

AMENDED IN SENATE APRIL 10, 2008
AMENDED IN SENATE MARCH 27, 2008

SENATE BILL

No. 1270

Introduced by Senator Cedillo

February 19, 2008

~~An act to amend Sections 4034 and 4163 of, and to repeal Sections 4163.1 and 4163.5 of, the Business and Professions Code, relating to pharmacy.~~ *An act to add and repeal Section 4014 of the Business and Professions Code, relating to pharmacy.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1270, as amended, Cedillo. Pharmacy: ~~dangerous drug and device pedigrees.~~ *Electronic Pedigree Task Force.*

Existing law, the Pharmacy Law, provides for the licensure and regulation of the practice of pharmacy and the sale of dangerous drugs or dangerous devices by the California State Board of Pharmacy, in the Department of Consumer Affairs. On and after January 1, 2009, existing law requires a pedigree, as defined, to accompany each distribution of a dangerous drug, and prohibits a wholesaler or pharmacy from selling, trading, transferring, or acquiring a dangerous drug without a pedigree. Existing law authorizes the board to extend the compliance date for these pedigree requirements to January 1, 2011, in specified circumstances. ~~Existing law provides exceptions from the pedigree requirements for certain transactions. A knowing violation of the Pharmacy Law is a crime.~~

~~This bill would delete the pedigree provisions and would instead require the certification or pedigree of distributors or persons who distribute dangerous drugs manufactured on or after January 1, 2009, outside of the normal chain of distribution, as defined. The bill would authorize the board to require verification of specific transactions. The~~

~~bill would prohibit a wholesaler from selling, trading, transferring, or acquiring a dangerous drug without complying with this requirement, and would, commencing January 1, 2011, prohibit a pharmacy from acquiring, selling, trading, or transferring a dangerous drug without complying with this requirement. The bill would exempt specified transactions from these requirements.~~

~~Because this bill would impose new requirements under the Pharmacy Law, the knowing violation of which would be a crime, it would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

This bill would require the board to establish the Electronic Pedigree Task Force, with a specified membership, and would require the staff of the board to support the needs of the task force. The bill would impose specified duties on the task force, including the duty to submit an annual report regarding task force findings to the board and specified legislative committees. The bill would make the provisions regarding the task force inoperative on the later of July 1, 2012, or the date upon which requirements for a pedigree become effective, and would repeal them as of January 1 of the next year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: *yes-no*.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4014 is added to the Business and
- 2 Professions Code, to read:
- 3 4014. (a) The board shall establish the Electronic Pedigree
- 4 Task Force. The task force shall be comprised of the following
- 5 members, who shall serve voluntarily and without compensation:
- 6 (1) One member from the California Retailers Association.
- 7 (2) One member from the Health Systems Pharmacists
- 8 Association.
- 9 (3) One member from the California Pharmacists Association.
- 10 (4) One member of the California Primary Care Association.
- 11 (5) One member from the California Hospital Association.

- 1 (6) *One member from the California State Association of*
2 *Counties.*
- 3 (7) *One member from an animal veterinary association.*
- 4 (8) *Two members from the Pharmaceutical Research and*
5 *Manufacturers of America.*
- 6 (9) *Two members from the California Healthcare Institute, Inc.*
- 7 (10) *Two members from the Generic Pharmaceutical*
8 *Association.*
- 9 (11) *One member from the Healthcare Distribution Management*
10 *Association.*
- 11 (12) *One member from AltaMed Health Services Corporation.*
- 12 (13) *One member from the National Coalition of Pharmacies.*
- 13 (14) *One member from the National Association of Chain Drug*
14 *Stores.*
- 15 (15) *One member from the pedigree technology manufacturers.*
- 16 (b) *The task force shall hold quarterly public meetings at various*
17 *locations within the state. A majority of members shall be present*
18 *in order to conduct a meeting of the task force.*
- 19 (c) *The task force shall elect a chairperson and a vice*
20 *chairperson.*
- 21 (d) *The task force shall have the following duties:*
- 22 (1) *To provide the board with updates regarding the status of*
23 *task force member organizations with regard to implementing the*
24 *statutory electronic pedigree requirements.*
- 25 (2) *To notify the board of implementation challenges regarding*
26 *electronic pedigree law.*
- 27 (3) *To submit an annual report to the board and to the Senate*
28 *Committee on Business, Professions and Economic Development*
29 *and the Assembly Committee on Business and Professions*
30 *regarding task force findings.*
- 31 (e) *The staff of the board shall support the needs of the task*
32 *force.*
- 33 (f) *This section shall become inoperative on either July 1, 2012,*
34 *or the date upon which the requirements for a pedigree set forth*
35 *in Sections 4034 and 4163 become effective, as determined by the*
36 *board, whichever is later, and, as of January 1 of the next year*
37 *shall be repealed.*

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**All matter omitted in this version of the bill
appears in the bill as amended in Senate,
March 27, 2008 (JR11)**

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