

DO YOU HAVE A COMPLAINT?

California State Board of Pharmacy

COMPLAINT RESOLUTION

A primary way the California State Board of Pharmacy (board) protects the public is through the investigation of consumer inquiries and complaints involving the care patients have received. Errors in filling prescriptions or suspected misconduct by a pharmacist may be violations of pharmacy law, and should be reported, whether or not a patient was harmed. Complaints are confidential.

The board does not have jurisdiction over drug prices charged by the pharmacy or prescription billing disputes with insurance carriers.

The board advocates and enforces laws that protect the health and safety of patients and encourages submission of complaints and inquiries from the public. Each complaint is evaluated to determine if the complaint involves a pharmacist, pharmacy, or firm regulated by the board, and whether the complaint involves a violation of California Pharmacy Law.

WHAT IS PHARMACIST MISCONDUCT?

Examples of misconduct by a pharmacist include (but are not limited to) instances where:

- The pharmacist fails to counsel you about how to take a new prescription (or a prescription with changed instructions) and its possible side effects.
- A non-pharmacist employee counsels you regarding your prescription.
- A pharmacist is not present, and your prescription is filled by a non-pharmacist.
- A pharmacist fails to maintain the confidentiality of your prescription information.
- A pharmacist appears unable to function safely (due to alcohol or drug abuse).
- The pharmacy is dirty, cluttered, or looks unsanitary.
- A pharmacist fails to assist you in obtaining a prescribed drug or device from another pharmacy, when the drug or device is out of stock.
- A pharmacist fails to assist you in obtaining a prescribed drug or device from another pharmacy, when the pharmacist refuses to fill the prescription for ethical, moral, or religious reasons.

WHAT ARE PRESCRIPTION ERRORS?

Examples of prescription error violations include (but are not limited to) instances where:

- Incorrect information is entered on the label of the prescription container.
- A prescription is dispensed with the wrong drug or wrong dosage.
- A medication is refilled without proper authorization from the prescribing physician.
- A generic drug is substituted for a brand name drug without informing the patient of the substitution.
- A prescription is filled using drugs whose expiration date has passed.

HOW TO FILE A COMPLAINT

Complaint forms are found at www.pharmacy.ca.gov. The form may be filled out and submitted electronically, or the form can be printed and filled out by hand. The completed form must be sent to the California State Board of Pharmacy, 2720 Gateway Oaks Drive., Suite 100, Sacramento, CA 95833. An online complaint form is also available on the website that can be submitted electronically.

WHAT HAPPENS TO MY COMPLAINT?

The board strives to complete most investigations within six months. Routine investigations may take up to 90 days, while more complex cases requiring extensive investigation may take longer.

If the complaint is within the board's jurisdiction, the complaint will be referred to staff for mediation or investigation. If the complaint is not within the board's jurisdiction, it may be closed with no action taken or referred to another agency that may have jurisdiction.

A complaint could result in disciplinary action being taken against a licensee ranging from a reprimand, a citation and fine, or revocation of the license with loss of the right to practice or operate a pharmacy.

If you write to the board and request information regarding the outcome of a complaint, the board will respond in writing. The following information may be obtained:

- The date the complaint was received by the board.
- A summary of the investigation.
- The outcome or type of discipline

Formal disciplinary actions are a matter of public record and are posted on the board's website, as are the names of licensees, license numbers, address of record, the date the original license was issued and the current status (active or inactive) of the license. Disciplinary actions and accusations can be found on the board website at <https://www.pharmacy.ca.gov/enforcement/index.shtml>.

CALIFORNIA STATE BOARD OF PHARMACY

FOR MORE INFORMATION ABOUT THE BOARD, LICENSING, OR THE COMPLAINT PROCESS:

VISIT THE BOARD'S WEBSITE AT

www.pharmacy.ca.gov

TO FILE A COMPLAINT GO TO:

<https://www.dca.ca.gov/webapps/pharmacy/complaint.php>

FOR ENFORCEMENT ACTIONS GO TO:

<http://www.pharmacy.ca.gov/enforcement/index.shtml>

FOR LICENSE INFORMATION GO TO:

https://www.pharmacy.ca.gov/about/verify_lic.shtml

WRITE TO THE BOARD AT
2720 GATEWAY OAKS DRIVE, SUITE 100
SACRAMENTO, CA 95833

CALL THE BOARD AT
(916) 518-3100

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**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS**