

TEXAS STATE BOARD OF PHARMACY

GOALS AND OBJECTIVES

Fiscal Year 2009

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**FY2009 GOALS AND OBJECTIVES
OFFICE OF THE EXECUTIVE DIRECTOR**

GOAL

To provide policy advice to the Board, implement Board policies, and manage the organization in a manner that will accomplish the stated mission, goals, and objectives of the agency.

Objectives (New)

1. To attend public hearings, provide testimony and any fiscal or technical information, and to review all legislation that has an impact on the practice of pharmacy and agency operations, and monitor the process of this legislation, throughout the 81st Texas Legislative Session.
2. To direct the submission of, provide testimony for, and monitor the progress of the agency's *Legislative Appropriation Request* and corresponding performance measures for FY2010-2011.

Objectives (Ongoing)

1. To manage and monitor the agency's operation and performance throughout FY2009.
2. To coordinate the development of proposed goals and objectives and budget for FY2009 based on the *Strategic Plan* and projected budget, for submission to the Board two weeks prior to the 2009 Annual Policy Meeting.
3. To direct TSBP's "*lead agency approach*" to help assure coordination of TSBP activities with those of other state and federal agencies involved in the regulation of the practice of pharmacy throughout FY2009.
4. To review all federal statutes, regulations, and policies that may impact the regulation of the practice of pharmacy and make timely recommendations to the Board for implementation of any required Board actions throughout FY2009.
5. As the Executive Director of the Board, throughout FY2009, to:
 - A. represent Board policies and programs to local, state, and national pharmacy, health-related, and consumer organizations;
 - B. act as the Board's liaison to the pharmacy professional associations;
 - C. continue to take a proactive role in the operation of the Health Professions Council; and
 - D. continue to support and participate in the Texas Pharmacy Congress.

6. To recommend changes to the Texas Pharmacy Act and rules, which will enhance the agency's ability to protect the public health, safety, and welfare, or will improve the efficiency and effectiveness of the agency's operations, and forward the recommendations to the Board for consideration for action throughout FY2009.
7. To maintain a staff development program by encouraging Executive Office staff to participate in professional and interpersonal development seminars, cross training, and on-the-job training throughout FY2009.
8. To conduct periodic reviews and annual evaluations of Division Directors and Executive Office staff and to monitor evaluations of employees in all Board Divisions throughout FY2009.
9. To provide the Board information necessary to conduct the performance evaluation of the Executive Director by August 31, 2009.
10. To prepare a report on the accomplishments of the Office of the Executive Director and direct the preparation and submission of the agency's FY2008 Annual Report to be presented to the Board at the May 2009 meeting.

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**FY2009 GOALS AND OBJECTIVES
DIVISION OF ADMINISTRATIVE SERVICES AND LICENSING**

GOAL

To administer agency operations including personnel, finance, purchasing, risk management, and information technologies. To conduct a pharmacy and pharmacist licensure system, intern registration program, pharmacy technician registration system, and the ongoing renewal of licenses and registrations.

Objectives (New)

1. To assist the Executive Director, in cooperation with other Divisions, in the following new objectives:
 - A. Preparing testimony, attending public hearings, providing any fiscal or technical information, reviewing all legislation that has an impact on the practice of pharmacy and agency operations, and monitoring the process of this legislation, throughout the 81st Texas Legislative Session; and
 - B. Monitoring the progress of the agency's Legislative Appropriations Request and corresponding performance measures for FY2010-2011.

Objectives (Ongoing) - Administrative Services

1. To prepare a proposed budget for FY2010 for submission to the Board two weeks prior to the 2009 Annual Policy Meeting.
2. To prepare and submit all required accounting and fiscal reports/reconciliations in compliance with all applicable state statutes throughout FY2009.
3. To review and recommend to the Executive Director additional sources of spendable revenue and to assess fees charged for Board services throughout FY2009.
4. To assess the material needs of the agency and supervise the purchasing and supply activities in accordance with all Building and Procurement Commission rules and procedures throughout FY2009.
5. To increase the efficiency and productivity of Board office operations by managing and coordinating space needs and on-site maintenance of the Board's office facilities throughout FY2009.
6. To serve as the agency's Human Resource Coordinator in ensuring agency compliance with all applicable state and federal personnel statutes throughout FY2009.
7. To manage the information resource needs (data processing, telecommunication, and Web site) of the agency throughout FY2009.

8. To serve as the Agency Records Retention Manager to the Texas State Library, in maintaining a Records Retention Program for the economical and efficient management of agency records throughout FY2009.
9. To serve as the Agency Risk Manager by annually assessing areas of agency risk exposures and recommending procedures to control these exposures throughout FY2009.
10. To provide verbal and written information to Board staff and customers throughout FY2009 including, by the assigned due dates, the preparation of:
 - A. LBB Performance and Funds Management Report and other special reports as requested by LBB, legislative committees, legislators, and others, in conjunction with other Divisions as necessary; and
 - B. responses to surveys and questionnaires.
11. To assist the Executive Director in developing and implementing the objectives of the Health Professions Council pertinent to Division activities throughout FY2009.
12. To maintain a staff development program by encouraging Division staff to participate in professional and interpersonal development seminars, cross training, and on-the-job training throughout FY2009.
13. To conduct periodic reviews and annual evaluations of all employees under the supervision of this Division during FY2009.
14. To update the Agency Personnel Handbook and the Division's *Policies and Procedures Manual* as needed and submit any substantive revisions to the Executive Director for approval throughout FY2009.
15. To recommend changes to the Texas Pharmacy Act and rules and to recommend policies and procedures that will enhance the agency's ability to protect the public health, safety, and welfare, or will improve the efficiency and effectiveness of the agency's operations, and forward the recommendations to the Executive Director throughout FY2009.
16. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's *FY2008 Annual Report* and submit to the Executive Director by the due date.

Objectives (Ongoing) - Licensing

17. To coordinate the collection of licensing data for *Key Performance Targets* required under the 2008-2009 Appropriations Act and to submit to the Executive Director by specified due dates throughout FY2009.

18. To register all qualified pharmacist-interns within an average of 20 working days of the receipt of all required documents.
19. To determine the eligibility of all pharmacist applicants applying to take the NAPLEX and Texas Pharmacy Jurisprudence Examination for initial licensing or licensing by reciprocity throughout FY2009.
20. To provide staff support to the *Examination Retake Committee* and any other advisory committee related to licensing issues as required in FY2009.
21. To issue a pharmacist license by examination, score transfer, or reciprocity within an average of ten working days after the date the agency receives the examination results throughout FY2009.
22. To issue renewal certificates to all pharmacist candidates within an average of four working days of receipt of the required fee and all required documents throughout FY2009.
23. To audit the pharmacists' compliance with continuing education and to initiate complaints on pharmacists who are not in compliance with the rules regarding pharmacists' mandatory continuing education for renewal, in cooperation with the Enforcement team, throughout FY2009.
24. To issue initial certificates to all pharmacy technician trainee candidates within an average of four working days of receipt of the required documents throughout FY2009.
25. To issue initial and/or renewal certificates to all pharmacy technician candidates within an average of four working days of receipt of the required fee and all required documents throughout FY2009.
26. To issue an initial and/or renewal certificate to all pharmacy license applicants on receipt of the required fees and all required documents according to the following guidelines throughout FY2009:
 - A. initial certificates to pharmacy license applicants within an average of 21 working days; and
 - B. renewal certificates to pharmacy license applicants within four working days.
27. In cooperation with the Enforcement Division and in compliance with the agency's policies and procedures, to process criminal background checks on applicants for licensure and registration throughout FY2009, including fingerprint-based criminal background checks; and to conduct criminal background checks on licensees and registrants on a quarterly basis throughout FY2009.

**FY2009 GOALS AND OBJECTIVES
DIVISION OF PROFESSIONAL SERVICES**

GOAL

To facilitate agency operations by providing information services for the agency including the *Newsletter*, responses to requests for public information, and public speaking engagements to agency customers, serving as liaison to the *Texas Register*, and by providing professional services, including rule development, internship reviews, law exam development, and task force support.

Objectives (New)

To assist the Executive Director, in cooperation with other Divisions, in preparing testimony, attending public hearings, providing any fiscal or technical information, reviewing all legislation that has an impact on the practice of pharmacy and agency operations, and monitoring the progress of this legislation, throughout the 81st Texas Legislative Session.

Objectives (Ongoing)

1. To develop rules for consideration by the Board relating to professional issues and assist other Divisions with the development of rules pertaining to Board operations.
2. To act as agency liaison to the *Texas Register*, coordinate and monitor all submissions to the *Texas Register*, to review and monitor the *Texas Register* for activities of other agencies that would impact TSBP or pharmacy practice, and to provide periodic notice of publications to Board Members, staff, and other interested parties.
3. To respond to open records requests throughout FY2009, in accordance with the procedures set forth in the Texas Public Information Act.
4. To provide information to Board staff and customers, including responses to surveys and questionnaires, oral and written communication, and public speaking engagements, as needed and required throughout FY2009.
5. To publish an Internet version of the *Newsletter* during FY2008, in order to promote voluntary compliance with the law by providing information to educate pharmacists about their responsibilities under current law and rules, and to provide information consistent with the responsibilities of the Board.
6. To work with the National Association of Boards of Pharmacy (NABP) in the ongoing development of the Multi-State Pharmacy Jurisprudence Examination (MPJE); coordinate with the Enforcement Division to review MPJE item pools on an agreed timetable with NABP to determine appropriate questions for Texas; and to provide new questions for the MPJE as appropriate or requested by NABP.
7. To assist the Board, throughout FY2009, in its review of the Texas colleges of pharmacy degree and internship programs to determine if the programs are adequate to prepare a student for pharmacy practice.

8. To coordinate the updating of the Texas State Pharmacy Law reference manual and provision of the updates to the publisher of the manual and to NABP for inclusion in NABPLAW during FY2009.
9. To provide professional staff support to Board-appointed task forces and complete other special projects as assigned throughout FY2009.
10. To provide technical assistance and maintain liaison with federal, state, and local regulatory agencies involved in pharmacy practice regulation throughout FY2009.
11. To maintain a staff development program by encouraging Division staff to participate in professional and interpersonal development seminars, cross training, and on-the-job training throughout FY2009.
12. To conduct periodic reviews and annual evaluations of all employees under the supervision of this Division during FY2009.
13. To destroy records in accordance with the agency's record retention plan throughout FY2009; to update the Division's *Policy and Procedure Manual* as needed and submit any substantive revisions to the Executive Director/Secretary for approval throughout FY2009.
14. To recommend changes to the Texas Pharmacy Act and rules and to recommend policies and procedures that will enhance the agency's ability to protect the public health, safety, and welfare, or will improve the efficiency and effectiveness of the agency's operations, and forward the recommendations to the Executive Director throughout FY2009.
15. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's FY2008 Annual Report and submit to the Executive Director by the due date.

FY2009 GOALS AND OBJECTIVES ENFORCEMENT DIVISION

GOAL

To promote voluntary compliance with pharmacy laws and rules. To monitor compliance with pharmacy laws and rules. To enforce pharmacy laws and rules through inspections and investigations of pharmacists and pharmacies. To monitor the complaint process and transfer complaints involving substantive allegations to the TSBP Legal Division for review and potential prosecution. To monitor compliance with Disciplinary Orders. To provide enforcement information and information regarding pharmacy laws and rules to agency customers.

Objectives (New)

1. To assist the Executive Director, in cooperation with other Divisions, in preparing testimony, attending public hearings, providing any fiscal or technical information, reviewing all legislation that has an impact on the practice of pharmacy and agency operations, and monitoring the progress of this legislation, throughout the 81st Texas Legislative Session.

Objectives (Ongoing)

1. To submit data regarding enforcement and peer assistance data for Key Performance Targets required under the FY2008-2009 Appropriations Act to Executive Director by specified due dates throughout FY2009; to assist in the preparation of applicable reports to the Legislative Budget Board and Governor's Budget Office regarding performance measures.
2. To monitor pharmacy inspections and pharmacists' practice by conducting 2,000 inspections, inspection-visits, and/or visits, including follow-up inspections to "Warning Notices" throughout FY2009. To inspect pharmacies and monitor pharmacists' practice throughout FY2009, according to the following priorities:
 - A. pharmacists and pharmacies who are the subject of a complaint received by TSBP or a disciplinary order entered by TSBP;
 - B. new pharmacies or pharmacies with a recent change of ownership;
 - C. pharmacies that have received a "Warning Notice" (follow-up inspections);
 - D. requests for inspection by licensee;
 - E. pharmacies with a preceptor working in the pharmacy; and
 - F. routine inspections.

3. To coordinate and monitor throughout FY2009, the receipt, assignment, and resolution of all complaints filed with the agency and the notification of complainants. To investigate complaints throughout FY2009, according to the following priorities:
- A. Continuing threats to the public welfare requiring a temporary suspension;
 - B. Complaints filed against licensees/registrants who have a chemical, mental, or physical impairment;
 - C. Complaints involving the diversion of prescription drugs, through the following illegal means:
 - theft of drugs;
 - delivering prescription drugs without a prescription;
 - dispensing prescription drugs pursuant to an invalid prescription, such as forged or fraudulent prescriptions, prescriptions dispensed following an Internet consultation, and unauthorized refills; and
 - failing to keep and maintain accurate records of purchases and disposals of prescription drugs (i.e., audit shortages);
 - D. Complaints against licensees/registrants who have been convicted of a felony involving offenses that involved drug laws or occurred while engaged in pharmacy practice;
 - E. Complaints against licensees/registrants who are registered sex offenders;
 - F. Complaints against licensees/registrants who have been convicted of a felony involving offenses not occurring while engaged in pharmacy practice;
 - G. Complaints involving applicants for licensure or registration (not including applications for reinstatement);
 - H. Complaints involving dispensing errors and malpractice reports;
 - I. Complaints involving violations of rules relating to patient counseling or drug regimen review;
 - J. Complaints involving health-care fraud or fraud, deceit, and misrepresentation in the practice of pharmacy, including aiding and abetting a non-licensed individual in the practice of pharmacy;
 - K. Complaints against licensees/registrants who have been convicted of a misdemeanor that involved drug laws or occurred while engaged in pharmacy practice;
 - L. Applications involving reinstatement of revoked licenses and registrations;
 - M. Complaints involving other violations of the laws and rules relating to the practice of pharmacy (e.g., CE audit shortages; falsification of renewal applications; possession of samples or misbranded/adulterated drugs; working with an expired license or registration; and falsification of response to warning notices);

- N. Complaints against licensees/registrants who have been convicted of a misdemeanor involving offenses not occurring while engaged in pharmacy practice; and
 - O. Complaints against licensees/registrants who have been subject to a disciplinary action by another state board of pharmacy.
4. In cooperation with the Licensing Division and in compliance with the agency's policies and procedures, to process criminal background checks on applicants for licensure and registration throughout FY2009, including fingerprint-based criminal background checks; and to conduct criminal background checks on licensees and registrants on a quarterly basis throughout FY2009.
 5. To provide technical assistance, maintain liaison, and coordinate joint investigations of pharmacists, interns, pharmacy technicians, and pharmacies, in line with the "lead agency approach," with federal, state, and local law enforcement agencies, including health regulatory or administrative agencies, throughout FY2009.
 6. To monitor compliance with all Board Orders and Agreed Board Orders, including rehabilitation Orders relating to impaired or recovering pharmacists, throughout FY2009.
 7. To provide verbal and written information to Board staff and customers as needed or required throughout FY2009, to include providing technical assistance to other Divisions and responding to surveys and questionnaires.
 8. In cooperation with the Executive Director and other Divisions, to provide internship experience to student pharmacist-interns upon requests from the Texas colleges of pharmacy, throughout FY2009.
 9. To serve as liaison for the Board to the Professional Recovery Network (PRN) of the Texas Pharmacy Association and to monitor non-financial contractual obligations of PRN throughout FY2009.
 10. To assist the Executive Director in developing and implementing the objectives of the Health Professions Council pertinent to Division activities throughout FY2009.
 11. To maintain a staff development program by encouraging Division staff to participate in professional and interpersonal development seminars, cross training, and on-the-job training throughout FY2009.
 12. To conduct periodic reviews and annual evaluations of all employees under the supervision of this Division during FY2009.
 13. To maintain Division records throughout FY2009, including the following: to image records and destroy records in accordance with the agency's record retention plan; to update the Division's *Policies and Procedures Manual* as needed and submit any substantive revisions to the Executive Director for approval.
 14. To recommend changes to the Texas Pharmacy Act and rules and to recommend policies and procedures that will enhance the agency's ability to protect the public health, safety, and welfare, or will improve the efficiency and effectiveness of the agency's operations, and forward the recommendations to the Executive Director throughout FY2009.

15. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's *FY2008 Annual Report* and submit to the Executive Director by the due date.

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**FY2009 GOALS AND OBJECTIVES
LEGAL DIVISION**

GOAL

To prosecute violations of the laws and rules related to the practice of pharmacy. To provide adjudicative information to agency customers. To provide legal services and guidance to the Board and the agency staff relating to the regulation of the practice of pharmacy and the administration of the agency

Objectives (New)

1. To assist the Executive Director, in cooperation with other Divisions, in preparing testimony, attending public hearings, providing any fiscal or technical information, reviewing all legislation that has an impact on the practice of pharmacy and agency operations, and monitoring the progress of this legislation, throughout the 81st Texas Legislative Session.

Objectives (Ongoing)

1. To coordinate and monitor throughout FY2009 the receipt, assignment, and resolution of all cases accepted by the Division.
2. To review all cases referred to the Division for potential disciplinary action; and if sufficient evidence exists to warrant action, to institute disciplinary proceedings against licensees within an average of 150 days of the date of the receipt of the case, in accordance with priorities established for the Enforcement Division, throughout FY2009.
3. To plan and conduct a minimum of 24 days of informal conference sessions in FY2009 to adjudicate violators of pharmacy laws/rules.
4. To refer disciplinary cases to the State Office of Administrative Hearings (SOAH) throughout FY2009, and file a complaint with SOAH within an average of 150 days of the date that the agency determines the case cannot be settled with an Agreed Board Order.
5. To research legal issues and provide legal services and advice to the Board and agency staff; to provide legal services to the Enforcement and Administrative Services and Licensing Divisions regarding interpretation of the laws and rules and to the Division of Professional Services in the development of agency rules and publication of newsletters.

To review and monitor the *Texas Register* for Attorney General opinions; to draft requests for Attorney General Opinions throughout FY2009; to serve as liaison for the Board to the Office of the Attorney General (OAG); to monitor and assist with appeals, injunctions, or civil litigation handled by the OAG against pharmacists or non-pharmacists

7. To assist with open records requests throughout FY2009, in accordance with the procedures set forth in the Texas Public Information Act.

8. To provide verbal and written information to Board staff and customers, including responses to surveys and questionnaires, as needed and required throughout FY2009; to provide legal assistance and maintain liaison with appropriate local, state, and federal prosecutors, legal divisions, and enforcement agencies involved in the investigation or prosecution of Board licensees, in conjunction with the Enforcement Division, throughout FY2009.
9. To assist the Executive Director in developing and implementing the objectives of the Health Professions Council and/or Office of Patient Protection pertinent to Division activities as assigned throughout FY2009.
10. To maintain a staff development program by encouraging Division staff to participate in professional and interpersonal development seminars, cross training, and on-the-job training throughout FY2009.
11. To conduct periodic reviews and annual evaluations of all employees under the supervision of this Division during FY2009.
12. To destroy records in accordance with the agency's record retention plan throughout FY2009; to update the Division's *Policies and Procedures Manual* as needed and submit any substantive revisions to the Executive Director for approval throughout FY2009.
13. To recommend policies and procedures to the Executive Director that will enhance the efficiency and effectiveness of the agency throughout FY2009.
14. To recommend changes to the Texas Pharmacy Act and rules, which will enhance the agency's ability to protect the public health, safety, and welfare, or will improve the efficiency and effectiveness of the agency's operations, and forward the recommendations to the Executive Director throughout FY2009.
15. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's *FY2008 Annual Report*, and submit to the Executive Director by the due date.