



**California State Board of Pharmacy**

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

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**California State Board of Pharmacy  
Department of Consumer Affairs  
Notice of Public Board Meeting  
October 20 – 21, 2004**

This board meeting is open to the public and is held in a barrier-free facility in accordance with the Americans with Disabilities Act. Any person with a disability who requires a disability-related modification or accommodation in order to participate in the public meeting may make a request for such modification or accommodation by contacting Candy Place at telephone number (916) 445-5014, at least five working days prior to the meeting.

Opportunities are provided to the public to address the board on each open agenda item.

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**Agenda**

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**DATE: October 20 - 21, 2004**

**PLACE: Hyatt Regency San Francisco Airport  
1333 Bayshore Highway  
Burlingame, CA 94010  
650-347-1234**

***Note: Pharmacists who attend the full day of the board meeting on Wednesday, October 20, 2004, may be awarded 6 hours of CE, in accordance with the board's CE policy.***

**Wednesday, October 20, 2004**

**CALL TO ORDER 9:00 a.m.**  
**Announcements/ Introductions**

**I. Committee Reports And Action**

*Each committee report contains an update to the board on the committee's recent activities and may include recommendations for board action. An opportunity for public comment is provided at the end of each report.*

**A. Organizational Development Committee 9:10 a.m.**

1. Board President's Report
2. Report on the meeting of September 21, 2004
  - a. Discussion on How the Board of Pharmacy Can Improve and Facilitate Communications with the Public and its Licensees

***Meeting materials will be available on the board's Web site at [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov) by October 15<sup>th</sup>***

- b. California Performance Review – A Proposal to Restructure State Government and its Proposal for the the Board of Pharmacy
  - c. Budget Update and Report
  - d. Personnel Update
  - e. Meeting Summary
3. Quarterly Status Report on Committee Strategic Objectives for 2004/05
  4. Approval of Full Board Minutes (July 21-22, 2004)
- Public Comment

**B. Communication and Public Education Committee**

**10:00 a.m.**

1. Report on the Meeting of September 21, 2004
    - a. Development of Consumer Fact Sheet Series with UCSF’s Center for Consumer Self Care
    - b. Report on the California Health Communication Partnership
    - c. Presentation by the Center for Health Improvement: Pending Survey to Study the Impact of the Patient Consultation Mandate on Older Californians
    - d. Discussion on How the Board of Pharmacy Can Improve and Facilitate Communications with the Public and Licensees
    - e. Update on The Script
    - f. Update on Health Notes and Proposal for Health Notes Issue on Pharmacy Services Following a Natural Disaster
    - g. Establishment of Internet Subscriber Lists for Board Materials
    - h. Update on Public Outreach Activities
    - i. Meeting Summary
  2. Quarterly Status Report on Committee Strategic Objectives for 2004/05
- Public Comment

**Break**

**11:00 a.m.**

**C. Licensing Committee**

**11: 15 a.m.**

1. Report on the Meeting of September 22, 2004
  - a. Proposed Omnibus Legislative Changes for 2005 Related to:
    - Elimination of the Rules of Professional Conduct (Bus. & Prof. Code sec. 4005)
    - Clarification of Designated Representative Requirements for Wholesalers (Bus. & Prof. Code sec. 4053)
    - Technical Updates to Various Licensing Provisions (Bus. & Prof. Code sec. 4127.5, 4205 and 4206)
    - Fee Schedule Technical Changes (Bus. & Prof. Code sec. 4400)
  - b. Proposed Legislative Change to the Pharmacist License Renewal Process Related to the Continuing Education Requirement (Bus. & Prof. Code sec. 4231 and 4232)
  - c. Proposed Regulation Change to Implement SB 1913 Related to Foreign Pharmacy School Graduates and the Certification Process by the Foreign Pharmacy Graduate Examination Committee (CCR, title 16, sec. 1720.1)
  - d. Proposed Regulation Change to Implement SB 1913 Related to the Application Process for the Pharmacist Licensure Examination and Intern Experience Requirements (CCR, title 16, sec. 1728)
  - e. Proposed Omnibus Regulation Changes to Implement SB 1913 and Update of Licensing Requirements
    - Abandonment of Application Files, Failure to Pay Fee for Pharmacist Licensure and Failure to take Pharmacist Licensure Examination Within One Year (CCR, title 16, sec. 1706.2)
    - Recognized Schools of Pharmacy (CCR, title 16, sec. 1719)
    - Application for Examination and Licensure (CCR, title 16, sec. 1720)
    - Acceptable Pharmacy Coursework for Examination Candidates with Four Failed Attempts (CCR, title 16, sec. 1725)
    - Supervision of Intern Pharmacists (CCR, title 16, sec. 1726)
    - Deletion of Intern Pharmacist Requirements (CCR, title 16, sec. 1727)
    - Technical Changes to Fee Schedule (CCR, title 16, sec. 1749)

- Deletion of Fee Schedule for a Warehouse License (CCR, title 16, sec. 1750)
  - f. Proposed Regulation Change to Update Continuing Education Provisions (CCR, title 16, sec. 1732 – 1732.7)
  - g. Report on the Implementation of the North American Pharmacy Licensure Examination (NAPLEX) and the California Pharmacist Jurisprudence Examination (CPJE) - Status on the Restructuring of the Competency Committee
  - h. Workgroup on Compounding – Meeting Summary
  - i. Meeting Summary
  - j. Competency Committee Report – Job Analysis Survey
2. Quarterly Status Report on Committee Strategic Objectives for 2004/05

Public Comment

**Lunch**

**12: 30 p.m.**

**D. Enforcement Committee**

**2:00 p.m.**

1. Report on the Enforcement Committee and Team Meeting of September 29, 2004
  - a. Discussion on the Importation of Prescription Drugs
  - b. Proposed Legislative Changes to Update the Law Regarding the Pharmacists Recovery Program (Bus. & Prof. Code sec. 4360-4373)
  - c. Proposed Legislative Change to Update the Pharmacy Technician Program (Bus. & Prof. Code sec. 4038 , 4114, 4115, 4115.5 and 4202)
  - d. Proposed Omnibus Legislative Change Related to Letter of Admonishment (Bus. & Prof. Code sec. 4315)
  - e. Proposed Regulation Change to Implement SB 1913 Related to the Use of Technologies to Record the Identification of a Pharmacist Sign Off to Document Verification of the Prescription (CCR, title 16, sec. 1712)
  - f. Proposed Regulation Change to Amend CCR, title 16, sec. 1715 – Proposed Revisions to the Self-Assessment Forms for Community and Hospital Pharmacies
  - g. Request by Longs Drug Stores for Waiver of CCR, title 16, sec. 1717(e) to Install a 24-Hour Prescription Drop-Off Kiosks Not Located on the Licensed Pharmacy Premises
  - h. Request by Longs Drug Stores for Waiver of CCR, title 16, Sec. 1717(e) to Use a Device to Dispense Prescription Medications When the Pharmacy is Closed
  - i. Proposed Regulation Change to CCR, title 16, sec. 1717(e) to Authorize a Pharmacy to Use an Automated Dispensing Device and/or Other Secured Means to Depot Prescription Medications and Prescriptions
  - j. Implementation of SB 151 (Chapter 406, Statutes of 2003) – New Requirements for Controlled Substances Prescriptions and the Elimination of the Triplicate
  - k. Enforcement Committee Meeting Summary
  - l. Enforcement Team Meeting Summary
  - m. Report on Enforcement Actions
2. Quarterly Status Report on Committee Strategic Objectives for 2004/05

Public Comment

**E. Legislation and Regulation Committee**

**3:00 p.m.**

1. Regulations Report and Action
 

**Approved by the Office of Administrative Law**

  - a. Adoption of Amendment to CCR, title 16, sec. 1709.1 – Pharmacist-in-Charge
  - b. Adoption of Amendment to CCR, title 16, sec. 1710 – Hospital Central Fill
  - c. Adoption of Amendment to CCR, title 16, sec. 1711 – Notification of a Prescription Error
  - d. Adoption of Amendment to CCR, title 16, sec. 1717.1 – Common Electronic Files
  - e. Adoption of Amendment to CCR, title 16, sec. 1717.4 - Authentication of Prescriptions
  - f. Adoption of Amendment to CCR, title 16, sec. 1720 – Pharmacist License Process
  - g. Adoption of Amendment to CCR, title 16, sec. 1721 – Pharmacist Exam
  - h. Adoption of Amendment to CCR, title 16, sec. 1723.1 – Confidentiality of Exam Questions

- i. Adoption of Amendment to CCR, title 16, sec. 1724 - Passing Score on the Examination
- j. Adoption of Amendment to CCR, title 16, sec. 1749 and 1793 et seq. – Pharmacy Technicians
- k. Adoption of Amendment to CCR, title 16, sec. 1793.3 – Non-Licensed Person (Clerk-typist)
- l. Adoption of Amendment to CCR, title 16, sec. 1751 et seq. – Sterile Compounding

**Board Approved and Pending Administrative Approval**

Adoption of CCR, title 16, sec. 1746 – Statewide Protocol for Dispensing Emergency Contraception Products

- 2. Legislation Report and Action
  - a. Board-Sponsored Legislation
  - b. Pending or Introduced Legislation Related to the Practice of Pharmacy
- 3. Quarterly Status Report on Committee Strategic Objectives for 2004/2005

Public Comment

**II. New Business/Agenda Items for Future Meetings**

**3:30 p.m.**

**III. Closed Session**

The board will move into Closed Session pursuant to Government Code Section 11126(c)(3) to deliberate upon disciplinary cases.

*Recess – The public board meeting will resume on October 21, 2004, at 8:30 a.m.*

<b>Legislation and Regulation Committee Public Meeting</b>	
<b>Agenda</b>	<b>(Upon recess of the Board Meeting)</b>
<ul style="list-style-type: none"> <li>A. Overview of the Legislative and Regulatory Processes Presentation by: Paul Riches, Chief of Legislation and Regulation</li> <li>B. Public Requests for Legislative and Regulatory Proposals for 2005               <ul style="list-style-type: none"> <li>a. Discussion on How the Board Can Improve and Facilitate Communications with the Public and Licensees</li> </ul> </li> </ul>	

**Thursday, October 21, 2004**

**IV. Petition for Early Termination of Probation**  
Farooque Virani

**8:30 a.m.**

**V. Petition for Reinstatement**  
Robert Masse

**VI. Petition for Reinstatement and Reduction in Penalty**  
Chu Vu

**VII. Closed Session**

The board will move into Closed Session pursuant to Government Code Section 11126(c)(3) to deliberate upon disciplinary cases and the petitions for reinstatement and early termination of probation.

**Adjournment**

**12 noon**