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STATE AND CONSUMERS AFFAIRS AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
ARNOLD SCHWARZENEGGER, GOVERNOR

**STATE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
COMMUNICATION AND PUBLIC EDUCATION COMMITTEE
MINUTES**

DATE: January 8, 2008

LOCATION: Department of Consumer Affairs
Santa Barbara Conference Room
1625 N. Market Boulevard, N-118
Sacramento, CA 95834

**BOARD MEMBERS
PRESENT:** Kenneth H. Schell, PharmD, Chairperson
Susan L. Ravnar, PharmD
Hank Hough, Public Member

STAFF PRESENT: Virginia Herold, Executive Officer
Anne Sodergren, Legislation and Regulation Manager
Karen Abbe, Public and Licensee Education Analyst

Call to Order

Chairperson Schell called the meeting to order at 1:04 p.m.

1. Consumer Fact Sheet Series

Dr. Schell summarized information provided in the meeting materials regarding the Consumer Fact Sheet project. The purpose of the project is to integrate pharmacy students into public outreach activities promoting consumer education.

The committee and board staff had been working with the UCSF Center for Consumer Self Care developing consumer fact sheets. During the fall of 2007, UCSF advised they could no longer perform these duties without a stipend to offset their expenses. At the October 2007 Board Meeting, the board accepted the committee's recommendations to offer other schools of pharmacy the opportunity to have their students develop consumer fact sheets. A template was developed for future one-page fact sheets with the following points:

- Title
- Issue/Why Important/Facts/Myths
- Patients Need to Ask/Understand
- What Patients Should Do/Questions to Ask
- Contacts For More Information

A draft letter to deans of potential schools of pharmacy was also provided in the meeting materials. The letter invited participation in the project, emphasizing the benefits and experience to be gained by the students in researching health care topics. The letter also provided guidance about the role that the school's faculty would serve, and the need to provide annotated copies reflecting the origin of information referenced on each fact sheet.

Ms. Herold spoke about the skill set involved in relaying information to consumers in a concise manner. She provided a draft created by the board's graphic artist Victor Perez, demonstrating relevant consumer information in a colorful user-friendly format.

Ms. Herold stated that the template would be sent to schools of pharmacy soon, to get students involved in the project as soon as possible. She further stated that the board approved the committee's recommendation to host a competition to acknowledge the best fact sheets developed. The board will acknowledge the winners of competitions at regular intervals (i.e., yearly or coinciding with quarterly school sessions).

Ms. Herold also referred to a list of potential consumer fact sheet topics provided in the meeting materials. She emphasized that the committee will guide the schools of pharmacy that want to participate in the project, but should also leave the topics open for diversity.

Mr. Hough stated that this project provides a wonderful opportunity for aspiring pharmacists to get experience while writing the fact sheets. He also supported a competition and award program to acknowledge the students and schools.

Michael Negrete, from CSHP, suggested that an RFP be used for open-ended solicitation of topics and material.

Dr. Schell suggested that the list of consumer fact sheet topics be prioritized into high, low, and medium topics.

Ms. Herold stated that the committee had developed a list of priority subjects. These would be referenced.

Dr. Ravnan spoke about faculty from schools of pharmacy having oversight in the initial review of each fact sheet. She suggested that faculty work directly with board staff to prevent duplication of efforts on any particular topics.

Ms. Herold asked Dr. Ravnan if she would serve as one of the faculty advisors on the project.

Dr. Ravnan said she would be willing to do this. She offered to approach UOP with the suggestion that students who participate in the project would earn one unit in an elective class during a semester. She said there are three months in each semester.

Dr. Schell added that the project should be open to residency programs as well.

2. Update Report on *The Script*

Dr. Schell said that the next issue of *The Script* was being finalized for publication and distribution later in January. The focus of the issue would be on new laws, questions and answers about pharmacy practice asked of the board, and new regulation requirements. The issue of *The Script* is planned for July 2008.

Dr. Ravnan suggested that the future issue of *The Script* include steps on how to prevent medication errors. She referred to look-alike and sound-alike medications. It would benefit pharmacists to be reminded when to stop and check for things they may take for granted, and when to call the prescribing physicians for clarification.

Dr. Negrete referred to a keynote address by Mike Cohen relating to 10 things you can do in a pharmacy to reduce medication errors. He noted that Mr. Cohen is speaking at CPhA's annual meeting in February.

Dr. Schell referred to new "mini-clinics" and suggested Q&As for their pharmacists.

Dr. Ravnan noted that one of the questions that arises is whether legitimate prescriptions for medical marijuana can be filled in any pharmacy.

Ms. Herold responded that prescriptions for medical marijuana cannot be filled. Pharmacies can fill a prescription for Marinol. Pharmacies can only buy drugs from licensed manufacturers or wholesalers, so there is no way for a pharmacy to obtain legally medical marijuana.

Dr. Negrete spoke about the SCR 49 Medication Errors Report and recommendations for new labeling.

Ms. Herold asked Dr. Negrete if he would be interested in drafting an article on that topic for *The Script*.

Dr. Negrete said he would consider drafting an article, though he has a fourth-year school of pharmacy student that may also be interested.

Dr. Schell also recommended that the next issue of *The Script* contain information about the licensing exam and how applicants can get licensed timely.

Ms. Herold also noted that a future issue of *The Script* will contain a chart that runs across two pages listing legal requirements for pharmacies to fill (or not fill) a prescription.

3. Development of New Consumer Brochures

Dr. Schell referred to information about the board's brochures provided in the meeting materials. He noted that both the overview brochure and the Prescription Drug Program brochure were bright and colorful.

Mr. Hough gave his support of the brochures provided in the meeting materials.

Dr. Schell raised questions regarding the board's complaint brochure. He was uneasy about the emphasis on soliciting complaints about pharmacists. Dr. Schell also questioned the brochure's title, "Do You Have A Complaint?" and its stark color.

Dr. Ravnan asked whether information in the brochure could be balanced by asking consumers if they want to call attention to an outstanding pharmacist in their community doing great things.

Dr. Negrete suggested that the brochure solicit personal stories about pharmacists. He said that patients should be told why it's great to interact with pharmacists.

Ms. Herold noted that the brochure was intended to accompany the board's complaint form and to advise the public about the board's jurisdiction in resolving complaints involving pharmacists. She stated that CPhA had a brochure describing the profession of pharmacy. She also suggested that Mr. Negrete's "Priceless" video be shown again, perhaps at the January 2008 Board Meeting. The video emphasizes pharmacists' contributions to the public by quality pharmacist care.

Mr. Hough suggested that the title of the complaint brochure be revised to include asking consumers, "Have We Heard From You?"

Ms. Herold noted that additional modifications to the complaint brochure will be considered.

Dr. Schell stated that the language in the "What You Need To Know Before Buying Drugs From Foreign Countries" brochure is being updated to reflect the current market.

Ms. Herold noted that the original language in that brochure served to answer questions about buying drugs from Canada and Mexico, from the Internet, and how to save money on prescription drugs.

Dr. Schell advised that a brochure or fact sheet will be developed with information about the pharmacist exam. He noted that applicants generally do not read or retain the information provided in the board's Web site regarding the pharmacist exam.

4. Notice to Consumers

Dr. Schell summarized information contained in the meeting materials regarding the Notice to Consumers posters required by 16 CCR Section 1707.2. Amendments to 16 CCR Section 1707.2(g) created additional requirements for a Notice to Consumers poster regarding patients' rights to obtain lawfully prescribed medicine from a pharmacy.

Ms. Herold provided several full-color mock-ups of posters for the committee's comments. She said that a lot of information is now required to be posted, and it will be difficult to place all required information onto one poster. She noted that pharmacies have limited wall space, so this will be taken into consideration as well.

Ms. Herold advised that the Department's graphic artist created a mock-up, as well as board staffer Victor Perez. The state's printing plant will also be asked to create a mock-up for consideration.

Ms. Herold emphasized that if two posters are used, they should have a consistent theme and need to be "related" to each other. She also noted that two posters could result in some duplication of information on each poster. Name recognition of the board is important as well, and the posters should emphasize patients' rights to get medicines prescribed to them.

There was a discussion during the meeting about font sizes and colors, and which mock-ups provided the most readable information for consumers.

Dr. Negrete asked whether the wording on the posters could be changed.

Ms. Herold responded, no. The regulation specifies the wording on the poster(s); however, the order of the text could be shifted from one area to another.

Mr. Hough supported a one-poster concept, highlighting essential points in an outline form.

Ms. Herold noted that the posters create an opportunity to encourage patient consultations.

A member of the audience suggested that the posters be reviewed by an optometrist. She also noted that some states require a one-inch minimum font size.

Dr. Schell reminded the committee that pharmacies with wall space constraints also have the option of printing the added information onto a receipt.

Dr. Negrete suggested having the final choices reviewed by consumers as a target audience, such as the Gray Panthers.

Ms. Herold stated that consumer hearings will be held statewide regarding new labeling, and the board could display the posters at that time and ask for input.

Dr. Schell also noted that due to recent appointments by the Governor, the board now has a full complement of board members who can give input on this issue.

Russ Heimerich, Public Information Officer for the Office of Public Affairs, suggested the posters be brought to DCA outreach events. He said that Michael Lafferty could provide information about different events.

5. Establishment of Public Hearing Schedule to Implement Senate Bill 472, Standardized, Patient-Centered Prescription Labels by 2011

Dr. Schell summarized information from the meeting materials regarding the establishment of a hearing schedule to implement Senate Bill 472. The new legislation requires standardized, patient-centered prescription labels by 2011.

Dr. Schell noted that the public will be given free reign to comment at the meetings. He said the committee is taking the matter seriously, and the public's input is critical. Dr. Schell added that he is looking forward to the process of getting new labels out to consumers.

Mr. Hough said that consumers, particularly seniors, need to take responsibility for taking medications as directed. He said you can only do so much hand-feeding to consumers. He emphasized that patients can choose to either live well or not, and that there are consequences to their actions. Prescription drugs allow seniors to live better, longer, and stay out of hospitals.

Dr. Schell agreed that patient adherence is a problem, but there is a perception that the current labels engender confusion for patients. Improved labeling should help eliminate some of that confusion.

Dr. Negrete spoke about root causes and patient motivations. He offered to send information to the committee regarding that issue.

Philip Swanger, CSHP, noted that it is good to get feedback from the public, and he asked about a plan for outreach opportunities.

Ms. Herold said that sponsors of the legislation will be providing a mailing list. The Department's mailing list, as well as the Gray Panthers' and CSHP mailing lists, will be used as well. She emphasized the need to set the public hearing dates so people could plan ahead to attend.

Mr. Swanger suggested noticing the hearings in *The Sacramento Bee*.

Ms. Herold noted that the Latino Coalition for Health Care, the Gray Panthers, and a third sponsor affiliated with health literacy would be participating. The board will also invite the California Medical Association to give input as well. She said the sponsors want to attain the printing of labels in languages other than English.

Ms. Herold noted that the wording on auxiliary labels (i.e., warnings about sunlight or taking a medicine with grapefruit juice) could be standardized.

6. Board of Pharmacy Web Site Redesign

Dr. Schell noted that the Governor's Office directed all state agencies to develop a state-standardized Web site by November 1, 2007, and the board met this deadline. Board staffers Kim de Long and Victor Perez worked on this project.

The board will be adding a web page devoted to locating information on electronic pedigree requirements in California.

A full color copy of one of the board's Web pages and one page of the Department of Consumer Affairs site were provided in the meeting materials.

Dr. Schell advised that he received positive feedback on the board's new Web site from a board critic. The tabs at the top of each page were particularly helpful.

7. Miscellaneous Consumer Issues/Articles in the Media

Dr. Schell referred to copies of articles in the news provided in the meeting materials. He noted an article about a survey of parents' views of over-the-counter cold and cough medications for children under age six. The survey was conducted after the FDA noted safety concerns. The survey highlighted parents' confusion about whether to continue using the medications.

Mr. Hough noted that the information provided regarding buying prescriptions drugs on-line was also helpful.

Dr. Schell also noted the article in U.S. News & World Report entitled, "Drugs That Go Untaken." The article highlighted the medication adherence issue.

8. Update on the Board's Public Outreach Activities

Dr. Schell referred to a list provided in the meeting materials. He stated that board staff have done a good job of doing outreach to community groups, and he commended their efforts. He noted 12 public outreach events that the board participated in between September and December 2007. He said the board is active and takes consumer protection seriously.

Adjournment

There being no additional business, Chairperson Schell adjourned the meeting at 3:24 p.m.