



California State Board of Pharmacy

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STATE AND CONSUMERS AFFAIRS AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR

Date: April 5, 2013

To: Licensing Committee

Subject: Licensing Committee Meeting Dates for the Remainder of 2013

Provided below are the committee dates for the remainder of the year. The location for these meetings has not been determined.

- May 28, 2013
- September 24, 2013
- December 11, 2013



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STATE AND CONSUMERS AFFAIRS AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR

Date: April 5, 2013

To: Licensing Committee

Subject: Staff Recommendations for Regulation Changes to Require or Standardize the Reporting of Convictions and Discipline at the Time of Renewal for Pharmacists, Pharmacy Technicians and Designated Representatives

Relevant Statutes and Regulations

Business and Professions Code Section 4036 provides the definition for “pharmacist” and specifies that the holder of an unexpired and active pharmacist license is entitled to practice pharmacy as defined in pharmacy law.

Business and Professions Code Section 4022.5 provides the definition of “designated representative” and Business and Professions Code Section 4038 provides the definition of a pharmacy technician.

California Code of Regulations Section 1702 details the fingerprint and criminal conviction requirements that are currently required as a condition of renewal for a pharmacist.

Background

As part of the Consumer Protection Enforcement Initiative in 2008/2009, the board undertook review and evaluation of several areas of its enforcement and licensing functions to identify areas where the board could improve its ability to ensure it received or had access to information necessary to make appropriate licensing decisions as well as ensure it received relevant information to initiate investigations and take appropriate action to better protect consumers.

As part of this effort the board sought new regulatory authority to require fingerprinting of pharmacists that had not previously submitted fingerprints to the Department of Justice in an electronic format. To augment this effort, the board also sought to require as a condition of renewal, that a pharmacist also self-report any convictions. These changes took effect in December 2010. At the time the board adopted the changes, they requested that similar provisions be implemented for pharmacy technicians and designated representatives.

Committee Action

During this meeting, staff are recommending that the committee discuss, and if it so chooses, recommend to the full board initiation of a follow-up regulation that will make changes to the

existing pharmacist renewal as well as place similar renewal requirements on pharmacy technician and designative representatives. The proposed changes to the pharmacist renewal include:

- Disclosure of disciplinary action
- Removing reference to the implementation date
- Clarifying that disclosure of criminal conviction information and disciplinary action is for action taken since the last renewal of the license.

For the committee's reference, following this memo is draft regulation language to facilitate both as well as an excerpt from the board meeting in October 2009.

Title 16. Board of Pharmacy Proposed Language

To Amend Section 1702 of Article 5 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

1702. Pharmacist Renewal Requirements

(a) A pharmacist applicant for renewal who has not previously submitted fingerprints as a condition of licensure or for whom an electronic record of the licensee's fingerprints does not exist in the Department of Justice's criminal offender record identification database shall successfully complete a state and federal level criminal offender record information search conducted through the Department of Justice by the licensee's or registrant's renewal date ~~that occurs on or after December 7, 2010.~~

(1) A pharmacist shall retain for at least three years as evidence of having complied with subdivision (a) either a receipt showing that he or she has electronically transmitted his or her fingerprint images to the Department of Justice or, for those who did not use an electronic fingerprinting system, a receipt evidencing that his or her fingerprints were recorded and submitted to the Board.

(2) A pharmacist applicant for renewal shall pay, as directed by the Board, the actual cost of compliance with subdivision (a).

(3) As a condition of petitioning the board for reinstatement of a revoked or surrendered license, or for restoration of a retired license, an applicant shall comply with subdivision (a).

(4) The board may waive the requirements of this section for licensees who are actively serving in the United States military. The board may not return a license to active status until the licensee has complied with subdivision (a).

(b) As a condition of renewal, a pharmacist applicant shall disclose on the renewal form whether he or she has been convicted, as defined in Section 490 of the Business and Professions Code, of any violation of the law in this or any other state, the United States, or other country, since the last renewal of the license. ~~omitting~~ ~~†~~ ~~Traffic~~ infractions under ~~§300~~ ~~§500~~ not involving alcohol, dangerous drugs, or controlled substances do not need to be disclosed.

(c) As a condition of renewal, a pharmacist applicant shall disclose on the renewal form any disciplinary action against any license issued to the applicant by a government agency since the last renewal of the license.

(d) Failure to provide all of the information required by this section renders an application for renewal incomplete and the board shall not renew the license and shall issue the applicant an inactive pharmacist license. An inactive pharmacist license issued pursuant to this section may only be reactivated after compliance is confirmed for all licensure renewal requirements.

Authority cited: Sections 4001.1 and 4005, Business and Professions Code. Reference: Sections 490, 4036, 4200.5, 4207, 4301, 4301.5 and 4400, Business and Professions Code; and Sections 11105(b)(10) and 11105(e), Penal Code.

To Add Section 1702.1 of Article 5 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

1702.1 Pharmacy Technician Renewal Requirements

(a) A pharmacy technician applicant for renewal who has not previously submitted fingerprints as a condition of licensure or for whom an electronic record of the licensee's fingerprints does not exist in

the Department of Justice's criminal offender record identification database shall successfully complete a state and federal level criminal offender record information search conducted through the Department of Justice by the licensee's or registrant's renewal date that occurs on or after July 1, 2014.

(1) A pharmacy technician shall retain for at least three years as evidence of having complied with subdivision (a) either a receipt showing that he or she has electronically transmitted his or her fingerprint images to the Department of Justice or, for those who did not use an electronic fingerprinting system, a receipt evidencing that his or her fingerprints were recorded and submitted to the Board.

(2) A pharmacy technician applicant for renewal shall pay, as directed by the Board, the actual cost of compliance with subdivision (a).

(3) As a condition of petitioning the board for reinstatement of a revoked or surrendered license an applicant shall comply with subdivision (a).

(4) The board may waive the requirements of this section for licensees who are actively serving in the United States military.

(b) As a condition of renewal, a pharmacy technician applicant shall disclose on the renewal form whether he or she has been convicted, as defined in Section 490 of the Business and Professions Code, of any violation of the law in this or any other state, the United States, or other country, since the last renewal of the license. Traffic infractions under \$500 not involving alcohol, dangerous drugs, or controlled substances do not need to be disclosed.

(c) As a condition of renewal, a pharmacy technician applicant shall disclose on the renewal form any disciplinary action against any license issued to the applicant by a government agency since the last renewal of the license.

(d) Failure to provide all of the information required by this section renders an application for renewal incomplete and the board shall not renew the license.

Authority cited: Sections 4001.1 and 4005, Business and Professions Code. Reference: Sections 490, 4038, 4115, 4202, 4207, 4301, 4301.5 and 4400, Business and Professions Code; and Sections 11105(b)(10) and 11105(e), Penal Code.

To Amend Section 1702.2 of Article 5 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

1702. 2 Designated Representative Renewal Requirements

(a) A designated representative applicant for renewal who has not previously submitted fingerprints as a condition of licensure or for whom an electronic record of the licensee's fingerprints does not exist in the Department of Justice's criminal offender record identification database shall successfully complete a state and federal level criminal offender record information search conducted through the Department of Justice by the licensee's or registrant's renewal date that occurs on or after July 1, 2014.

(1) A designated representative shall retain for at least three years as evidence of having complied with subdivision (a) either a receipt showing that he or she has electronically transmitted his or her fingerprint images to the Department of Justice or, for those who did not use an electronic fingerprinting system, a receipt evidencing that his or her fingerprints were recorded and submitted to the Board.

(2) A designated representative applicant for renewal shall pay, as directed by the Board, the actual cost of compliance with subdivision (a).

(3) As a condition of petitioning the board for reinstatement of a revoked or surrendered license an applicant shall comply with subdivision (a).

(4) The board may waive the requirements of this section for licensees who are actively serving in the United States military.

(b) As a condition of renewal, a designated representative applicant shall disclose on the renewal form whether he or she has been convicted, as defined in Section 490 of the Business and Professions Code, of any violation of the law in this or any other state, the United States, or other country, since the last renewal of the license. Traffic infractions under \$500 not involving alcohol, dangerous drugs, or controlled substances do not need to be disclosed.

(c) As a condition of renewal, a designated representative applicant shall disclose on the renewal form any disciplinary action against any license issued to the applicant by a government agency since the last renewal of the license.

(c) Failure to provide all of the information required by this section renders an application for renewal incomplete and the board shall not renew the license.

Authority cited: Sections 4001.1 and 4005, Business and Professions Code. Reference: Sections 490, 4022.5, 4053, 4207, 4301, 4301.5 and 4400, Business and Professions Code; and Sections 11105(b)(10) and 11105(e), Penal Code.

Prior Board Discussion on this Topic
October 2009
Minutes Excerpt

Proposed Regulation for Pharmacists to Report on License Renewal Applications Prior Convictions and To Require Electronic Submission of Fingerprints for Pharmacists With No Prior History of Electronic Fingerprints On File

Dr. Swart provided that at the Enforcement Committee Meeting, the committee discussed the board's enforcement program. He stated that whereas the board has better timelines than the Board of Registered Nursing (BRN), they are not 12-18 months for most formal discipline, which is the average timeline targeted by the director and Administration. Dr. Swart advised that the board needs to strengthen its enforcement program, and provide faster resolution time. He indicated that the board will need additional staff. Dr. Swart provided that since August 2009, staff has been working on program changes and budget change proposals to augment staff so we can improve our program.

Dr. Swart stated that the Enforcement Committee recommends: Initiate a rulemaking on a regulation for pharmacists to: (1) report on license renewal applications prior convictions during the renewal period, and (2) to require electronic submission of fingerprints for pharmacists with no prior history of electronic fingerprints on file.

Dr. Swart provided that for years, the Board of Pharmacy has been fingerprinting applicants for individual licenses (pharmacists, pharmacist interns, technicians, designated representatives), and the officers and owners of board-licensed facilities (pharmacies, wholesalers, clinics, etc.).

Dr. Swart provided that pharmacists have been fingerprinted as a condition of licensure since September 1947 – only 150 individuals with active licenses do not have prints on file with the California Department of Justice. He advised that other boards only began fingerprinting applicants in the late 1980s and later.

Dr. Swart provided that the number of arrest and conviction reports (rap sheets) sent to the board on applicants and licensees is strongly dependent upon the speed with which local jurisdictions enter this information into the reporting system. He stated that in recent years, the number of these reports sent to the board has dramatically increased, and has exceeded the board's ability to respond timely to these cases. As a result, the board submitted a budget change proposal early this year to ensure that it can timely review and investigate reports of criminal convictions and arrests. He advised that the board received 6.5 new positions effective July 1, 2009. Dr. Swart stated that the last two of these positions were filled in mid-September. He added that staff is now working to investigate a backlog of rap sheets awaiting review.

Dr. Swart provided that currently, the board's ability to ensure it has all information about the arrests and convictions of its licensees is not complete for two reasons:

1. Licensees who submitted fingerprints before 2001 submitted them on fingerprint cards, and the Department of Justice has not automated this process. Those who have been licensed since 2001 have submitted their fingerprints electronically through "LiveScan." Staff is concerned that it may not receive or receive timely rap sheets of those whose fingerprints are not electronically on file with the Department of Justice.
2. Licensees of the Board of Pharmacy are not required to certify at time of license renewal that they have not been convicted of anything. This is standard for other boards, and is a recommendation of the department for all health care boards.

Dr. Swart provided that in 2009, SB 389 was introduced to ensure all departmental agencies had fingerprints on file for all licensees, and that at each renewal, all licensees would certify that they had not been convicted of any crime during the renewal period. He advised that SB 389 was stalled in a policy committee of the Legislature.

Dr. Swart provided that staff recommend that the board move forward to secure these two elements for pharmacists, and then as this is completed for pharmacists, to move forward with technicians and designated representatives who were fingerprinted before 2001.

Dr. Swart provided that at the September Enforcement Committee Meeting, the committee recommended that the board move forward with this regulation.

Board Discussion

The board discussed the timeline and the inclusion of an implementation date for the regulation. Licensees were encouraged to renew in a timely manner to ensure efficient processing.

Stan Weisser expressed concern over the traffic infractions that are required to be reported. He suggested the \$300 traffic fine standard may be too low, and result in a barrage of rap sheets. The board discussed the workload impact with regards to the reporting of citations resulting in a \$300 fine versus a \$500 fine.

Executive Officer Virginia Herold provided that the fine standard is at the discretion of the board. She discussed the importance of the board's ability to review and investigate criminal convictions and arrests in order to protect the public. Ms. Herold indicated that the standard on the application is \$500.

Dr. Swart provided that there should be consistency between fine standards on the application and the renewal forms. There was no additional board discussion. No public comment was provided.

MOTION: Initiate rulemaking on proposed regulation for pharmacists to: (1) report on license renewal applications prior convictions during the renewal period, and (2) to require electronic submission of fingerprints for pharmacists with no prior history of electronic fingerprints on file. This rulemaking will go into effect 6 months after the approval of the Office of Administrative Law (OAL).

M/S: Schell/Wheat

Approve: 8 Oppose: 0 Abstain: 0

MOTION: Direct board staff to take all steps necessary to initiate the formal rulemaking process to adopt the proposed text at 16 CCR Section 1702 and to authorize the executive officer to make any non-substantive changes to the rulemaking package and to insert the effective date in subdivision (a).

M/S: Schell/Wheat

Approve: 8 Oppose: 0 Abstain: 0

MOTION: Change the renewal disclosure requirement in subdivision (b) from traffic infractions under \$300 to traffic infractions under \$500.

M/S: Swart/Weisser

Approve: 8 Oppose: 0 Abstain: 0



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STATE AND CONSUMERS AFFAIRS AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR

Date: April 5, 2013

To: Licensing Committee

Subject: Staff Recommendation for Regulation Changes to Require Site Licenses to Report Disciplinary Actions by Other Entities at Time of Renewal

Relevant Statutes and Regulations

Business and Professions Code Section 4112 provides for the regulation of a pharmacy located outside of California that ships, mails, or delivers, in any matter, controlled substances, dangerous drugs, or dangerous devices into this state.

Business and Professions Code Section 4161 provides for the regulation of a wholesaler located outside of California that ships, sells, mails, or delivers dangerous drugs or devices into this state or that sells, brokers or distributes such products.

Background

As part of the requirements for initial licensure as either a nonresident pharmacy or nonresident wholesaler an applicant must hold a current license in the resident state. Prior to issuance of a CA license, such applicants provide the board with license verification from the resident state that provides our board with confirmation of the current standing with the other state board as well as notification if the license has been disciplined.

This information is very valuable when making a licensing decision; however it only provides information at the time of licensure.

Committee Action

During this meeting, board staff are recommending that the committee discuss, and if it so chooses, recommend to the board full board, initiation of a rulemaking that would require, as a condition of renewal, disclosure of any disciplinary action taken against the entity in its home state.

Following this memo is draft language that could be used to facilitate implementation of such a requirement.

Title 16. Board of Pharmacy Proposed Language

To Amend Section 1702 of Article 5 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

1709. Names of Owners and Pharmacist in Charge, Renewal Requirements.

(a) Each permit to operate a pharmacy shall show the name and address of the pharmacy, the form of ownership (individual, partnership or corporation) and the pharmacist-in-charge. Each pharmacy shall, in its initial application on the annual renewal form, report the name of the pharmacist-in-charge, the names of all owners and the names of the corporate officers (if a corporation). Any changes in the pharmacist-in-charge, or the owners, or corporate officers shall be reported to the Board within 30 days.

(1) Any license issued to operate a pharmacy as authorized in Business and Professions Code Section 4112, shall also report any disciplinary action taken by any government agency since the last renewal of the license.

(b) Any transfer, in a single transaction or in a series of transactions, of 10 percent or more of the beneficial interest in a business entity licensed by the board to a person or entity who did not hold a beneficial interest at the time the original permit was issued, shall require written notification to the board within 30 days.

(c) The following shall constitute a transfer of permit and require application for a change of ownership: any transfer of a beneficial interest in a business entity licensed by the board, in a single transaction or in a series of transactions, to any person or entity, which transfer results in the transferee's holding 50% or more of the beneficial interest in that license.

Authority cited: Section 4005, Business and Professions Code. Reference: Sections 4058, 4101, 4111, 4112, 4113, 4120, 4124, 4130, 4133, 4141, 4149, 4160, 4161, 4196, 4201, 4304, 4305 and 4330, Business and Professions Code

1785. Disclosure of Discipline, Renewal.

Any license issued to operate a nonresident wholesaler shall report any disciplinary action by any government agency since the last renewal of the license. Failure to provide information required by this section renders the application for renewal incomplete and the board shall not renew the license.

Authority cited: Section 4005, Business and Professions Code. Reference: Sections 4161, 4300, 4301, Business and Professions Code



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DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR

Date: April 5, 2013

To: Licensing Committee

**Subject: Proposed Amendment to California Business and Professions Code Section 4053
Regarding the Qualifying Experience of Designated Representatives**

Relevant Statutes and Regulations

Business and Professions Code Section 4053 provides authority to the board to issue a designated representative license to an individual that meets specified criteria. This section also specifies that an individual licensed as such is responsible for protection of public health and safety in the handling, storage and shipment of dangerous drugs and devices in a wholesaler or veterinary food animal drug retainer.

Background

Current pharmacy law establishes the requirements for licensure as follows:

- a. High school graduation or equivalent
- b. One year paid work experience within the past three years OR
Meet all of the prerequisites to take the pharmacist licensure examination
- c. Completion of a training program

The board is currently seeking changes to this section of law through an omnibus proposal to clarify that the experienced required above is earned in a licensed facility.

Committee Action

During this meeting, board staff are recommending that the committee discuss, and if it so chooses, recommend to the board full board, consideration of one additional change to this section of pharmacy law to waive the training program for an individual that meets the requirements to take pharmacist licensure examination. By law, such an individual would have either a BS or PharmD in Pharmacy as well as at least 1500 hours of intern experience.

Following this memo is draft language that could be used to facilitate implementation of such a requirement. As presented, the language in single underscore is the language currently approved and incorporated into omnibus bill. The language with a double underscore reflects the new language for committee consideration.

4053. Designated Representative to Supervise Wholesaler or Veterinary Food-Animal Drug Retailer

(a) Notwithstanding Section 4051, the board may issue a license as a designated representative to provide sufficient and qualified supervision in a wholesaler or veterinary food-animal drug retailer. The designated representative shall protect the public health and safety in the handling, storage, and shipment of dangerous drugs and dangerous devices in the wholesaler or veterinary food-animal drug retailer.

(b) An individual may apply for a designated representative license. In order to obtain and maintain that license, the individual shall meet all of the following requirements:

(1) He or she shall be a high school graduate or possess a general education development certificate equivalent.

(2) He or she shall have a minimum of one year of paid work experience in a licensed pharmacy, drug wholesaler, drug distributor or drug manufacturer, in the past three years, related to the distribution or dispensing of dangerous drugs or dangerous devices ~~or meet all of the prerequisites to take the examination required for licensure as a pharmacist by the board.~~

(3) He or she shall complete a training program approved by the board that, at a minimum, addresses each of the following subjects:

(A) Knowledge and understanding of California law and federal law relating to the distribution of dangerous drugs and dangerous devices.

(B) Knowledge and understanding of California law and federal law relating to the distribution of controlled substances.

(C) Knowledge and understanding of quality control systems.

(D) Knowledge and understanding of the United States Pharmacopoeia standards relating to the safe storage and handling of drugs.

(E) Knowledge and understanding of prescription terminology, abbreviations, dosages and format.

(4) An individual that satisfies all of the prerequisite requirements to take the pharmacist licensure examination is exempt from the requirements of paragraphs (2) and (3).

~~(4)~~ (5) The board may, by regulation, require training programs to include additional material.

~~(5)~~ (6) The board may not issue a license as a designated representative until the applicant provides proof of completion of the required training to the board.

(c) The veterinary food-animal drug retailer or wholesaler shall not operate without a pharmacist or a designated representative on its premises.

(d) Only a pharmacist or a designated representative shall prepare and affix the label to veterinary food-animal drugs.

(e) Section 4051 shall not apply to any laboratory licensed under Section 351 of Title III of the Public Health Service Act (Public Law 78-410).



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STATE AND CONSUMERS AFFAIRS AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR

Date: April 5, 2013

To: Licensing Committee

Subject: Review of Request from Det Norske Veritas (DNV) to Renew Board of Pharmacy Approval as an Accreditation Agency for Licensed Sterile Injectable Compounding Pharmacies.

Relevant Statutes

Business and Professions Code Sections 4127 – 4127.8 provides for the regulation of pharmacies that compound sterile injectable drug products in a pharmacy. Pharmacy law creates an exemption from the licensure requirements for a pharmacy that is accredited by a private accreditation agency approved by the board (B&PC 4127.1 (d) and 4127.2 (c).)

Background

For the past several years the board has been discussing several elements of pharmacies that compound sterile injectable products, including the requirements for private accreditation agencies. As part of the current approval process, such agencies apply to the board for consideration and approval by the board.

Det Norske Veritas (DNV) was previously approved by the board for a three year period. This approval will expire later this year. As such DNV has submitted a new request to the board. Regrettably because this meeting was rescheduled, a representative from DNV is unable to attend the committee meeting. Board staff will continue to work with DNV and will be prepared to discuss their request during the full board meeting scheduled later this month.



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GOVERNOR EDMUND G. BROWN JR

Date: April 5, 2013

To: Licensing Committee

Subject: Update and Discussion on Implementation of BreZE and Its Potential Impact on License Applications and Renewals.

Over the past several years, the board has been apprised of the status of implementation of the new computer system, BreZE, through the board's Organizational Development Committee. This will continue to be the case; however board staff would like to also advise the committee about the upcoming transition to the new system by some of the boards within DCA.

As the committee may be aware, as part of the implementation strategy used by the DCA to deploy this new system, boards and bureaus within the department are transitioning to this new system in three releases. While our board is scheduled for the second release, we will be impacted during the actual cut over time period for those programs in release one. Specifically, it is anticipated that several of the board's licensing functions will be on hold for about four to six days. During this time applications cannot be processed and licenses cannot be renewed. We have been advised that the cut over is scheduled for mid-May.



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STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

Date: April 5, 2013

To: Members, Licensing Committee

Subject: Accreditation Reviews Planned During 2013 of California of Schools by the Accreditation Council for Pharmacy Education

FOR INFORMATION:

All schools of pharmacy in the United States are accredited by one body, the Accreditation Council for Pharmacy Education (ACPE).

Schools of pharmacy are visited according to a schedule developed by ACPE. Typically a California board member is invited to participate as an observer during accreditation visits of California schools of pharmacy by the ACPE. As the board learns the schedule of which school is undergoing review, typically Board President Weisser asks several board members if one of them would be interested in participating in this review as an observer.

This year, two California schools are under review. California Northstate was reviewed in April, and UCSF will be evaluated in the fall.

Board Member Kajioka participated as an observer at California Northstate; President Weisser will participate as an observer at UCSF.

Those who failed were cited and fined.

By each year, the summary stats:

	<u>AUDITS</u>			<u>RESULTS</u>		Of those who initially failed: <u>FINAL OUTCOME</u>	
	Initiated	Completed	Pending	Pass	Fail	Became Compliant	Remained Non-Compliant
2011	198	198	0	159 (80.3%)	39 (19.7%)	25 (64.1%)	14 (35.9%)
2012	226	224	2	181 (80.8%)	43 (19.2%)	30 (69.8%)	13 (32.2%)



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DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

Date: April 5, 2013

To: Members, Licensing Committee

Subject: Review of Statistics Regarding Discipline and License Denial of Pharmacy of Pharmacy Technicians

At this meeting at the request of President Weisser, the committee will begin review of statistics regarding the number of pharmacy technicians who are formally disciplined following licensure, are denied licensure at time of application, or who are issued a probationary license. We will also report statistics on those who are issued permits, placed on probation and then surrender their licenses.

These initial statistics are not fully compiled at the time this packet is being released, and as such will be brought to the board meeting.



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GOVERNOR EDMUND G. BROWN JR.

Date: April 5, 2013

To: Board Members

From: Debbie Damoth
Licensing Manager

Subject: Competency Committee Report

California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE)

The board instituted a quality assurance review of the CPJE effective April 1, 2013. This process is done periodically to ensure the reliability of the examination. As of the date of this report, the quality assurance review is still under review. Based on historical patterns, the board anticipates results being released approximately May or June 2013. The board encourages all qualified applicants to continue to schedule and take the CPJE exam. The greater the number of applicants who take the exam during this review period, the sooner results can be released.

Examination Development

Competency Committee workgroups will continue to conduct examination development meetings during the spring of 2013.



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Date: April 5, 2013

To: Licensing Committee

From: Debbie Damoth
Debi Mitchell
Licensing Managers

Subject: Licensing Statistics

Licensing Statistics for July 2012 – February 2013

Attached are the licensing statistics for July 2012 to February 2013. During these past eight months, the board received over 10,800 applications and issued over 9,500 licenses. The number of applications received decreased over 8% and the number of licenses issued decreased over 3% when compared to the same time periods last fiscal year.

Attachment

Agenda Item 11: Licensing Statistics

Board of Pharmacy Licensing Statistics - Fiscal Year 2012/13

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
I. APPLICATIONS													
A. Received													
Pharmacist (exam applications)	103	132	114	103	82	102	81	93					810
Pharmacist (initial licensing applications)	313	636	179	201	89	70	18	80					1586
Intern pharmacist	37	568	234	209	163	57	133	143					1544
Pharmacy technician	731	841	543	804	707	535	699	726					5586
Pharmacy	42	40	34	34	30	20	20	160					380
Pharmacy Exempt	0	0	0	0	9	0	0	0					9
Pharmacy - Temp	9	9	13	10	0	4	4	136					185
Sterile Compounding	6	9	8	2	9	4	4	5					47
Sterile Compounding - Exempt	0	0	0	0	0	0	0	0					0
Sterile Compounding - Temp	2	0	2	2	4	2	1	0					13
Nonresident Sterile Compounding	0	1	1	3	1	3	1	2					12
Clinics	1	7	4	6	7	12	17	9					63
Clinics Exempt	0	0	0	0	0	0	0	0					0
Hospitals	0	2	4	2	0	0	0	7					15
Hospitals Exempt	0	0	0	0	0	0	0	0					0
Hospitals - Temp	0	0	0	0	0	0	0	0					0
Drug Room	0	0	0	0	0	0	0	0					0
Drug Room Exempt	0	0	0	0	0	0	0	0					0
Nonresident Pharmacy	3	8	9	4	7	4	16	17					68
Nonresident Pharmacy - Temp	2	2	1	0	4	0	6	2					17
Licensed Correctional Facility	0	0	0	0	0	0	0	0					0
Hypodermic Needle and Syringes	3	4	1	4	0	2	2	1					17
Hypodermic Needle and Syringes Exempt	0	0	0	0	0	0	0	0					0
Nonresident Wholesalers	7	10	12	9	8	8	2	13					69
Nonresident Wholesalers - Temp	0	0	0	0	1	0	0	4					5
Wholesalers	5	5	8	6	2	8	2	29					65
Wholesalers Exempt	0	0	0	0	0	0	0	0					0
Wholesalers - Temp	3	0	1	1	0	2	1	6					14
Veterinary Food-Animal Drug Retailer	0	0	0	0	0	0	0	0					0
Veterinary Food-Animal Drug Retailer - Temp	0	0	0	0	0	0	0	0					0
Designated Representatives	29	36	37	51	26	36	24	55					294
Designated Representatives Vet	2	0	0	0	0	0	0	0					2
Centralized Hospital Packaging	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1					2
Total	1298	2310	1205	1451	1149	869	1032	1489	0	0	0	0	10803

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I. APPLICATIONS (continued)	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
B. Issued													
Pharmacist	306	598	92	318	93	72	21	19					1519
Intern pharmacist	19	104	422	328	265	33	0	92					1263
Pharmacy technician	617	778	820	742	848	795	635	718					5953
Pharmacy	34	29	37	36	28	36	14	15					229
Pharmacy - Exempt	0	1	1	0	0	0	0	0					2
Pharmacy - Temp	0	1	0	0	0	0	0	0					1
Sterile Compounding	5	1	5	6	1	3	2	2					25
Sterile Compounding - Exempt	0	0	0	0	0	1	0	0					1
Sterile Compounding - Temp	0	0	0	0	0	0	0	0					0
Nonresident Sterile Compounding	5	0	0	0	3	1	2	0					11
Clinics	16	6	1	2	7	4	1	13					50
Clinics Exempt	0	1	0	0	1	0	0	2					4
Hospitals	1	1	1	2	1	2	1	0					9
Hospitals Exempt	1	0	0	0	0	0	0	0					1
Hospitals - Temp	0	0	0	0	0	0	0	0					0
Drug Room	0	0	0	0	1	0	0	0					1
Drug Room Exempt	0	0	0	0	0	0	0	0					0
Nonresident Pharmacy	49	6	2	1	10	11	7	2					88
Nonresident Pharmacy - Temp	0	0	0	0	0	0	0	0					0
Licensed Correctional Facility	0	0	0	0	0	0	0	0					0
Hypodermic Needle and Syringes	4	3	3	0	2	1	2	1					16
Hypodermic Needle and Syringes Exempt	0	0	0	0	0	0	0	0					0
Nonresident Wholesalers	16	17	6	9	13	6	9	8					84
Nonresident Wholesalers - Temp	0	0	0	0	0	0	0	0					0
Wholesalers	5	25	3	6	6	7	4	5					61
Wholesalers Exempt	0	0	1	0	0	0	0	0					1
Wholesalers - Temp	0	0	0	0	0	0	0	0					0
Veterinary Food-Animal Drug Retailer	0	6	0	0	0	0	0	0					6
Veterinary Food-Animal Drug Retailer - Temp	0	0	0	0	0	0	0	0					0
Designated Representatives	31	23	33	29	48	28	42	24					258
Designated Representatives Vet	1	0	0	0	0	0	0	0					1
Centralized Hospital Packaging	n/a	n/a	n/a	n/a	n/a	n/a	0	0					0
Total	1110	1600	1427	1479	1327	1000	740	901	0	0	0	0	9584

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I. APPLICATIONS (continued)	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
C. Pending													
Pharmacist (exam applications)	0	479	533	510	504	459	404	423					0
Pharmacist (eligible)	685	1099	1012	758	713	673	662	710					0
Intern pharmacist	0	564	362	182	114	132	143	235					0
Pharmacy technician	0	2683	2382	2297	2237	1890	1506	1851					0
Pharmacy	0	150	144	138	138	116	114	257					0
Pharmacy - Exempt	0	1	0	0	0	0	1	3					0
Pharmacy - Temp	0	0	0	0	0	0	0	0					0
Sterile Compounding	0	26	28	23	30	30	26	30					0
Sterile Compounding - Exempt	0	1	1	1	1	0	0	0					0
Sterile Compounding - Temp	0	0	0	0	0	0	0	0					0
Nonresident Sterile Compounding Clinics	0	10	11	17	15	17	15	17					0
Clinics	0	14	13	15	15	23	32	36					0
Clinics - Exempt	0	7	8	9	8	8	4	13					0
Hospitals	0	5	5	7	6	4	3	3					0
Hospitals - Exempt	0	0	0	0	0	0	0	0					0
Hospitals - Temp	0	0	0	0	0	0	0	0					0
Drug Room	0	0	0	1	0	0	0	0					0
Drug Room - Exempt	0	0	0	0	0	0	0	0					0
Nonresident Pharmacy	0	62	69	71	69	62	70	84					0
Nonresident Pharmacy - Temp	0	0	0	0	0	0	0	0					0
Licensed Correctional Facility	0	0	0	0	0	0	0	0					0
Hypodermic Needle and Syringes	0	16	13	17	15	16	16	16					0
Hypodermic Needle and Syringes - Exempt	0	0	0	0	0	0	0	0					0
Nonresident Wholesalers	0	80	88	81	75	79	64	72					0
Nonresident Wholesalers - Temp	0	0	0	0	0	0	0	0					0
Wholesalers	0	60	65	65	60	61	49	75					0
Wholesalers - Exempt	0	2	1	1	1	1	3	3					0
Wholesalers - Temp	0	0	0	0	0	0	0	0					0
Veterinary Food-Animal Drug Retailer	0	2	2	2	2	2	2	2					0
Veterinary Food-Animal Drug Retailer - Temp	0	0	0	0	0	0	0	0					0
Designated Representatives	0	141	141	114	112	119	68	107					0
Designated Representatives Vet	0	3	3	3	3	3	1	1					0
Centralized Hospital Packaging	n/a	n/a	n/a	n/a	n/a	n/a	2	0					2
Total	685	5405	4881	4312	4118	3695	3185	3938	0	0	0	0	0

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I. APPLICATIONS (continued)	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
D. Withdrawn													
Pharmacist (exam applications)	1	0	1	1	1	41	30	0					75
Pharmacist (eligible)	0	0	0	0	0	0	0	0					0
Intern pharmacist	0	1	0	0	17	0	1	1					20
Pharmacy technician	49	9	20	17	11	90	22	9					227
Pharmacy	0	0	0	3	2	0	1	0					6
Pharmacy - Exempt	0	0	0	0	0	0	0	0					0
Pharmacy - Temp	0	0	0	0	0	0	0	0					0
Sterile Compounding	0	0	0	0	0	0	0	0					0
Sterile Compounding - Exempt	0	0	0	0	0	0	0	0					0
Sterile Compounding - Temp	0	0	0	0	0	0	0	0					0
Nonresident Sterile Compounding	0	0	0	0	0	0	0	0					0
Clinics	0	0	0	0	0	0	0	0					0
Clinics - Exempt	0	0	0	0	0	0	0	0					0
Hospitals	0	0	0	0	0	0	0	0					0
Hospitals - Exempt	0	0	0	0	0	0	0	0					0
Hospitals - Temp	0	0	0	0	0	0	0	0					0
Drug Room	0	0	0	0	0	0	0	0					0
Drug Room - Exempt	0	0	0	0	0	0	0	0					0
Nonresident Pharmacy	0	0	0	0	0	0	0	0					0
Nonresident Pharmacy - Temp	0	0	0	0	0	0	0	0					0
Licensed Correctional Facility	0	0	0	0	0	0	0	0					0
Hypodermic Needle and Syringes	0	0	0	0	0	0	0	0					0
Hypodermic Needle and Syringes - Exempt	0	0	0	0	0	0	0	0					0
Nonresident Wholesalers	16	2	0	7	0	0	3	1					29
Nonresident Wholesalers - Temp	0	0	0	0	0	0	0	0					0
Wholesalers	8	0	1	0	0	0	3	0					12
Wholesalers - Exempt	0	0	0	0	0	0	0	0					0
Wholesalers - Temp	0	0	0	0	0	0	0	0					0
Veterinary Food-Animal Drug Retailer	0	0	0	0	0	0	0	0					0
Veterinary Food-Animal Drug Retailer - Temp	0	0	0	0	0	0	0	0					0
Designated Representatives	12	17	1	17	0	0	24	1					72
Designated Representatives Vet	0	0	0	0	0	0	2	0					2
Centralized Hospital Packaging	n/a	n/a	n/a	n/a	n/a	n/a	0	0					0
Total	86	29	23	45	31	131	86	12	0	0	0	0	443

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I. APPLICATIONS (continued)	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
E. Denied													
Pharmacist (exam applications)	3	1	0	0	1	0	0	0	0				5
Pharmacist (eligible)	0	0	0	0	0	0	0	1	1				2
Intern pharmacist	1	0	1	0	0	0	1	0	0				3
Pharmacy technician	21	7	5	5	8	1	14	0	15				76
Pharmacy	0	0	1	1	1	2	2	0	2				9
Pharmacy - Exempt	0	0	0	0	0	0	0	0	0				0
Pharmacy - Temp	0	0	0	0	0	0	0	0	0				0
Sterile Compounding	0	0	0	0	0	0	0	0	0				0
Sterile Compounding - Exempt	0	0	0	0	0	0	0	0	0				0
Sterile Compounding - Temp	0	0	0	0	0	0	0	0	0				0
Nonresident Sterile Compounding	0	0	0	0	0	0	0	0	0				0
Clinics	0	0	0	0	0	0	0	0	0				0
Clinics - Exempt	0	0	0	0	0	0	0	0	0				0
Hospitals	0	0	0	0	0	0	0	0	0				0
Hospitals - Exempt	0	0	0	0	0	0	0	0	0				0
Hospitals - Temp	0	0	0	0	0	0	0	0	0				0
Drug Room	0	0	0	0	0	0	0	0	0				0
Drug Room - Exempt	0	0	0	0	0	0	0	0	0				0
Nonresident Pharmacy	0	1	0	0	0	0	0	0	0				1
Nonresident Pharmacy - Temp	0	0	0	0	0	0	0	0	0				0
Licensed Correctional Facility	0	0	0	0	0	0	0	0	0				0
Hypodermic Needle and Syringes	0	0	0	0	0	0	0	0	0				0
Hypodermic Needle and Syringes - Exempt	0	0	0	0	0	0	0	0	0				0
Nonresident Wholesalers	0	0	0	0	1	0	1	0	0				2
Nonresident Wholesalers - Temp	0	0	0	0	0	0	0	0	0				0
Wholesalers	0	0	0	0	0	0	1	0	0				1
Wholesalers - Exempt	0	0	0	0	0	0	0	0	0				0
Wholesalers - Temp	0	0	0	0	0	0	0	0	0				0
Veterinary Food-Animal Drug Retailer	0	0	0	0	0	0	0	0	0				0
Veterinary Food-Animal Drug Retailer - Temp	0	0	0	0	0	0	0	0	0				0
Designated Representatives	0	0	0	0	0	0	0	0	0				0
Designated Representatives Vet	0	0	0	0	0	0	0	0	0				0
Centralized Hospital Packaging	0	0	0	0	0	0	0	0	0				0
Total	25	9	7	6	11	3	19	1	18	0	0	0	99

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II. RESPOND TO STATUS REQUESTS

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
A. E-mail status requests and inquiries													
Pharmacist/Intern	542	621	58	81	184	173	639	344					2642
Pharmacy Technicians	606	672	87	391	360	160	372	297					2945
Site Licenses (pharmacy, clinic)	275	712	566	393	464	400	500	353					3663
Site Licenses (wholesalers)	277	203	107	274	189	175	331	258					1814
Pharmacist-in-Charge	122	98	86	44	172	68	74	144					808
Renewals	93	569	54	92	63	88	137	113					1209
B. Telephone status requests and inquiries													
Site Licenses (pharmacy, clinic)	132	348	185	181	236	229	208	205					1724
Site Licenses (wholesalers)	17	112	59	115	92	98	132	114					739
Pharmacist-in-Charge	31	51	22	55	82	24	34	35					334
Renewals	334	502	387	438	441	393	480	856					3831

III. UPDATE LICENSING RECORDS

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN*	FYTD
A. Change of Pharmacist-in-Charge***													
Received	98	158	120	151	97	140	108	92					964
Processed	6	18	17	29	9	24	18	93					214
Pending	92	232	335	457	545	661	751	750					0
B. Change of Exemptee-in-Charge***													
Received	6	16	20	21	17	7	19	9					115
Processed	8	7	20	0	1	0	10	8					54
Pending	151	160	176	197	213	220	229	230					0
C. Change of Permits													
Received	57	86	82	68	52	90	59	66					560
Processed	6	124	113	17	7	98	5	26					396
Pending	269	231	200	251	296	288	342	382					0
D. Discontinuance of Business***													
Received	3	11	43	25	20	25	16	10					153
Processed	0	0	4	19	57	21	8	29					138
Pending	200	211	250	256	219	223	231	212					0
E Requests processed													
Address/Name Changes	801	1087	1057	1020	886	826	1106	764					7547
Off-site storage		31			30			31					92
Transfer of intern hours to other states	8	14	7	1	4	0	4	5					43

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IV. AVERAGE PROCESSING TIMES

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
A. Average days to process initial applications												
Pharmacist (exam application)	9	8	5	8	8	8	8	9				
Pharmacy Intern	8	13	10	4	4	6	12	12				
Pharmacy Technician	36	41	39	36	35	29	27	20				
Pharmacies	16	26	19	20	11	24	38	33				
Non-Resident Pharmacies	16	26	19	20	11	24	38	33				
Wholesaler	16	26	19	20	11	24	38	33				
Veterinary Drug Retailers	16	26	19	20	11	24	38	33				
Designated Representatives	16	26	19	20	11	24	38	33				
Out-of-State Distributors	16	26	19	20	11	24	38	33				
Clinics	16	26	19	20	11	24	38	33				
Hypodermic Needle & Syringe Distributors	16	26	19	20	11	24	38	33				
Sterile Compounding	16	26	19	20	11	24	38	33				
Change of Permit	26	38	20	36	34	32	23	30				
Change of Pharmacist-in-Charge	16	12	3	8	5	6	4	10				
Change of Designated Representative-in-Charge	14	12	2	10	4	4	5	9				
Discontinuance of Business	29	52	70	91	6	12	5	10				

B. Average days to process deficiency documents

Pharmacist (exam application)	3	3	3	3	3	2	4	4				
Pharmacy Intern	5	1	2	2	1	3	3	3				
Pharmacy Technician	3	3	3	2	2	2	2	2				
Pharmacies	12	12	12	8	8	8	5	8				
Non-Resident Pharmacies	12	12	12	8	8	8	5	8				
Wholesaler	12	12	12	8	8	8	5	8				
Veterinary Drug Retailers	12	12	12	8	8	8	5	8				
Designated Representatives	12	12	12	8	8	8	5	8				
Out-of-State Distributors	12	12	12	8	8	8	5	8				
Clinics	12	12	12	8	8	8	5	8				
Hypodermic Needle & Syringe Distributors	12	12	12	8	8	8	5	8				
Sterile Compounding	12	12	12	8	8	8	5	8				

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IV. AVERAGE PROCESSING TIMES (cont.)

C. Average days to issue a license after all deficiencies are corrected

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Pharmacist (initial licensing)	2	2	3	3	2	4	2	3				
Pharmacy Intern	4	2	2	3	2	3	3	5				
Pharmacy Technician	3	3	3	4	3	4	3	3				
Pharmacies	7	7	18	7	9	8	14	14				
Non-Resident Pharmacies	7	7	18	7	9	8	14	14				
Wholesaler	7	7	18	7	9	8	14	14				
Veterinary Drug Retailers	7	7	18	7	9	8	14	14				
Designated Representatives	7	7	18	7	9	8	14	14				
Out-of-State Distributors	7	7	18	7	9	8	14	14				
Clinics	7	7	18	7	9	8	14	14				
Hypodermic Needle & Syringe Distributors	7	7	18	7	9	8	14	14				
Sterile Compounding	7	7	18	7	9	8	14	14				

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V. Revenue Received	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
A. Revenue Received													
Applications	170,967	312,867	172,234	204,801	167,881	139,821	134,821	252,261					\$1,555,653
Renewals	92,011	773,141	1,385,140	969,588	510,893	723,084	972,132	841,886					\$6,267,875
Cite and Fine	129,771	557,650	101,841	97,909	278,779	44,110	205,486	122,836					\$1,538,382
Probation/Cost Recovery	51,160	13,602	69,036	181,162	26,879	18,011	53,248	101,998					\$515,096
Request for Information/Lic. Verification	1,675	2,800	1,100	1,825	1,870	1,555	2,750	1,725					\$15,300
Fingerprint Fee	6,370	8,998	7,546	8,379	6,401	5,537	5,878	7,989					\$57,098
B. Renewals Received													
Pharmacist	1449	1603	1420	1571	1221	1410	1477	1243					11394
Pharmacy technician	2261	2484	2333	2639	2146	2203	632	1985					16683
Pharmacy	198	221	270	885	177	344	524	1077					3696
Pharmacy - Exempt	0	1	82	29	0	0	1	0					113
Sterile Compounding	12	20	11	62	19	18	14	11					167
Sterile Compounding - Exempt	0	0	0	6	0	0	0	0					6
Nonresident Sterile Compounding	1	8	13	0	3	4	1	4					34
Clinics	73	93	55	92	61	57	79	65					575
Clinics - Exempt	0	2	80	75	3	4	0	0					164
Hospitals	18	29	25	81	23	30	45	23					274
Hospitals - Exempt	0	2	66	20	6	0	1	0					95
Drug Room	0	0	0	0	2	1	2	3					8
Drug Room - Exempt	0	0	0	5	0	0	0	0					5
Nonresident Pharmacy	30	26	31	29	23	22	21	24					206
Licensed Correctional Facility	0	0	37	8	3	0	0	0					48
Hypodermic Needle and Syringes	20	18	20	25	19	28	18	14					162
Hypodermic Needle and Syringes - Exempt	0	0	0	0	0	0	0	0					0
Nonresident Wholesalers	60	55	52	52	43	36	45	36					379
Wholesalers	33	53	36	41	25	25	36	35					284
Wholesalers - Exempt	0	0	6	1	0	2	0	0					9
Veterinary Food-Animal Drug Retailer	2	0	3	0	1	1	3	0					10
Designated Representatives	212	262	230	198	169	195	217	204					1687
Designated Representatives Vet	3	9	7	5	1	2	4	2					33
Total	4372	4886	4777	5824	3945	4382	3120	4726	0	0	0	0	36032

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VI. Current Licensees	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Pharmacist	41370	41932	42190	42279	42356	42400	42401	42411				
Intern	5665	5214	5506	5631	5708	5680	5713	5777				
Pharmacy technician	72565	72551	72886	73052	73260	73516	73581	73717				
Pharmacy	6176	6195	6231	6212	6215	6232	6238	6237				
Pharmacy - Exempt	120	121	123	123	123	123	122	121				
Sterile Compounding	254	255	260	255	252	248	249	245				
Sterile Compounding - Exempt	26	26	26	24	24	25	25	25				
Nonresident Sterile Compounding	93	93	93	88	90	91	92	92				
Clinics	1092	1098	1098	1094	1099	1102	1102	1113				
Clinics - Exempt	221	222	222	221	222	219	220	222				
Hospitals	401	402	403	403	401	402	402	401				
Hospitals - Exempt	90	90	89	89	88	88	88	88				
Drug Room	26	26	27	26	27	26	26	26				
Drug Room - Exempt	17	17	17	17	17	17	17	17				
Nonresident Pharmacy	463	467	468	464	466	473	481	478				
Licensed Correctional Facility	51	51	51	51	51	51	51	51				
Hypodermic Needle and Syringes	344	347	350	350	352	352	354	355				
Hypodermic Needle and Syringes - Exempt	1	1	1	1	1	1	1	1				
Nonresident Wholesalers	761	778	781	782	792	794	813	808				
Wholesalers	595	610	604	606	607	610	615	617				
Wholesalers - Exempt	11	11	12	12	12	12	12	12				
Veterinary Food-Animal Drug Retailer	27	27	27	27	27	25	27	27				
Designated Representatives	4506	4503	4549	4583	4608	4635	4673	4695				
Designated Representatives Vet	93	95	95	95	95	95	95	95				
Total	134968	135132	136109	136485	136893	137217	137398	137631	0	0	0	0