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

**STATE BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
COMMUNICATION AND PUBLIC EDUCATION COMMITTEE  
MINUTES**

**DATE:** July 23, 2008

**LOCATION:** Radisson Hotel  
4545 MacArthur Blvd.  
Newport Beach, CA 92660

**BOARD MEMBERS**

**PRESENT:** Shirley Wheat, Chairperson  
Stan Goldenberg, Public Member  
Bill Powers, Public Member  
Hank Hough, Public Member

**STAFF PRESENT:** Virginia Herold, Executive Officer  
Tina Thomas, Analyst

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Chairperson Shirley Wheat called the meeting to order at 4:40 p.m.

**1. Report of Patient Surveys Undertaken for the SB 472 Medication Label Redesign Project.**

Last fall, Governor Schwarzenegger signed SB 472 that directs the board to develop a patient-centered, standardized container label for all prescription medicine dispensed to California patients after January 1, 2011.

The board drafted the amendments that were ultimately enacted as SB 472, which requires the board to hold public meetings statewide that are separate from normally scheduled hearings to seek information from the public. The first meeting was held in Fremont on April 12, 2008. After this initial meeting, it was apparent that the board would need to engage the public in a different forum.

In May 2008, board staff developed a survey that could be distributed at outreach events. This survey is available in English and Spanish and is designed to elicit information from the public about the labels on their prescription containers.

Since late May, board staff has been interviewing attendees at public events as well as providing surveys to participants and requesting them to return the completed form to the board. Consumers were invited to complete surveys on-site during the events, or mail them back to the board using the provided self-addressed envelopes. Most consumers completed surveys on-site. This method of soliciting information has proved less intimidating to consumers than individually speaking at public hearings. Board staff attending community events have also been reporting positive feedback they receive when discussing this initiative with the public.

In addition, the board prepared an article that will be published with the survey in the state AARP September newsletter (circulation: 300,000). Recently an on-line survey was posted on our website that allows individuals to complete and submit the survey on-line.

Board staff will aggregate the results of the surveys and provide the board with an update at the next scheduled committee meeting. In addition, the board will capitalize on the department-sponsored Professionals Achieving Consumer Trust Summit scheduled for November 2008 to offer a public forum and to engage other professions in the development of a patient-centered prescription label.

Consumers will be invited to complete label surveys during outreach events scheduled through October 2008.

Giny Herold introduced Karen Abbe who is on the board's staff as the Public and Licensee Education Analyst. She explained that Ms. Abbe has been leading the project on conducting the prescription label surveys within health fairs and various other venues as well as coordinating the results.

A total of 125 consumers have completed surveys thus far. Not every consumer provided answers to each question, though many provided more than one answer to specific questions. Many consumers also gave the same response (i.e., larger font) to more than one question. The following questions were used in the survey:

1. What information on the label is most important to you? (172 responses)
2. Do you understand the directions on the prescription label? (98 responses)
3. What would you change on the prescription label? (105 responses)
4. What would make the prescription label easier to read? (81 responses)
5. Other suggestions? (39 responses)

Several respondents have completed the Spanish version of the survey, and their responses have since been translated into English.

Overall, the subject matter of prescription labels is of great interest to consumers, particularly our senior citizen population. Two of the most common responses are that consumers would like labels to be printed in a larger font, and they would like the label to show the purpose of the drug.

Ms. Abbe explained that staff members have been going out to community fairs and incorporating the surveys in conjunction with the typical outreach and awareness activities conducted by the board. Ms. Abbe referred to the board packet, which has a sample of the survey form.

Ms. Abbe explained that the staff elicited responses from people with a focus on not making them feel forced. She further explained that staff would provide giveaways at the booths in order to encourage visits. Ms. Abbe noted that people were motivated by different reasons to conduct the survey.

Ms. Abbe stated that staff handed out perhaps two thousand surveys, and received 125 back, which is less than a 10 percent return rate.

Ms. Herold explained that the board's goal was to go statewide and attempt to secure consumer feedback by going to fairs focused on various cultures. She also brought up the suggestion of providing surveys to pharmacists to aid in collecting data from their patients.

Ms. Herold stated that the board will continue to look for other organizations and outreach events they can utilize to distribute the survey information. She asked the board and public to provide any contact information they may have.

Mr. Hough indicated that he lives in a senior center. He volunteered to facilitate getting the surveys distributed to residents there.

Stan Goldenberg pointed out that there are large residential care living options to pursue. He noted that in the assisted living settings, medications are handled by caregivers, but that in senior living settings feedback would be much better as they are elderly who are living independently and care for their own medication needs.

Chairperson Wheat stated that the board might continue to attempt to target alternates besides health and community fairs. She stressed that she would like to see a larger sample.

Ms. Abbe agreed that a larger sample is needed. She pointed out that the AARP newsletter goes to 300,000 people, which is a good start to gaining more feedback globally.

Supervising Inspector Janice Dang stated that pharmacy students often have to conduct projects during their rotation in ambulatory surgical clinics. In some cases, those projects involve reaching out to senior citizen centers and senior care living settings to conduct presentations on proper storage of medication, etc.

Ms. Herold stated that the board needs to gain feedback from other groups who are more difficult to reach or have not been addressed yet. She gave the examples of parents who provide medication to their children, patients who do not speak English, and patients who have special needs. Ms. Herold indicated that they attempted to work with the sponsor of the bill to assist in that area, but have not been successful. She stated that it would be up to the board to accomplish.

Lynn Rolston (CPhA) stated that they have been working with the chronic care coalition of California because of the 10% Medi-Cal cuts. She explained that this is a very motivated group who care very much about what is on the label and would probably be willing to help.

Ms. Rolston reiterated the issue of placing the purpose on the label. She confirmed that it is one of the impediments to counseling. She stated that they would anticipate tremendous resistance from CMA, etc. Ms. Rolston noted a prior suggestion of a checkbox that says, "do not put on label" within the prescription.

Chairperson Wheat brought up the “opt in” rather than “opt out” option.

Ms. Herold state that a suggestion would be to add “used for” on the template of the label. This would cause the patient to ask for it to be provided in the event that it is left blank.

Ms. Rolston agreed with the suggestion.

Ms. Herold stated that there is a movement within the hospital setting to standardize the signage by having a graphic image for each department. The purpose of the signage is to assist non-English speaking patients in getting around within the hospital. She stated that she would like to see the committee do the same for auxiliary labels, as she feels this is a problem for those with low-literacy levels and is part of the charge with relation to SB 472.

Ms. Herold noted that the National Association of Boards of Pharmacy as well as two other states are now pursuing a prescription labeling mandate.

## **2. Consumer Fact Sheet Series with California School of Pharmacy Interns**

Over four years ago, the board approved a proposal by the committee to integrate pharmacy students into public outreach activities. The intent was to offer students the opportunity to work with the board on meaningful projects promoting consumer education, while the board would benefit from the production of these materials. The project was initiated at UCSF. Chairperson Wheat stated that the board is attempting to have other schools of pharmacy participate as well.

At the October 2007 Board Meeting, the board accepted the committee’s recommendation to invigorate this program by offering other schools of pharmacy the opportunity to have their students develop one-page fact sheets on various topics, and then have the developed fact sheets reviewed by an expert. Representatives from other California pharmacy schools were very interested in this project for their students.

The board directed staff to proceed with the committee’s recommendation for development of a template for future fact sheets, and work with the schools of pharmacy to initiate this intern project.

Chairperson Wheat advised that the board would be sending a letter to the schools of pharmacy inviting pharmacist interns the opportunity to produce public information fact sheets on items of public health interest.

## **3. Development of New Consumer Brochures**

At the September 2007 Committee meeting, the committee approved the content of several fact sheets. The committee recommended that all board brochures have a generally consistent format and appearance, including the use of the board’s logo and slogan (Be Aware and Take Care: Talk to your Pharmacist)

Ms. Herold stated that the three brochures are provided within the board packet. She indicated that the staff graphic artist, Victor Perez, designed the brochures. She indicated that they would need to go to the legal department before distribution. Ms. Herold also noted that Ms. Abbe has been involved in the formatting and design as well.

Mr. Goldenberg stated that the brochures have a handsome format and are easy to read.

Chairperson Wheat asked how the brochures are distributed.

Ms. Herold responded that the board staff has displayed them at prior public board meetings. Additionally, they are provided at health and community fairs, as well as public outreach events. She added that they are on the board's website.

Chairperson Wheat asked if they are available to pharmacies and pharmacists.

Ms. Herold responded that they can download them on the website to duplicate and hand out.

Mr. Goldenberg stated that the board should try to encourage that. He sees the brochures as "one of those best kept secrets". He noted that some pharmacies are putting "information centers" within their sites, and that the brochures could be very helpful.

#### **Public Comment:**

Dr. Gray referred to the "Traveling Medicine Chest" brochures. He suggested the board research whether it is acceptable to use brand names within the brochures because of copyright issues, etc. He suggested that it may not be wise to place Tylenol as the as first drug listed. He stated that it is the number one drug to cause serious disease within the United States.

Ms. Herold responded that the board actually has another fact sheet that addresses the overuse of acetaminophen. She stated that the brochure was developed by the expertise of the board. She added that she appreciated the feedback.

Mr. Goldenberg pointed out the need to use drug names that are very familiar and used widely by the general public in order to gain their attention.

Mr. Powers suggested placing the purpose of the drug first, followed by the examples of drugs used.

Valerie Rivera asked if the board has considered sharing the fact sheets and brochures with public libraries for the consumers to download and take home.

Ms. Herold agreed that it was good idea.

#### **4. Update Report on The Script**

Chairperson Wheat indicated that the July 2008 issue of *The Script* was provided in the board packet. This issue focuses on the application of laws and regulations and advises readers that the new Notice to Consumer poster will be mailed in the summer. In addition, among other topics discussed, the issue highlights that during the course of inspections, the board found recalled drug product in pharmacies and hospitals in non-quarantined areas and in some cases was still being dispensed.

For over four years the California Pharmacy Foundation mailed the newsletter to all California pharmacists. Earlier this year the board was advised that because of difficulties securing funding for this, the foundation would be unable to continue production. As the board does not have the funding to resume this mailing (approximately \$50,00 to \$60,000 an issue) pharmacists will be encouraged to download the newsletter from the board's Web site.

Ms. Herold stated that *The Script* was mailed to pharmacies and wholesalers. She thanked the California Pharmacy Foundation for publication and distribution of the newsletter for the past four years. She indicated that the board has sent an announcement in the Subscriber Alert to advise that the latest issue of *The Script* is available on-line. Ms. Herold noted that when board staff offers the newsletter to the public at health fairs and association meetings, they respond that they have already downloaded it off the website. She stated that this is a great alternative for distribution. Ms. Herold indicated that the staff has started to work on the January 2009 newsletter and it will be available in January.

**Public comment:**

Dr. Gray referred to a paraphrased comment on Health & Safety Code 11103 within the newsletter, which indicates the requirement to report any theft, loss or shipping discrepancy within three days to the Department of Justice. He stated that that particular subsection of the Health & Safety code does not apply to pharmacies and hospitals, but rather to chemicals used by manufacturers, etc. Dr. Gray stated that the information might solicit large amounts of reports being sent to the Department of Justice unnecessarily.

Ms. Herold responded that she would address and correct the issue.

Cookie Quandt (Long's Drugs) commented that the board did an excellent article approximately six years ago on e-prescribing. She stated that Long's is using a Surescript as their vendor, but that a lot of prescribers are using vendors that are not of that same quality. Dr. Quandt requested another article on e-prescribing which defines the requirements, authentication, digital signatures, etc. She stated that it would do a great service and answer a lot of questions being asked by the industry.

Ms. Herold noted that there have been some amendments since the prior article was published. She agreed that the e-prescribing process raises a lot of confusion, and that providing another article would be a good idea. She indicated that they had considered developing a grid, but it has been a more involved and lengthy process than anticipated.

Dr. Gray stated that it might be premature to address the e-prescribing topic and providing specifics prior to the DEA's regulations being put in place. He stated that they would help in developing some of the materials, as Kaiser (California) generates 80 percent of the electronic prescriptions in the country and thus has quite a bit of experience in the area.

Ms. Herold responded that it is an opportunity for the board to help in sharing information to pharmacists, and would accept Kaiser's offer to help.

**5. New Notice to Consumer Poster**

In November 2007, the Office of Administrative Law approved amendments to 16 CCR section 1707.2(g), creating additional requirements for a Notice to Consumers poster that presents information about a patient's right to obtain lawfully prescribed medicine from a pharmacy.

Staff initially worked with three graphics designers on converting this information into a readable, interesting and yet informative format. Ultimately, the Office of State Printing provided the final design.

Ms. Herold indicated that she has issued approval to go to print. She stated that as soon as the State Printing Plant prints the posters, they will be mailed to the pharmacies. Ms. Herold noted that the mailing label on the package does not have the Board of Pharmacy logo, so there is concern that the pharmacies will not realize what it is and ignore it. Because of this, an article was run on the front page of *The Script* to advise industry of its arrival in the near future.

Ms. Herold presented the new posters to the board. She explained that it was not feasible to place all of the information onto one poster, as the print and layout would be small and difficult to read.

#### **Public comment:**

Dr. Quandt stated that they have notified all of their stores, and advised them to remove their old posters and replace with the new ones when received. She indicated that they have had some issues in the past where other pharmacies have reduced the size of the poster. Their (Long's) pharmacies have thus requested to be able to do the same.

Ms. Herold responded that there would be a cover letter provided with the posters which addresses this, and it is also discussed in the *Script* newsletter. She explained that if a pharmacy does not want to display the posters, they could place the information on the back of the patients' receipts.

Ms. Herold clarified, in response to a question, that if a pharmacy is going to duplicate the information on the back of a receipt, the artwork format is not required. She further explained that only the specific language of the poster is required, which was promulgated late 2007 as a regulation.

The member of the public raised the question of font and whether it needs to stay the same. She stated that it was unclear why it would be acceptable to change the font and reduce the size for the purpose of a receipt, but not acceptable to do the same by reducing the poster size for wall placement.

Chairperson Wheat pointed out that when the information is placed on the back of a receipt, the patient is able to take the information with them and allow for more time to read. That is not the case with a poster, so it needs to be easy to read in a short amount of time and potentially from a distance.

Ms. Herold reiterated that the language of the regulation requires that the poster be placed in a conspicuous location and easily read by the public. Ms. Herold also noted that the board is pursuing translation of the posters into some other languages.

Mr. Goldenberg asked if there has been any discussion about allowing pharmacies with televisions in their waiting areas to utilize them to display the multiple posters.

Ms. Herold responded that Dr. Gray had made that suggestion before. She indicated that it is not permitted under the existing requirements and would need an amendment, but it could be pursued in the future. She agreed that it is a good idea and stated that the board would help Dr. Gray in developing a prototype if they wish to pursue this. Ms. Herold stated that it would be placed as a future agenda item.

#### **6. Update on the Board's Public Outreach Activities**

The list of outreach activities conducted by the board and staff to date are contained within the board packet provided. Chairperson Wheat reviewed future scheduled activities, which are also listed within the board packet document.

#### **Future Activities**

- Board staff will provide resource tables at various events from August through October 2008 including the Fairchild Medical Center Health Fair in Yreka and the Marin Senior Information Fair in San Rafael.
- A Board Inspector will provide a CE presentation to the Sacramento Valley Society of Health-Systems pharmacist in early November.
- Executive Officer Herold will present several CE programs at CSHP's annual meeting in October.

#### **7. Update of the Committee's Strategic Plan for 2008 - 2009**

Chairperson Wheat indicated that the committee's strategic plan is contained within the board packet provided.

Ms. Herold stated that she and Ms. Sodergren would be reviewing the goals and making revisions to address activities and other areas which have not received enough focus thus far.

#### **8. Fourth Quarterly Report on Committee Goals for 2007 - 2008**

Chairperson Wheat stated that the goals are provided for information only and are contained within the board packet.

#### **Public Comment for Items Not on the Agenda**

No comments were provided.

The meeting was adjourned at 5:42 p.m.