



California State Board of Pharmacy

1625 N. Market Blvd, N219, Sacramento, CA 95834

Phone: (916) 574-7900

Fax: (916) 574-8618

www.pharmacy.ca.gov

STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

NOTICE OF MEETING AND AGENDA

Public Board Meeting

May 1-2, 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 Laura Hendricks at (916) 574-7918, by emailing laura.hendricks@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: May 1-2, 2012

PLACE: Loma Linda University – Centennial Complex (Map for Parking Follows this Agenda)
Chen Fong Conference Center – 4th Floor
24760 Stewart Street
Loma Linda, CA 92354

WEBCAST: http://www.pharmacy.ca.gov/meetings/current_webcasts.shtml
(Link to Webcast will not be available until 10:30 a.m. on May 1, 2012,
and 9:00 a.m. on May 2, 2012)

NOTE: Pharmacists and pharmacy technicians who attend in person the May 1st 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.

For verification of the meeting, call (916) 574-7918 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, May 1, 2012

Call to Order

9:30 a.m.

I. 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 Complete the Evaluation of the Performance of the Board's Executive Officer

Resumption of Open Session

10:30 a.m.

II. General Announcements

III. Approval of the Full Board Meeting Minutes of January 31-February 1, 2012

IV. SELECTION OF BOARD MEETING DATES FOR 2013

V. BOARD MEMBER OFFICER ELECTIONS

VI. 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)]

VII. RECOGNITION AND CELEBRATION OF PHARMACISTS LICENSED FOR 50 YEARS IN CALIFORNIA

VIII. DISCUSSION AND POSSIBLE ACTION TO ADOPT THE BOARD'S STRATEGIC PLAN FOR 2012-2017

IX. LICENSING COMMITTEE REPORT

Report of the Meeting Held April 17, 2012

- a. Discussion and Possible Action to Initiate a Rulemaking to Adopt Regulation Requirements to Specify Standards for Agencies that Accredite Licensed Sterile Injectable Compounding Pharmacies (Proposed as 16 California Code of Regulations Section 1751.9)
- b. Discussion and Possible Action to Initiate Regulation Changes Reviewed by the Licensing Committee:
 1. Discussion and Possible Action to Initiate a Rulemaking to Amend Regulations That Specify Continuing Education Credit for Pharmacists in Specific Content Areas, Amendment to Title 16 California Code of Regulations Section 1732.5
 2. Discussion and Possible Action to Pursue Regulations to Amend Provisions for the Award of Continuing Education at Title 16 California Code of Regulations, Section 1732.2
 3. Discussion and Possible Action to Pursue Changes to Update a Reference to Accreditation Agencies for Continuing Education, Amendment to Title 16 California Code of Regulations Section 1732.05
- c. Discussion and Possible Action to Sponsor a Statutory Provision to Authorize the Board to Issue a Public Reprimand for Violations That Would Not Warrant License Denial or Issuance of a Probationary License
- d. Evaluation of the Impact of Changes Incorporated on the Pharmacy Technician Application Form
- e. Review of the Education and Experience Requirements for Pharmacist Licensure in California and Other US States
- f. Competency Committee Report
- g. Licensing Statistics
- h. Meeting Minutes of the Meeting Held April 17, 2012

i. **Third Quarterly Report on the Committee's Goals for 2011/12**

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

- a. **Regulation Hearing to Amend Title 16 California Code of Regulations Sections 1735.1, 1735.2, 1735.3 and 1751.2, Related to Compounding Drug Products**
- b. **Review and Discussion of Comments for Noticed Rulemaking to Amend Title 16 California Code of Regulations Sections 1735.1, 1735.2, 1735.3 and 1751.2, Related to Compounding Drug Products**
- c. **Board Discussion and Possible Action to Adopt Title 16 California Code of Regulations Sections 1735.1, 1735.2, 1735.3 and 1751.2, Related to Compounding Drug Products**

XI. **LEGISLATION AND REGULATION COMMITTEE REPORT**

Summary of the Meeting Held April 24, 2012

PART I – REGULATIONS

a. **Board Approved – Undergoing Review by the Administration**

- 1. 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]
- 2. 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]

b. **Discussion and Possible Action – Board Approved Regulations Recently Noticed**

- 1. Proposed Amendments to Title 16 California Code of Regulations Section 1760 – Board of Pharmacy *Disciplinary Guidelines*, Including to Incorporate Recommendations of the Substance Abuse Coordination Committee (Pursuant to SB 1441, Ridley-Thomas, Chapter 548, Statutes of 2008) *[45-day comment period: October 24 –November 28, 2011]*
- 2. Proposed Amendments to Title 16, Section 1746 -- Emergency Contraception Protocol Review and Discussion of Comments Submitted During 45-day Comment Period
[45-day comment period: January 6 – February 20, 2012]

c. **Discussion and Possible Action – Board Approved Regulations Recently Noticed**

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

5. Proposed Amendments to Section 1745 – Partial Filling of Schedule II Controlled Substance Prescriptions
6. Proposed Amendments to Section 1751.2 and 1751.9 – Sterile Injectable Compounding, Sterile Injectable Labeling Requirements, and Accreditation Agencies
7. Proposed Amendments to Section 1780 – Minimum Standards for Wholesalers
8. Proposed Amendments to Section 1732.2 – Board Accredited Continuing Education

PART II – LEGISLATION

a. Board-Sponsored Legislation for 2012

SB 1575 (Senate Committee on Business, Professions and Economic Development)
Omnibus Proposals to Amend Section 4209 and to Add Section 4300.1

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

Sunset Review and Legislative Oversight

1. SB 1237 (Price) – Sunset Extension to 2017

Regulation of Dangerous Drugs and Devices

2. SB 1329 (Simitian) Prescription Drugs: Collection and Distribution Program
3. SB 419 (Simitian) Solid Waste: Home Generated Sharps
4. SB 1301 (Hernandez) Prescription Drugs: 90-Day Supply
5. AB 389 (Mitchell) Bleeding Disorders: Blood Clotting Products
6. AB 1442 (Wieckowski) Common Carriers to Transport Pharmaceutical Waste
7. AB 2369 (Valado) Prisoners: Pharmacy Services
8. AB 2348 (Mitchell) Registered Nurses – Dispensing Oral Contraception at Clinics

Licensing and Pharmacy Operations

9. SB 1095 (Rubio) Pharmacy: Surgical Clinics
10. SB 1481 (Negrete McLeod) Clinical Laboratories: Community Pharmacies
11. AB 377 (Solorio) Hospital Central Fill Pharmacies
12. AB 1896 (Chesbro) Tribal Health Programs: Health Care Practitioners
13. AB 1904 (Block) Military Spouses – Temporary Licenses

Other

14. SB 1185 (Price) Centralized Intelligence Partnership Act
15. SB 1195 (Price) Public Records Act
16. SB 1250 (Alquist) Medical Records: Confidentiality
17. AB 2342 (Torres) Controlled Substances
18. AB 1733 (Logue) Telehealth

Additional Legislation Impacting the Board or its Regulatory Jurisdiction

PART III – LEGISLATION AND REGULATION COMMITTEE

Third Quarterly Report on the Committee’s Goals for 2011/12

ADJOURNMENT FOR THE DAY

Wednesday, May 2, 2012

XII. 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 Matters

Call to Order -- RESUMPTION OF THE OPEN SESSION

9:00 a.m.

XIII. 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. Third Quarterly Report on the Committee's Goals for 2011/12

XIV. ENFORCEMENT COMMITTEE REPORT

Discussion of the Meeting Held March 21, 2012

Discussion on the Implementation of California's Electronic Pedigree Requirements for Prescription Medication

- a. Discussion about the Presence of Counterfeit Avastin in California Physician Offices
- b. Discussion on Presentations Made During the Committee Meeting
- c. Discussion and Possible Action to Initiate a Rulemaking to Adopt Regulation Requirements Specifying a Unique Identification Number for Prescription Medication Pursuant to California's E-Pedigree Requirements
- d. Discussion and Possible Action to Initiate a Rulemaking to Establish "Grandfathering" Provisions for Prescription Drugs in California Commerce After Activation of e-Pedigree Requirements
- e. Minutes of the Meeting Held March 21, 2012
- f. Enforcement Statistics
- g. Third Quarterly Report on the Committee's Goals for 2011/12

XV. COMMUNICATION AND PUBLIC EDUCATION COMMITTEE REPORT

Summary of the Committee Meeting Held March 27, 2012

- a. **General Discussion on the Implementation of Existing Regulation Requirements for Patient-Centered Prescription Drug Container Labels and Review of Labels in Use**
- b. **Discussion on the Design of New Notice to Consumers Posters (as Required by Title 16 California Code of Regulations Section 1707.6)**
- c. **Discussion about the Video Display Format Option for Notice to Consumers (as Required by Title 16 California Code of Regulations Section 1707.6)**
- d. **Discussion on the Format for Notice of Interpreter Availability (as Required by Title 16 California Code of Regulations Section 1707.6)**
- e. **Discussion on Pharmacy Compliance with Interpreter Availability and Patient-Centered Labeling Requirements**
- f. **Discussion on Securing Consumer Comments on the Board's Regulation Requirements for Patient-Centered Labels and Translations for Limited English Speaking Individuals**
- g. **Update on an Assessment of the Board's Public Education Materials**
- h. **Update on *The Script***
- i. **Public Outreach Activities Conducted by the Board**
- j. **Minutes of the Communication and Public Education Committee Meeting Held January 19, 2012**
- k. **Third Quarterly Report on the Committee's Goals for 2011/12**

XVI. EXECUTIVE OFFICER'S REPORT

Including:

- a. **Discussion of the Sunset Review Process By the Senate Committee on Business, Professions and Economic Development**
- b. **Update on the Pain Summit, a Board Co-Sponsored Conference with the Medical Board of California Scheduled for November 28 and 29, 2012, Medical Board Executive Director Linda Whitney to Appear**
- c. **Proposal to Convene a One-Day Automation Technology Summit to Display Technology in Use or Proposed for Use in Pharmacies, Hospitals and Skilled Nursing Facilities**
- d. **Change in July 2012 Board of Pharmacy Meeting Dates to July 17 and 18, 2012**

XVII. CLOSED SESSION

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

Resumption of Open Session

XVIII. PETITION FOR REINSTATEMENT

Carol Simon

Time Certain: 1:00 p.m.

XIX. CLOSED SESSION

Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on the Petition for Reinstatement

ADJOURNMENT

4:00 p.m.

