



**California State Board of Pharmacy**  
1625 North Market Blvd., N219, Sacramento, CA 95834  
Phone (916) 574-7900  
Fax (916) 574-8618  
[www.pharmacy.ca.gov](http://www.pharmacy.ca.gov)

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

Virginia Herold  
(916) 574-7911

**California State Board of Pharmacy  
Department of Consumer Affairs  
Notice of Public Board Meeting  
April 21 & 22, 2010**

This board meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Tessa Fraga at (916) 574-7912, by emailing [tessa\\_fraga@dca.ca.gov](mailto:tessa_fraga@dca.ca.gov), or sending a written request to the Board of Pharmacy, 1625 N. Market Blvd., Suite N-219, Sacramento, CA 95834. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

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**DATE:** April 21 & 22, 2010

**PLACE:** Loma Linda University  
Damazo Amphitheater, Centennial Complex  
24760 Stewart Street (Corner of Anderson and Stewart Streets)  
Parking is in Lot X, Corner of Stewart and Campus Streets (just west of Complex)  
Loma Linda, CA 92354  
(Map of campus follows this agenda as last page)

*Note: Pharmacists and pharmacy technicians who attend the full day of the board meeting on Thursday, April 22, 2010, may be awarded 6 hours of CE, in accordance with the board's CE policy.*

The board's strategic plan organizes board activities into five committees of the board. Correspondingly, the board meeting agenda is organized around the committee reports as updates to the board on each committee's recent activities. Action may be taken on any item on the agenda. An opportunity for public comment is provided for each open agenda item and at the end of each committee's report. All times are approximate and subject to change.

Time limitations for discussion and comment will be determined by the President.

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**Agenda**

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***DISCUSSION AND ACTION MAY BE TAKEN ON ANY ITEM LISTED ON THE AGENDA.***

**Wednesday, April 21, 2010**

I. **Closed Session** **8:30 a.m.**  
Pursuant to Government Code section 11126(c)(3), the Board will convene in closed session to deliberate on disciplinary decisions.

**OPEN SESSION:**

II. **Petitions for Reinstatement** **9:00 a.m.**  
Evan Stein

**III. Closed Session**

Pursuant to Government Code section 11126(c)(3), the Board will convene in closed session to deliberate on disciplinary decisions and the petitions for reinstatement.

**OPEN SESSION:**

**CALL TO ORDER**

**12:30 p.m.**

**General Announcements**

**IV. Recognition of Pharmacists Licensed with the Board for 50 Years**

**V. Approval of the Full Board Meeting Minutes of January 20 and 21, 2010**

**VI. Approval of the Full Board Meeting Minutes of February 17, 2010**

**VII. Communication and Public Education Committee Report and Action**

There has been no meeting of the Communication and Public Education Committee During this Quarter

- a. **Board of Pharmacy Video on Steps Consumers Can Take to Prevent Receiving Med Errors**
- b. **Update Report on *The Script***
- c. **Update on Public Outreach Activities**
- d. **Third Quarterly Report on Committee Goals for 2009/10**

**VIII. Licensing Committee Report**

There has been no meeting of the Licensing Committee During this Quarter

- a. **Report Released: Addressing Drug and Device Recalls in Hospitals**
- b. **Review and Possible Approval of Accreditation Agencies for Sterile Injectable Compounding Pharmacies**
  - 1. Accreditation Commission for Health Care, Inc (ACHC)
  - 2. Community Health Accreditation Program (CHAP)
- c. **Processing Timelines and Work Flow of the Board**
- d. **Competency Committee Report**
  - 1. Action to Review and Approve a New Content Outline for the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE)
  - 2. New English Language Proficiency Requirements for NABP's Foreign Pharmacy Graduate Examination Committee
- e. **Third Quarterly Report on Licensing Committee Goals for 2009/10**

**IX. Legislation and Regulation Committee Report and Action**

There has been no meeting of the Legislation and Regulation Committee During this Quarter

**LEGISLATION REPORT**

**a. Board-Sponsored Legislation**

- 1. Discussion Regarding the Executive Staff's Written Response to the Chair of the Assembly Business and Professions Committee For a Report on Board-Sponsored Legislation for 2009-10
- 2. AB 977 (Skinner) Pharmacists: Immunization Administration - Proposal to Amend B&PC §4052.8
- 3. SB 1489 Omnibus Provisions (Senate Committee on Business, Professions and Economic Development)
  - (A) Amend §4196(e) – Veterinary Food-Animal Drug Retailer; Designated Representative in Charge
  - (B) Add §4200.1 – Retaking Examinations; Limits; Requirements (NAPLEX and CPJE 4 Time Failure)

- (C) General Provisions Correcting a Name Change from the Department of Health Services to the State Department of Public Health.
  - Amend §4017 – Authorized Officers of the Law
  - Amend §4028 – Definition of Licensed Hospital
  - Amend §4037 – Definition of Pharmacy
  - Amend §4052.3 – Emergency Contraception Drug Therapy; Requirements and Limitations
  - Amend §4059 – Furnishing Dangerous Drugs or Devices Prohibited Without Prescription: Exceptions
  - Amend §4072 – Oral or Electronic Transmission of Prescription – Health Care Facility
  - Amend §4119 – Furnish Prescription Drug to Licensed Health Care Facility – Secured Emergency Supplies
  - Amend §4127.1 – License to Compound Injectable Sterile Drug Products Required
  - Amend §4169 – Prohibited Acts (also, strike operative date of 2008)
  - Amend §4181 – License Requirements; Policies and Procedures; Who May Dispense
  - Amend §4191 – Compliance with California Department of Public Health Requirements; Who May Dispense Drugs
- (D) Provision to update a reference to the Physical Therapy Board of California (formerly known as the Physical Therapy Examining Committee of California)
  - Amend §4059 – Furnishing Dangerous Drugs or Devices Prohibited Without Prescription: Exceptions
- (E) Provisions to update references to the Department of Health Care Services (formerly known as the Department of Health Services)
  - Amend §4425 – Pharmacy Participation in Medi-Cal Program; Conditions; Department of Health Care Services Utilization Review and Monitoring
  - Amend §4426 – Department of Health Care Services to Study Reimbursement Rates
- (F) Provisions to Correct a Transposition Error in Terminology “Food-Animal Drug Retailer” (current Law States “Food Drug Animal Retailer”)
  - Amend §4101 – Designated Representative-in-Charge of a Wholesaler or Veterinary Food-Animal Drug Retailer
- 4. Board Sponsored Provisions Not Included in 2010 Legislation
  - (A) Reverse Distributors – Provisions to Specify the Operations of Reverse Distributors
    - Amend §4040.5 Reverse Distributor
    - Amend §4081 Records of Dangerous Drugs and Devices Kept Open for Inspection; Maintenance of Records, Current Inventory
    - Amend §4126.5 Furnishing Dangerous Drugs by a Pharmacy
  - (B) Changes Proposed by the Board for Enhancement of the Board’s Enforcement Program
    - Amend §4081 - Records of Dangerous Drugs and Devices Kept Open for Inspection; Maintenance of Records, Current Inventory
    - Amend §4104 - Licensed Employee, Theft or Impairment, Pharmacy Procedures
    - Amend §4112 - Nonresident Pharmacy; Registration; Provision of Information to Board; Maintaining Records; Patient Consultation
  - (C) Changes for the Pharmacist Recovery Program
    - Amend §4362 – Pharmacists Recovery Program

**b. Legislation Impacting the Practice of Pharmacy or the Board’s Jurisdiction**

- 1. Board of Pharmacy
  - AB 2104 (Hayashi) – California State Board of Pharmacy
  - SB 1390 (Corbett) – Prescription Container Labels
- 2. Pharmacy Practice
  - AB 1869 (Anderson) – Pharmacy (spot bill)
  - AB 1916 (Davis) – Pharmacies: Mandatory Reporting of Med Errors
- 3. Sunset Review and Legislative Oversight Proposals
  - AB 1659 (Huber) – State Government, Agency Repeals
  - AB 2130 (Huber) – Joint Committee on Boards, Commissions and Consumer Protection
  - SB 954 (Harmon) – Legislative Procedure, Committee Referrals
  - SB 1171 (Negrete McLeod) – Regulatory Boards, Operations
  - SB 1172 (Negrete McLeod) – Sunset of Diversion Program

4. Regulation of Dangerous Drugs and Devices
  - AB 1455 (Hill) -- Pseudoephedrine
  - AB 2548 (Block) – CURES – Prescription Drug Monitoring Program
  - SB 971 (Pavley) – Bleeding Disorders: Blood Clotting Products
  - SB 1071 (DeSaulnier) – CURES
  - SB 1106 (Yee) – Prescribers – Dispensing of Samples
5. Pharmacy Licensing Issues
  - AB 2077 (Solorio) – Centralized Hospital Packaging Pharmacies
  - AB 2292 (Lowenthal) – Pharmacy: Clinics
  - AB 2551 (Hernandez) – Pharmacy Technician: Scholarship and Loan Repayment Program
6. Distribution of Needles and Syringes
  - AB 1701 (Chesbro) – Hypodermic Needles and Syringes
  - AB 1858 (Blumenfield) – Hypodermic Needles and Syringes: Exchange Services
  - AB 2139 (Chesbro) – Solid Waste: Product Stewardship
  - SB 1029 (Yee) -- Hypodermic Needles and Syringes
7. General / Other
  - AB 2112 (Monning) – Prescription Record Privacy Act
8. Other Legislation Impacting the Board's Jurisdiction

**X. Public Comment for Items Not on the Agenda/Agenda Items for Future Meetings**

*Note: The board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a)]*

**Recess for Day**

**Thursday, April 22**

- XI. Closed Session 8:00 a.m.**  
 Pursuant to Government Code section 11126(c)(3), the Board will convene in closed session to deliberate on disciplinary decisions.
- XII. Possible Action on Proposed Regulation Section 1707.5 9:00 a.m.**
- a. Discussion Regarding Adoption of New Section at Title 16 California Code of Regulations Section 1707.5 – Requirements For Patient-Centered Prescription Container Labels
  - b. Public Comment
  - c. Possible Action to Adopt or Amend Proposed Text at Title 16 California Code of Regulations Section 1707.5 – Requirements For Patient-Centered Prescription Container Labels

**REGULATION REPORT**

- a. **For Board Discussion**  
 Discussion Regarding Possible Regulation Specifying Consumer Notice for Language Assistance Interpretative Services Provided in Pharmacies
- b. **Board Approved – Undergoing Administration Review**
  1. Adopt Sections 1721 and 1723.1 in Division 17 of Title 16 of the Code of Regulations Regarding Dishonest Conduct During a Pharmacist's Licensure Examination/Confidentiality
  2. Adopt New Section at Title 16 California Code of Regulations Section 1702 -- Fingerprint Submissions for Pharmacists
- c. **Board Approved – Awaiting Notice**
  1. Title 16 of the California Code of Regulations, Amendments to Section 1746 of – Emergency Contraception Protocol (including Correct Typographical Error: Mcg Instead of Mg)
  2. Title 16 CCR Section 1732.2 – Board Issued Continuing Education Credit

**d. Board Approved Regulations – Under Development**

1. Title 16 CCR 1785 – Self-Assessment of a Veterinary Food-Animal Drug Retailer
2. Title 16 CCR Section 1751.9 – Accreditation Agencies for Pharmacies that Compound Injectable Sterile Drug Products
3. Title 16 CCR Section 1780 – Update the USP Standards Reference Material

**Third Quarterly Report on Legislation/Regulation Committee Goals for 2009/10**

**Lunch**

**XIII. Enforcement Committee Report and Action**

There has been no meeting of the Enforcement Committee During this Quarter

- a. Discussion and Possible Action Regarding the Drug Enforcement Administration’s Proposed Regulations for the E-Prescribing of Controlled Substances
- b. Review of the Federal Food and Drug Administration’s Guidance on the Standardized Numeric Identifier for Prescription Drugs
- c. Discussion and Possible Action Regarding Provisions of the Department of Consumer Affairs New Enforcement Model Contained in SB 1111 (Negrete-McLeod)
- d. Discussion and Possible Action Regarding Changes to Current Regulations and Statutory Requirements to Implement the Uniform Standards Recommended by DCA’s Substance Abuse Coordination Committee (per SB 1441, Ridley-Thomas, Chapter 548, Statutes of 2008)
- e. Update on California Drug “Take Back” Programs from Patients
- f. Enforcement Statistics 2009-10
- g. Third Quarterly Report on Enforcement Committee Goals for 2009/10

**Public Comment**

**XIV. Organizational Development Committee Report and Action**

There has been no meeting of the Organizational Development Committee During this Quarter

- a. **Budget Update/Report**
  1. Budget Reports for 2009/10
  2. Fund Condition Report
  3. Budget Change Proposals for the 2010/11 Budget
  4. Reimbursement to Board Members
  5. BreEZe Progress
- b. **National Association of Boards of Pharmacy Annual Meeting in May 2010 in Anaheim**
- c. **Recognition Program of Pharmacists Who Have Been Licensed 50 Years**
- d. **Personnel Update**
- e. **Third Quarterly Report on the Committee’s Goals for 2009/10**

**XV. Election of Board Officers for 2010-11**

**XVI. Public Comment for Items Not on the Agenda/Agenda Items for Future Meetings**

*Note: The board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a)]*

**ADJOURNMENT**

**Centennial Complex – Damazo Amphitheater**

**24760 Stewart Street – Loma Linda - CA**

**Please use Convention Parking Lot**

