



California State Board of Pharmacy

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

ACTION ITEMS – January 2005 BOARD MEETING

The board packet materials for this meeting are on the board's Web site.

ORGANIZATIONAL DEVELOPMENT COMMITTEE

The board:

- Agreed to develop a recognition program for pharmacists licensed for 50 years or more by sending a letter with a certificate and publishing the recognition in the board's newsletter. Before implementing such a program the board requested costs.
- Reported on the Governor's Reorganization Plan to eliminate 279 board member propositions for regulatory boards (included the Board of Pharmacy) under the Department of Consumer Affairs and would merge these boards into the organizational structure of the department, under the direct authority of the director. The plan has been submitted to the Little Hoover Commission for its consideration. The commission's role is advisory and has 30 days to make a recommendation to the Governor. The commission will be holding public hearings on the plan January 26-28, 2005, in Sacramento.
- Agreed to grant 6 hours of continuing education (CE) to pharmacy technicians who attend the board meeting as with pharmacists, this CE can be earned only once per year.
- Discussed a request from students requesting alternatives to having their address of record available on the board's web site. The board requested an opinion about the legal authority to have addresses of record online for interns.
- Approved payment to the Department of Justice of an additional \$24,000 to fund CURES (electronic tracking of Schedule II drugs). The board's annual expense for CURES will be \$92,000; however, only \$68,000 is appropriated for this program, which means the board must redirect the \$24,000 from other program areas. As part of this action, the board directed that the benefits of CURES for the Board of Pharmacy be evaluated.
- Reported that \$3 million of the board's \$6 million general fund loan will be repaid in 2005/06.
- Approved the minutes of the October 20-21, 2004 Board Meeting.

COMMUNICATION AND PUBLIC EDUCATION COMMITTEE

The board:

- Approved the development of the next *Health Notes* on Pharmacy Emergency Response to Patients in a Declared Disaster Area. The coordinator of this issue will be Dr. RoseAnn Jankowski.
- Reviewed its fact sheet series – Ask a Pharmacist - that is being coordinated with the UCSF pharmacy students. Three fact sheets that have been developed are "Cut Your Drug Costs," "Generic Drugs" and "Is Your Medicine in the News?"

- Announced that the California Health Communication Partnership launched its first coordinated project. The partnership will be using the materials from the FDA to promote awareness about antibiotic misuse from November through March.
- Reported that staff is working on publishing a new *Health Notes on Pain Management*. This new issue will contain new pain management therapies and the new prescribing and dispensing requirements for controlled drugs enacted by SB 151 (Burton, Chapter 406), which will take place in 2004 through 2005 in sequential stages. The goal is to have this publication available for distribution in early 2005. The other *Health Notes* publications that the board agreed to produce with UCSF, School of Pharmacy on smoking cessation and atrial fibrillation are now inactive due to redirection of resources by UCSF.
- Reported that the next edition of *The Script* should be released by February 2005. It will include newly enacted laws that became effective January 1, 2005.

LICENSING COMMITTEE

The board:

- Recognized and commended Dr. RoseAnn Jankowski as Chair of the board's Competency Committee. She has served as chair since 2001 and has been on the committee since 1994. She was instrumental in leading the committee through the transition to the new examination format for the California Pharmacy Jurisprudence Examination (CPJE). President Goldenberg announced the appointment of Dr. Frances Wong as the new chair. Dr. Wong is an associate professor of clinical pharmacy at USC School of Pharmacy.
- Approved a legislative proposal to define general compounding, anticipatory compounding and contractual arrangements between for compounding services.
- Approved the School of Pharmacy at the Palm Beach Atlantic University pending accreditation by the Accreditation Counsel for Pharmacy Education (ACPE). Currently the school has been granted candidate status by ACPE.
- Reported that over 2,600 applications for the NAPLEX and the California Pharmacist Jurisprudence Examination (CPJE) and over 1,300 pharmacists have been licensed since July 1. The board mailed out the job analysis survey to 3,000 pharmacists in December and 1,200 surveys were returned. The job analysis is used to develop the content outline for the CPJE and it is done every 5 years. CPJE exam results will be released each year at the April and October board meetings.
- Provided the December 1st meeting summary for the Workgroup on Compounding.
- Released its report on the requirement that candidates failing the California pharmacist licensure examination four times must obtain additional education in pharmacy.

ENFORCEMENT COMMITTEE

The board:

- Granted a waiver of CCR, title 16, sec. 1717(e) to authorize Safeway Inc. to install and use an automated self-service delivery unit in its pharmacies that allows a patient to access their filled prescriptions. A patient will be allowed to access the delivery unit when the pharmacy is open or closed. The board granted the waiver with the condition that the device is for refilled prescriptions only; however, the pharmacist is not to use the device to dispense refilled prescriptions if the pharmacist determines that the patient requires consultation pursuant to section 1707.2(a)(2). The device must be located in reasonable proximity to the licensed pharmacy premise. The device must have the means to identify the patient and only release that patient's prescriptions. The device is secure from access and removal by unauthorized individuals. The

pharmacy must provide a means for the patient to obtain consultation with a pharmacist if requested, and the pharmacy is responsible for the prescriptions stored in the device. The patient must choose to use this device.

- Granted a waiver of CCR, title 16, sec. 1717(e) to Advanced Pharmacy Solutions to deliver Synagis to licensed home health agencies for administration of the prescription medication at a patient's residence.
- Approved the proposed statutory changes to Business and Professions Code section 4104 to require mandatory reporting by pharmacies of impaired licensed individuals.

LEGISLATION AND REGULATION COMMITTEE

The board:

- Reported that the proposed regulation change to add CCR, title 16, sec. 1746 that will codify the statewide protocol for pharmacists to furnish emergency contraception was approved by the Office of Administrative Law (OAL) and became effective December 2, 2004.
- Adopted the following regulations changes and in several cases with changes that will be noticed for 15 days of public comment. The regulations are:
 1. Adoption of Amendment to CCR, title 16, sec. 1706.1 – Abandonment of Application Files
 2. Adoption of CCR, title 16, sec. 1712 – Use of Pharmacist Identifier
 3. Adoption of Amendment to CCR, title, 16, sec. 1715 – Self-Assessment of a Pharmacy by the Pharmacist-in-Charge (PIC)
 4. Adoption of Amendment to CCR, title 16, sec. 1717 – Pharmacy Practice
 5. Adoption of Amendment to CCR, title 16, sec. 1719 – Recognized Schools of Pharmacy
 6. Adoption of Amendment to CCR, title 16, sec. 1720 – Application for Pharmacist Examination and Licensure
 7. Adoption of Amendment to CCR, title 16, sec. 1720.1 – Graduates of Foreign Pharmacy Schools
 8. Adoption of Amendment to CCR, title 16, sec. 1725 – Acceptable Pharmacy Coursework for Examination Candidates with Four Failed Attempts
 9. Adoption of Amendment to CCR, title 16, sec. 1726 – Supervision of Intern Pharmacists
 10. Adoption of Amendment to Repeal CCR, title 16, sec. 1727 – Intern Pharmacist
 11. Adoption of Amendment to CCR, title 16, sec. 1728 – Requirements for Examination
 12. Adoption of Amendment to CCR, title 16, sec. 1732 – 1732.7 – Continuing Education
 13. Adoption of Amendment to CCR, title 16, sec. 1745 – Partial Filling of Schedule II Prescriptions
 14. Adoption of Amendment to CCR, title 16, sec. 1749 – Fee Schedule
 15. Adoption of Amendment to Repeal CCR, title 16, sec. 1750 – Fee Schedule – Health and Safety Code