to take their medications.

h. Update on Communications and Public Education Activities by Board Staff

a. The Script

Staff reported that publication of the next newsletter is expected this summer.

b. Projects Update

Staff reported an online tip sheet has been developed to help consumers plan and prepare for possible evacuation from their homes during a declared disaster.

c. News Media

Staff provided a list of news media organizations that contacted the board's executive officer and public information officer for interviews or background information.

d. Public Outreach

Staff said more than 80 pharmacists attended the CE forum on drug abuse and diversion July 20 in Marin County. The board has hosted 12 CE forums since March 2017.

Staff also reported the total number of pharmacists who have completed the board's CE webinars on pharmacy law, ethics and naloxone training as of June 30, 2019:

- Law – 13,754.
- Ethics – 3,359.
- Naloxone – 2,023.

Staff also provided a list of other recent outreach activities.

i. **Future Meeting Dates**

Chairperson Sanchez said the next committee meeting would be November 5, 2019.

Adjournment

The meeting adjourned at 12: 29 p.m.

DRAFT

Attachment 2

- Notice to Consumers**
- CCR section 1707.6**

Ask Your Pharmacist!

You have the right to ask the pharmacist for:

Easy-to-read type

You have the right to ask for and receive from any pharmacy prescription drug labels in 12-point font.

Interpreter services

Interpreter services are available to you upon request at no cost.

Drug pricing

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

California law requires a pharmacist to speak with you every time you get a **new** prescription.

Before taking your medicine, be sure you know:

- 1** The name of the medicine and what it does.
- 2** How and when to take it, for how long, and what to do if you miss a dose.
- 3** Possible side effects and what you should do if they occur.
- 4** Whether the new medicine will work safely with other medicines or supplements.
- 5** 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 of a copayment;
- The pharmacist determines doing so would be against the law or potentially harmful to health.

If a medicine or device is not immediately available, the pharmacy will work with you to help you get your medicine or device in a timely manner.



BE AWARE AND TAKE CARE:
Talk to your pharmacist!
CALIFORNIA STATE BOARD OF PHARMACY

2720 Gateway Oaks Drive, Suite 100 • Sacramento, CA 95833
(916) 518-3100 • www.pharmacy.ca.gov



16 CCR § 1707.6
§ 1707.6. Notice to Consumers.

(a) In every pharmacy there shall be prominently posted, in a place conspicuous to and readable by a prescription drug consumer, 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 a committee or to the Executive Officer to give the approval. As an alternative to a printed notice, the pharmacy may also or instead display the notice on a video screen located in a place conspicuous to and readable by prescription drug consumers, so long as: (1) The video screen is at least 24 inches, measured diagonally; (2) The pharmacy utilizes the video image notice provided by the board; (3) The text of the notice remains on the screen for a minimum of 60 seconds; and (4) No more than five 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. The pharmacy may seek approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval.

(b) The notice shall contain the following text:

NOTICE TO CONSUMERS

California law requires a pharmacist to speak with you every time you get a new prescription.

You have the right to ask for and receive from any pharmacy prescription drug labels in 12-point font.

Interpreter services are available to you upon request 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 of 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 immediately available, the pharmacy will work with you to help you get your medicine or device in a timely manner.

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

(c) Every pharmacy, in a place conspicuous to and readable by a prescription drug consumer, 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:

Point to your language. Interpreter services will be provided to you upon request at no cost.

This text shall be repeated in at least the following languages: Arabic, Armenian, Cambodian, Cantonese, Farsi, Hmong, Korean, Mandarin, Russian, Spanish, Tagalog, and Vietnamese.

Each pharmacy shall use the standardized 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 a committee or to the Executive Officer to give the approval.

The pharmacy may post this notice in paper form or on a 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 requests assistance.

Otherwise, the notice shall be made available on a 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 or handout shall be at least 8 1/2 inches by 11 inches.

Note: Authority cited: Sections 4005 and 4122, Business and Professions Code.
Reference: Sections 733, 4005, 4076.5 and 4122, Business and Professions Code.

Attachment 3

- **“Use, Don’t Abuse” Billboard**
- **Press Release**

Use, Don't Abuse

Safely Dispose of Unused Medications
Stop Prescription Drug Abuse



For more information visit: www.pharmacy.ca.gov



California State
Board of Pharmacy

OUTFRONT

6238

BERG INJURY LAWYERS

1-800-400-BERG



NEWS RELEASE

FOR IMMEDIATE RELEASE
September 24, 2019

Contact: Bob Dávila
(916) 518-3091

BOARD OF PHARMACY LAUNCHES BILLBOARD CAMPAIGN TO PROMOTE SAFE DISPOSAL OF UNUSED MEDICATIONS

SACRAMENTO – An important message reminding Californians to safely dispose of unused, unwanted or expired prescription drugs is now appearing statewide on billboards sponsored by the California State Board of Pharmacy.

The “Use, Don’t Abuse” campaign encourages consumers to use medications properly and to store them safely at home. The message urges consumers to “Safely Dispose of Unused Medications” and “Stop Prescription Drug Abuse.”

Safe disposal of unwanted prescription drugs – including opioids and other pain medications – minimizes the risk of drug use and abuse, especially among young people. Two-thirds of teenagers and young adults who abuse prescription medicines said they get them from family, friends and acquaintances, according to the Partnership for Drug-Free Kids.

“Our goal is to educate consumers about the importance of getting unused and unwanted drugs out of their homes so they don’t fall into the wrong hands,” said Greg Lippe, acting president of the California State Board of Pharmacy.

Outfront Media, a major outdoor media company, has generously donated five illuminated billboards to the Board of Pharmacy to promote the message of “Use, Don’t

Board of Pharmacy Launches Billboard Campaign to Promote Safe Disposal of Unused Medications
2-2-2

Abuse.” Two billboards have been installed in the Sacramento area, and one is in Fresno. Two more are planned in Southern California.

The billboards direct consumers to the Board of Pharmacy website, www.pharmacy.ca.gov, where they can enter a city, ZIP code or pharmacy name to find California pharmacies that offer on-site collection bins or mail-back services for unwanted medications.

The website also includes links to drug collection locations compiled by the Drug Enforcement Administration, Don't Rush to Flush, and the California Department of Public Health. Visitors also can find information about drug abuse and drug treatment centers.

For more information, visit the Board of Pharmacy online at www.pharmacy.ca.gov.

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Attachment 4

News Media Inquiries

News Media Activity

The board's public information officer responded to the following recent news media inquiries:

- June 23, 2019: Ed Silverman, STAT Pharmalot, regarding disciplinary case of AmerisourceBergen for failing to report suspicious orders of opioids to pharmacies,
- June 24: Dan Morain, CalMatters, regarding AmerisourceBergen case.
- June 25: Polly Stryker, KQED, regarding AmerisourceBergen case.
- June 31: Joe Geha, East Bay News Group, regarding disciplinary case of unlicensed pharmacist working at Walgreens.
- August 2: Vicki Gonzalez, KCRA, regarding DEA warrant for McKesson records
- August 16: Ellen Gabler, New York Times, regarding working conditions in retail pharmacies.
- September 3: Jenn Abelson, Washington Post, regarding Walgreens disciplinary cases.
- October 16-22: Multiple inquiries regarding invalidated CPJE – Liz Gonzalez, KMPH Fresno; Julie Watts, CBS 13; Vikki Vargas, KNBC Los Angeles; Soumya Karlamangla, Los Angeles Times; Derek Staahl, ABC 10 News San Diego; Jennifer Nessel, Pharmacy Times; Claudia Peschiutta, KNX Los Angeles; Andrew Sheeler, Sacramento Bee.
- November 4: Aidan Freeman, Record-Bee, regarding disciplinary case of Coyote Valley Pharmacy and Kelseyville Pharmacy.
- November 21: Margaret Newkirk at Bloomberg News, regarding history of E-pedigree laws in California.
- December 20: Anna Guth, Point Reyes Light, regarding disciplinary case of West Marin Pharmacy.
- January 10, 2020: Carmen Heredia Rodriguez, Kaiser Health News, regarding HIV prophylaxis in California pharmacies under SB 159.

Attachment 5

Public Outreach Activities

Public Outreach Activities

Staff reported the following activities:

- June 19, 2019: Board staff published consumer article, “Why Can’t I Have My Prescription?” about opioid prescriptions, in DCA Consumer Connection magazine.
- July 20: Board staff and inspectors presented at the board’s CE program on prescription drug abuse and drug diversion training in Marin County.
- July 29: Interim Executive Officer Anne Sodergren spoke on board priorities and updates at the CSHP-Sacramento Valley Pharmacy Leadership Breakfast in Roseville.
- August 26: Inspector Sheri Ross-Hustana presented at Senior Scam Stopper event in Riverside.
- September 5: Supervising Inspector Manisha Shafir and Inspector Sara Mullen participated in Monterey County Prescription Drug Abuse Summit
- September 17: Board staff and inspectors presented at the board’s CE program on prescription drug abuse and drug diversion training at California Northstate University in Elk Grove.
- September 21: Valerie Sakamura presented to the Indian Pharmacist Association.
- September 23: Inspector James Flores presented at Senior Scam Stopper event in Selma.
- October 17: Inspector Sheri Ross-Hustana spoke about preparing for pharmacy inspections at California Northstate University in Sacramento.
- October 24: Inspector Katherine Sill presented at Senior Scam Stopper event in Irvine.