

**TEXAS STATE BOARD OF PHARMACY
QUARTERLY REPORT ON DISMISSED COMPLAINTS**

	1	2	3	4	5
	FY09 1st Quarter	FY09 2nd Quarter	FY09 3rd Quarter	FY09 4th Quarter	FY09 Year-to-Date
Investigations Not Resulting in Disciplinary Action	1,340 (77%)	1,239 (78%)	863 (66%)	1,160 (75%)	4,602 (74%)
Investigate + Dismissal (Warning) Letter	426	421	294	295	1,436
Investigate + Cpt. Closed with Verbal Warning	221	104	94	90	509
Investigate + Cpt. Closed with No Action Due to Insuff. Evidence to Prove Violation Occurred	435	470	270	324	1,499
Investigate + Lost Jurisdiction (regist expired)	55	49	46	60	210
Inspections	15	15	17	6	53
Inspection + Warning Notice or Dismissal Ltr.	0	4	5	4	13
Application Withdrawn	17	21	17	67	122
Other *	171	155	120	314	760
Investigations Resulting in Disciplinary Action	301 (17%)	256 (16%)	314 (24%)	314 (20%)	1,185 (19%)
Agreed Board Order	163	135	136	153	587
Board Order	17	29	26	29	101
Preliminary Notice Letter (PNL) + Dismissal (Warning) Letter	0	0	0	0	0
PNL + Application Withdrawn (with or without Informal Conference)	119	80	144	120	463
PNL + Informal Conference + Dismissal Letter	0	7	5	6	18
PNL + Informal Conference + Case Dismissed	1	4	2	6	13
PNL + Case Dismissed	1	1	1	0	3
Referrals To Other Agencies	22 (1%)	21 (1%)	35 (3%)	33 (2%)	111 (2%)
No Action **	86 (5%)	65 (4%)	90 (7%)	43 (3%)	284 (5%)
TOTAL	1,749 (100%)	1,581 (100%)	1,302 (100%)	1,550 (100%)	6,182 (100%)

* Represents miscellaneous actions, such as: complainant has withdrawn complaint; multiple actions (e.g., investigation and refer to PRN); complainant does not wish to cooperate with investigation (e.g., sign affidavit); alleged violation has already been addressed by a previous (recent) compliance inspection; or complaint has been inactivated (e.g., due to pending criminal trial/proceedings).

** No action due to: no violation; no jurisdiction; insufficient information; violation not substantive (e.g., report of loss of small quantity of controlled substance).

	1	2	3	4	5
	FY09 1st Quarter	FY09 2nd Quarter	FY09 3rd Quarter	FY09 4th Quarter	FY09 Year-to-Date
Complaints Closed Resulting in Disciplinary Action (ABOs / BOs)	180 (10%)	164 (10%)	162 (12%)	182 (12%)	688 (11%)
Complaints Closed with Actions Other than Disciplinary Action	1,569 (90%)	1,417 (90%)	1,140 (88%)	1,368 (88%)	5,494 (89%)
TOTAL	1,749 (100%)	1,581 (100%)	1,302 (100%)	1,550 (100%)	6,182 (100%)

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	1	2	3	4
	FY08 Quarterly Avg.	FY09 4th Quarter	FY09 Qtrly. Avg.	FY08 – FY09 % Change
Investigations Not Resulting in Disciplinary Action	1,020 (76%)	1,160 (75%)	1,151 (74%)	+13%
Investigate + Dismissal (Warning) Letter	352	295	359	+2%
Investigate + Cpt. Closed with Verbal Warning	79	90	127	+61%
Investigate + Cpt. Closed with No Action Due to Insuff. Evidence to Prove Violation Occurred	395	324	375	-5%
Investigate + Lost Jurisdiction (regist expired)	30	60	53	+77%
Inspections	10	6	13	+30%
Inspection + Warning Notice or Dismissal Ltr.	2	4	3	+50%
Application Withdrawn	21	67	31	+48%
Other *	132	314	190	+44%
Investigations Resulting in Disciplinary Action	228 (17%)	314 (20%)	296 (19%)	+30%
Agreed Board Order	122	153	147	+20%
Board Order	19	29	25	+32%
Preliminary Notice Letter (PNL) + Dismissal (Warning) Letter	0	0	0	0%
PNL + Application Withdrawn (with or without Informal Conference)	83	120	116	+40%
PNL + Informal Conference + Dismissal Letter	2	6	5	+150%
PNL + Informal Conference + Case Dismissed	2	6	3	+50%
PNL + Case Dismissed	0	0	1	+100%
Referrals To Other Agencies	16 (1%)	33 (2%)	28 (2%)	+75%
No Action **	77 (6%)	43 (3%)	71 (5%)	-8%
TOTAL	1,340 (100%)	1,550 (100%)	1,546 (100%)	+15%

* Represents miscellaneous actions, such as: complainant has withdrawn complaint; multiple actions (e.g., investigation and refer to PRN); complainant does not wish to cooperate with investigation (e.g., sign affidavit); alleged violation has already been addressed by a previous (recent) compliance inspection; or complaint has been inactivated (e.g., due to pending criminal trial/proceedings).

** No action due to: no violation; no jurisdiction; insufficient information; violation not substantive (e.g., report of loss of small quantity of controlled substance).

	1	2	3	4
	FY08 Quarterly Avg.	FY09 4th Quarter	FY09 Qtrly. Avg.	FY08 – FY09 % Change
Complaints Closed Resulting in Disciplinary Action (ABOs / BOs)	141 (11%)	182 (12%)	172 (11%)	+22%
Complaints Closed with Actions Other than Disciplinary Action	1,199 (89%)	1,368 (88%)	1,374 (89%)	+15%
TOTAL	1,340 (100%)	1,550 (100%)	1,546 (100%)	+15%