



California State Board of Pharmacy

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STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

NOTICE OF MEETING AND AGENDA

Public Board Meeting January 31 – February 1, 2012

**Contact Person: Virginia Herold
(916) 574-7911**

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 Richard Hultgren at (916) 574-7934, by emailing richard.hultgren@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.

DATE: January 31-February 1, 2012
PLACE: Embassy Suites San Francisco Airport
150 Anza Blvd.
Burlingame, CA 94010

NOTE: Pharmacists and pharmacy technicians who attend in person the January 31st day of the Board Meeting may be awarded 6 hours of CE, in accordance with the Board's CE policy. Sign in and sign out that day are required for the CE credit.

Unless noticed as "time certain," agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 574-7934 or access the Board's Web site at www.pharmacy.ca.gov.

Discussion and action may be taken on any item on the agenda. The board may discuss agenda items in any order on each day, unless noticed as "time certain." 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.

Agenda

Tuesday, January 31, 2012

Call to Order

9:30 a.m.

I. CLOSED SESSION

Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on Disciplinary Matters.

- II. General Announcements
- III. Approval of the Full Board Meeting Minutes of October 18 & 19, 2011
- IV. Approval of the Full Board Meeting Minutes of December 6, 2011
- V. Public Comment on 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)]
- VI. RECOGNITION AND CELEBRATION OF PHARMACISTS LICENSED FOR 50 YEARS IN CALIFORNIA
- VII. PRESENTATION BY EDWARD O'BRIEN, CHAIR, RESEARCH ADVISORY PANEL OF CALIFORNIA, ON THE 40TH ANNUAL REPORT OF THE RESEARCH ADVISORY PANEL OF CALIFORNIA
- VIII. LICENSING COMMITTEE REPORT
Report of the Meeting Held December 14, 2011
 - a. Discussion and Possible Action on Requests for Approval by the Board as Accreditation Agencies for Licensed Sterile Injectable Compounding Pharmacies from:
 - 1. Pharmacy Compounding Accreditation Board (PCAB)
 - 2. American Osteopathic Association Healthcare Facilities Accreditation Program (HFAP)
 - b. Update on Survey Results on Manpower Assessment Data Collected from the Board's Web site as Required by the Office of Statewide Health Planning and Development
 - c. Summary of a Presentation to the Committee by TCGRx on a Remote Tablet Packager
 - d. Summary of Discussion to Develop Regulation Requirements to Specify Standards for Agencies that Accredit Licensed Sterile Injectable Compounding Pharmacies (Proposed as 16 California Code of Regulations Section 1751.9)
 - e. Discussion and Possible Action on a Proposal to Specify Continuing Education Credit for Pharmacists in Specific Content Areas
 - f. Discussion on Implementation of AB 2699 (Bass, Chapter 270, Statutes of 2010) on the Board of Pharmacy and Discussion to Develop Regulation Requirements
 - g. Competency Committee Report
 - h. Licensing Statistics
 - i. Workload and Processing Statistics
 - j. Summary of the Meeting Held December 14, 2011
 - k. Second Quarterly Report on the Committee's Goals for 2011/2012New Licensing Committee Items Not Discussed During the December 14, 2011 Meeting
 - l. Discussion on the Implementation of AB 1424 (Perea, Chapter 455, Statutes of 2011) Regarding Franchise Tax Board and New Requirements for Denying or Suspending a License for Delinquent Tax Debt
 - m. Selection of Licensing Committee Meeting Dates for 2012

IX. DEMONSTRATION OF WALGREEN'S NEW PHARMACY DESIGN MODEL TO PROMOTE PATIENT ACCESS TO PHARMACISTS

X. BOARD DISCUSSION AND POSSIBLE ACTION ON PROPOSED REGULATIONS TIME CERTAIN 1:30 p.m.

- a. Regulation Hearing to Amend the Board's Disciplinary Guidelines at Title 16 California Code of Regulations Section 1760, Including to Incorporate Recommendations of the Substance Abuse Coordination Committee (Pursuant to SB 1441, Ridley-Thomas, Chapter 548, Statutes of 2008)
- b. Review and Discussion of Comments for Noticed Rulemaking
- c. Board Discussion and Possible Action to Adopt 16 California Code of Regulations Section 1760, Regarding the Board's Disciplinary Guidelines, Including to Incorporate Recommendations of the Substance Abuse Coordination Committee (Pursuant to SB 1441, Ridley-Thomas, Chapter 548, Statutes of 2008)

XI. DISCUSSION AND POSSIBLE ACTION TO CONVENE A PAIN MANAGEMENT SUMMIT JOINTLY WITH THE MEDICAL BOARD OF CALIFORNIA LATER IN 2012 FOR PRESCRIBERS AND PHARMACISTS

XII. REPORT OF THE COMPOUNDING REGULATION SUBCOMMITTEE MEETING HELD JANUARY 4, 2012, AND POSSIBLE ACTION TO RECOMMEND INITIATION OF A RULEMAKING TO MODIFY ARTICLE 4.5 AND ARTICLE 7 OF TITLE 16 OF THE CALIFORNIA CODE OF REGULATIONS

XIII CLOSED SESSION

Pursuant to Government Code Sections 11126(c)(3) and 11126(a)(1) the Board Will Convene in Closed Session to Deliberate on Disciplinary Matters and to Evaluate the Performance of the Board's Executive Officer

ADJOURNMENT FOR THE DAY

Wednesday, February 1, 2012

XIV. CLOSED SESSION 8:00 a.m.

Pursuant to Government Code Section 11126(c)(3) and 11126(a)(1) the Board Will Convene in Closed Session to Deliberate on Disciplinary Matters and to Evaluate the Performance of the Board's Executive Officer

Call to Order -- RESUMPTION OF THE OPEN SESSION 8:30 a.m.

XV. ORGANIZATIONAL DEVELOPMENT COMMITTEE REPORT

There was no meeting of the Organizational Development Committee this past quarter.

- a. Budget Update/Report
 - 1. Budget Report for 2011/12
 - 2. Fund Condition Report

3. **Governor's Proposed Budget for 2012/13**
4. **Update on BreEZe, DCA's Plans for a New Computer System**
5. **Reimbursement to Board Members**
- b. **Recognition Program of Pharmacists Who Have Been Licensed 50 Years**
- c. **Personnel Update**
- d. **Second Quarterly Report on the Committee's Goals for 2011/12**

XVI. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE STRATEGIC PLAN OF THE BOARD OF PHARMACY FOR 2012-2017 – PRESENTATION BY DANIEL IOCANFANO, MOORE IACOFANO GOLTSMAN (MIG)

XVII. ENFORCEMENT COMMITTEE REPORT

There was no meeting of the Enforcement Committee in the past quarter.

- a. **Presentation of an Overview of California's Pharmacists Recovery Program as Provided in Business and Professions Code Sections 4360 et. seq**
- b. **Discussion of the Future of CURES Following Budget Reductions to the Department of Justice, Bureau of Narcotic Enforcement**
- c. **Review of Enforcement Statistics and Performance Standards of the Board**
- d. **Second Quarterly Update of the Committee's Strategic Performance Goals for 2010/11**

XVIII. LEGISLATION AND REGULATION COMMITTEE REPORT

PART I – REGULATIONS

a. Board Adopted Regulations – Approved by the Office of Administrative Law

Add Title 16 Section 1707.6 and Amend Section 1707.2 Regarding Consumer Notices and Duty to Consult – Consumer Notice for Language Assistance Interpretive Services Provided in Pharmacies and the Ability to Request 12-Point Font on Prescription Drug Container Labels [*Effective Date: February 16, 2012*]

b. Board Approved – Undergoing Review by the Administration

1. Amend Title 16 CCR Section 1732.2 – Board Accredited Continuing Education [*45-Day comment period: October 8-November 22, 2010; February 4-21, 2011. Pending Review at the Office of Administrative Law.*]
2. Add Title 16 Section 1727.2 – Requirements for Pharmacist Interns – To Require Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB-HIPDB) [*45-day comment period: May 6-June 20, 2011. Pending Review at Department of Finance.*]
3. Amend Title 16 Section 1728 – Requirements for Pharmacist Examination - Amend to Require Applicants to Submit a Self-Query from the National Practitioner Data Bank – Healthcare Integrity & Protection Data Bank (NPDB-HIPDB) [*45-day comment period: May 6-June 20, 2011. Pending Review at Department of Finance.*]

c. Board Approved - Undergoing Initial 45-Day Comment Period

Proposed Amendments to § 1746 – Emergency Contraception Protocol
[45-day comment period: January 6 – February 20, 2012]

d. Possible Action – Update Building Standards References

Discussion and Possible Action to Initiate a Rulemaking to Amend Building Standards (Title 24) References in Title 16 CCR Section 1751 and Section 1751.4 For Inclusion in the California Building Standards Commission's 2012 Triennial Code Adoption Cycle

e. Board Approved – Under Development or Awaiting Notice (Update Only)

1. Proposed Amendments to Section 1751.9 – Accreditation Agencies for Pharmacies that Compound Injectable Sterile Drug Products
2. Proposed Amendments to Section 1780 – Update the USP Standards Reference Manual (Minimum Standards for Drug Wholesalers) [referred to subcommittee]
3. Proposed Amendments to Section 1785 – Self-Assessment of a Veterinary Food-Animal Drug Retailer [referred to Licensing Committee]
4. Proposed addition of Section 1762 – Additional Grounds for Unprofessional Conduct
5. Proposed addition of Section 1769 – Addition of Application Review to Criteria for Rehabilitation.

PART II – LEGISLATION

a. Board-Sponsored Legislation for 2012

1. Omnibus Proposal to Amend Section 4209 of the Business and Professions Code related to Intern Pharmacist Applicants and Applicants for the Pharmacist Licensure Examination
2. Proposal to Enable the Board to Complete Discipline of a License That Becomes Cancelled Before Completion of the Investigation

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

1. AB 389 (Mitchell) Bleeding Disorders: Blood Clotting Products
2. AB 1442 (Wieckowski) Reverse Distributors
3. AB 377 (Solorio) Hospital Central Fill Pharmacies
4. AB 369 (Huffman) Health Care Coverage: Prescription Drugs

PART III – LEGISLATION AND REGULATION COMMITTEE

a. Second Quarterly Report on the Committee's Goals for 2011/12

XIX. COMMUNICATION AND PUBLIC EDUCATION COMMITTEE REPORT

Summary of the Committee Meeting Held January 19, 2012

- a. Discussion on Existing Requirements for Patient-Centered Prescription Drug Container Labels and Review of Labels in Use**
- b. Discussion Surrounding the Developed Translations of Directions for Use for Patient Medication as Specified in 16 California Code of Regulations Section 1707.5**
- c. Discussion Regarding the Future Design of New Notice to Consumers Posters**
- d. Discussion of Video Display Template for Notice to Consumers**

- e. Format for Notice of Interpreter Availability
- f. Fortieth Annual Report of the Research Advisory Panel of California
- g. Update on an Assessment of the Board's Public Education Materials
- h. Discussion of New Webpage Design for the Board of Pharmacy
- i. Update to the Board's Webpage about Implementation of SB 41 (Yee, Chapter 738, Statutes of 2011) regarding Needle Exchange
- j. Update on *The Script*
- k. Public Outreach Activities Conducted by the Board
- l. Minutes of the Communication and Public Education Committee Meeting Held January 19, 2012

New Communication and Public Education Committee Item Not Discussed During the January 19, 2012 Meeting

- m. Second Quarterly Report on the Committee's Goals for 2011/12
- n. Selection of Licensing Communication and Public Education Committee Meeting Dates for 2012

XX. EXECUTIVE OFFICER'S REPORT

XXI. PETITION FOR EARLY TERMINATION OF PROBATION

12:30 p.m.

- 1. John Jeleti, Pharmacist License 49954
- 2. James Chinn, Pharmacist License 27782

XXII. CLOSED SESSION

Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on the Petitions for Reinstatement and Early Termination of Probation

ADJOURNMENT