

MEETING SUMMARY
LEGISLATION AND REGULATION COMMITTEE
DATE: October 25, 2006
LOCATION: Sheraton Gateway San Francisco Airport Hotel
600 Airport Blvd.
Burlingame, CA 94010

BOARD MEMBERS PRESENT:

Andrea Zinder, Chair
Ken Schell, PharmD
Tim Dazé
Henry Hough

BOARD STAFF PRESENT:

Virginia Herold, Interim Executive Officer
Robert Ratcliff, Supervising Inspector
Anne Sodergren, Legislation and Regulation Manager

Chairperson Zinder called the meeting to order at 3:30 p.m.

Proposed Legislation

Proposed omnibus provisions were provided for consideration and approval to be introduced in the upcoming legislative cycle.

1. **Omnibus Provisions**

The committee reviewed omnibus provisions previously approved by the board to be introduced this legislative cycle. These provisions include amendments to the following:

a. **B & PC 4084 – Adulterated or Counterfeit Drugs or Dangerous Devices**

To allow board inspectors to embargo a prescription drug when the inspector has probable cause that it is misbranded.

b. **B & PC 4162 and 4162.5 – Wholesaler Bonding Requirements**

Extend bonding requirements for wholesalers from 2011 to 2015 to match the extension given to implement the e-pedigree requirements, restoring provisions in SB 1476 chaptered out by SB 1475.

c. **B & PC 4314 and 4315 – Citation and Fine for Repository and Distribution Programs for Dangerous Drugs**

Allow the board to cite and fine licensees for violations of Health and Safety Code sections 150200-150206 which authorize a county

to establish by local ordinance, a repository and distribution program for specified unused medications from skilled nursing homes to medically indigent patients served by government-owned pharmacies.

d. B & PC 4160(f) and 4161(k) – Temporary License Fee for Wholesalers

Revise section to specify temporary license fee of \$550. Current law does not specify the temporary fee.

e. B & PC 4208 – Intern Pharmacist License

Revise requirements for intern licenses to allow the board the discretion to extend the duration of an intern license.

Staff counsel recommended that the proposed language in B & PC 4208 expand to include the general circumstances when the extension of the intern license would occur.

MOTION: Recommend that the board approve the proposed language to be included in the omnibus bill.

Proposed Regulations

Board staff presented a Section 100 - Rulemaking without Regulatory Effect change for committee consideration

Amend CCR 1715 – Self Assessment Forms

This amendment is to update changes in pharmacy law since the last revision of this form.

MOTION: Recommend that the board approve the proposal at the January 2007 Board Meeting.

Public Requests for Future Legislation and Regulatory Proposals

1. Deputy Attorney General Room suggested an amendment to Business and Professions Code section 4312 to allow the board the ability to void a board issued business license to when the business appears to be closed.

Board staff will draft language for consideration at the next board meeting.

No additional proposals were presented.

Dr. Gray requested clarification about whether a hospital can provide drugs to an ambulance and can a company that takes charge of a corpse receive and

administer medications to ensure the viability of organs for transplant. Dr. Gray agreed to have someone come to the next committee meeting to further discuss these topics as well as the need for possible legislation.

Adjournment

The committee adjourned at 5:00 p.m.