

**ASSEMBLY BILL**

**No. 141**

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**Introduced by Assembly Member Knox**

January 11, 1999

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An act to add and repeal Section 4013 of the Business and Professions Code, relating to pharmacies, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 141, as introduced, Knox. Pharmacies.

Existing law provides for the California State Board of Pharmacy to regulate and enforce laws regarding the practice of pharmacy, as specified. Existing law also provides for the continuous appropriation of moneys in the Pharmacy Board Contingent Fund for the purposes of the board.

This bill would require the board to conduct a study regarding the incidence of medication errors in pharmacies, as specified, and to report these findings to the Legislature on or before December 1, 2002. The bill would make an appropriation by expanding the purposes for the expenditure of funds from the Pharmacy Board Contingent Fund, and provides for the repeal of these provisions as of January 1, 2003, unless a later enacted statute deletes or extends that date.

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

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

1 SECTION 1. Section 4013 is added to the Business and  
2 Professions Code, to read:  
3 4013. (a) The board shall conduct a study of the  
4 incidence of medication errors in pharmacies in  
5 California. The study shall employ a methodology that  
6 uses “test” prescriptions distributed to a statistically  
7 significant cross section of pharmacies in the state. In  
8 designing the study, the board shall confer with the  
9 scientific and academic community to ensure that the  
10 study is based on sound scientific and analytic principles.  
11 The board shall issue a report of its findings from the  
12 study to the Legislature on or before December 1, 2002.  
13 (b) The purpose of the study described in subdivision  
14 (a) is to measure the frequency and describe the type of  
15 medication errors occurring in California pharmacies and  
16 to improve patient safety, and identify broader issues that  
17 may become the basis for instituting profession-wide  
18 standards and changes.  
19 (c) The board shall have the authority to contract with  
20 outside entities to collect and analyze data necessary for  
21 the study.  
22 (d) “Test” prescription, as used in this section, refers  
23 to a prescription that is prepared solely for the purposes  
24 set out in this section and issued only according to  
25 standards established for the study conducted pursuant to  
26 this section, and not for the actual medical needs of a  
27 patient. All prescription containers, including all drugs,  
28 obtained through such a prescription shall be forwarded  
29 to the board, or its designee immediately after  
30 examination for purposes of the study conducted  
31 pursuant to this section and shall thereafter remain under  
32 the board’s custody and in its possession until destroyed.  
33 (e) This section shall cease to be operative on January  
34 1, 2003, and on that date is repealed, unless a later enacted  
35 statute that is enacted on or before that date deletes or  
36 extends that date.

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