

TEXAS STATE BOARD OF PHARMACY

GOALS AND OBJECTIVES

Fiscal Year 2014



FY2014 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 review and implement legislation passed by the 83rd Texas Legislature that affects agency operations and/or the practice of pharmacy throughout FY2014.
2. To assist and participate with the Board in updating and preparing the *TSBP Strategic Plan* for FY2015-2019 and submitting the plan to the Governor's Office of Budget, Planning, and Policy and Legislative Budget Board by the due date.
3. To direct the preparation of a proposed budget for the FY2016-2017 biennium for review and approval by the Board at the FY2014 Board Budget Meeting.
4. To direct the preparation and submission of the agency's *Legislative Appropriation Request for FY2016-2017* and corresponding performance measures by the due date.
5. To coordinate and participate in the orientation of new Board Members within 90 days of appointment by the Governor.

Objectives (Ongoing)

1. To manage and monitor the agency's performance and operational efficiency throughout FY2014.
2. To coordinate the development of proposed goals and objectives and budget for FY2015 based on the *Strategic Plan* and projected budget, for submission to the Board two weeks prior to the August 2014 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 FY2014.
4. To manage the information resource needs (data processing, telecommunication, and Website) of the agency throughout FY2014 by:
 - A. evaluating and implementing solutions for the evolving computing needs of the agency;
 - B. providing a stable infrastructure for existing systems;
 - C. increasing the efficiency and productivity of Board operations; and
 - D. securing the agencies system against internal and external threats.

5. 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 FY2014.
6. As the Executive Director of the Board, throughout FY2014, 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.
7. 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 throughout FY2014.
8. 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 and 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 FY2014.
9. To provide the Board information necessary to conduct performance evaluation of the Executive Director by August 31, 2014.
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 *FY2013 Annual Report* to be presented to the Board at the August 2014 meeting.

FY2014 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)

To assist the Executive Director, in cooperation with other Divisions, in the following new objectives throughout FY2014:

1. Reviewing and implementing legislation passed by the 83rd Texas Legislature that affects agency operations and/or the practice of pharmacy;
2. Updating and preparing the *TSBP Strategic Plan for FY2015-2019* and submitting the plan to the Governor's Office of Budget, Planning, and Policy and the Legislative Budget Board by the due date;
3. Preparing a proposed budget for the FY2016-2017 biennium for review and approval by the Board at the 2014 Board Budget meeting;
4. Preparing the *TSBP Legislative Appropriation Request for FY2016-2017* and corresponding performance measures by the due date; and
5. Conducting the orientation of new Board Members within 90 days of appointment by the Governor.

Objectives (Ongoing) – Administrative Services

1. To prepare a proposed budget for FY2015 for submission to the Board two weeks prior to the 2014 Annual Policy Meeting.
2. To prepare and submit all required accounting and fiscal reports/reconciliations in compliance with all applicable state statutes throughout FY2014.
3. To review and recommend to the Executive Director additional sources of spendable revenue and to assess fees charged for Board services throughout FY2014.
4. To assess the material needs of the agency and supervise the purchasing and supply activities in accordance with all Texas Procurement and Support Services rules and procedures throughout FY2014.
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 FY2014.

6. To serve as the agency's Human Resource Coordinator in ensuring agency compliance with all applicable state and federal personnel statutes throughout FY2014.
7. 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 FY2014.
8. To serve as the Agency Risk Manager by annually assessing areas of agency risk exposures and recommending procedures to control these exposures throughout FY2014.
9. To provide verbal and written information to Board staff and customers throughout FY2014 including, by the assigned due dates, the preparation of the 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.
10. To assist the Executive Director in developing and implementing the objectives of the Health Professions Council (HPC) pertinent to Division activities throughout FY2014.
11. To manage employees under the supervision of the Division throughout FY2014, in compliance with all applicable state and federal personnel statutes, including the following: to hire qualified applicants for new or vacant positions; to update or develop job descriptions in compliance with the State Classification System; to participate in State Classification audits of positions; to conduct periodic reviews and annual evaluations of Division employees; and to promote self-development through such activities as on-the-job training, cross-training, and attendance at professional seminars.
12. 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 FY2014.
13. 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 FY2014.
14. To prepare a report on the accomplishment of Division objectives for incorporation into the agency's *FY2013 Annual Report* and submit to the Executive Director by the due date.

Objectives (Ongoing) – Licensing

15. To coordinate the collection of licensing data for *Key Performance Targets* required under the 2014-2015 Appropriations Act and to submit to the Executive Director by specified due dates throughout FY2014.
16. To register all qualified pharmacist-interns within an average of 20 working days of the receipt of all required documents.

17. 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 FY2014.
18. To provide staff support to the *Examination Retake Committee* and any other advisory committee related to licensing issues as required in FY2014.
19. 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 FY2014.
20. To issue renewal certificates to all pharmacist candidates within an average of five working days of receipt of the required fee and all required documents throughout FY2014.
21. 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 FY2014.
22. To issue initial certificates to all pharmacy technician trainee candidates within an average of five working days of receipt of the required documents throughout FY2014.
23. To issue initial and/or renewal certificates to all pharmacy technician candidates within an average of ten working days of receipt of the required fee and all required documents throughout FY2014.
24. 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 FY2014.
 - A. initial certificates to pharmacy license applicants within an average of 21 working days; and
 - B. renewal certificates to pharmacy license applicants within five working days.
25. 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 FY2014, including fingerprint-based criminal background checks; and to conduct criminal background checks on licensees and registrants on a quarterly basis throughout FY2014.

FY2014 GOALS AND OBJECTIVES DIVISION OF PROFESSIONAL SERVICES

GOAL

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

Objectives (New)

To assist the Executive Director, in cooperation with other Divisions, in the following new objectives throughout FY2014:

1. Reviewing and implementing legislation passed by the 83rd Texas Legislature that affects agency operations and/or the practice of pharmacy;
2. Updating and preparing the *TSBP Strategic Plan for FY2015-2019* and submitting the plan to the Governor's Office of Budget, Planning, and Policy and the Legislative Budget Board by the due date;
3. Preparing a proposed budget for the FY2016-2017 biennium for review and approval by the Board at the 2014 Board Budget meeting;
4. Preparing the *TSBP Legislative Appropriation Request for FY2016-2017* and corresponding performance measures by the due date; and
5. Conducting the orientation of new Board members within 90 days of appointment by the Governor.

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 throughout FY2014.
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 throughout FY2014.
3. To respond to open records requests throughout FY2014, in accordance with the procedures set forth in the Texas Public Information Act and to notify various state and federal agencies regarding disciplinary orders entered by the Board.
4. To provide information to Board staff and customers, including responses to surveys and questionnaires, oral and written communication, display of the TSBP exhibit at meetings, and public speaking engagements, as needed and required throughout FY2014.

5. To educate licensees/registrants and promote voluntary compliance with the laws and rules by providing information about responsibilities under current regulations and to provide information consistent with the responsibilities of the Board through the publication of an Internet version of the *Newsletter*; online webcasts; live presentations; and social media including Facebook, Twitter, and You Tube.
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 other staff the review of MPJE item pools on an agreed timetable with NABP to determine appropriate questions for the Texas exam; and to provide new questions for the MPJE as appropriate or requested by NABP throughout FY2014.
7. To coordinate the updating of the Texas State Pharmacy Law reference manual with the publisher of the manual during FY2014.
8. To provide professional staff support to Board-appointed task forces and complete other special projects as assigned throughout FY2014.
9. To provide technical assistance and maintain liaison with federal, state, and local regulatory agencies involved in pharmacy practice regulation throughout FY2014.
10. To manage employees under the supervision of the Division throughout FY2014, in compliance with all applicable state and federal personnel statutes, including the following: to hire qualified applicants for new or vacant positions; to update or develop job descriptions in compliance with the State Classification System; to participate in State Classification audits of positions; to conduct periodic reviews and annual evaluations of Division employees; and to promote self-development through such activities as on-the-job training, cross-training, and attendance at professional seminars.
11. To destroy records in accordance with the agency's record retention plan throughout FY2014; and to update the Division's *Policy and Procedure Manual* as needed and submit any substantive revisions to the Executive Director/Secretary for approval throughout FY2014.
12. 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 FY2014.
13. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's *FY2013 Annual Report* and submit to the Executive Director by the due date.

FY2014 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)

To assist the Executive Director, in cooperation with other Divisions, in the following new objectives throughout FY2014:

1. Reviewing and implementing legislation passed by the 83rd Texas Legislature that affects agency operations and/or the practice of pharmacy;
2. Updating and preparing the *TSBP Strategic Plan for FY2015-2019* and submitting the plan to the Governor's Office of Budget, Planning, and Policy and the Legislative Budget Board by the due date;
3. Preparing a proposed budget for the FY2016-2017 biennium for review and approval by the Board at the 2014 Board Budget meeting;
4. Preparing the *TSBP Legislative Appropriation Request for FY2016-2017* and corresponding performance measures by the due date; and
5. Conducting the orientation of new Board members within 90 days of appointment by the Governor.

Objectives (Ongoing)

1. To submit data regarding enforcement and peer assistance data for Key Performance Targets required under the FY2014-2015 Appropriations Act to Executive Director by specified due dates throughout FY2014; to assist in the preparation of applicable reports to the Legislative Budget Board and Governor's Budget Office regarding performance measures.
2. To monitor throughout FY2014, pharmacy inspections and pharmacists' practice by conducting 2,000 inspections of all classes of pharmacies, including pre-inspections, partial inspections, and follow-up inspections to "Warning Notices." To inspect pharmacies and monitor pharmacists' practice throughout FY2014, according to the following priorities:
 - A. Pre-inspections of pharmacies that are applying for a new pharmacy license;

- B. Pharmacists and pharmacies that are the subject of a complaint received by TSBP or a disciplinary order entered by TSBP;
 - C. Pharmacies that compound sterile preparations, including Class E Pharmacies (Non-Resident) pharmacies and other classes of pharmacies that compound high-risk sterile preparations;
 - D. New pharmacies or pharmacies with a recent change of ownership;
 - E. Pharmacies that have received a "Warning Notice" (follow-up inspections);
 - F. Pharmacies that have experienced a theft or loss of prescription drugs; and
 - G. Routine inspections.
3. To coordinate and monitor throughout FY2014, the receipt, assignment, and resolution of all complaints filed with the agency and the notification of complainants. To investigate complaints throughout FY2014, 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, prescriptions dispensed originating from a pill mill operation, 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., Non-Compliance with terms of Disciplinary Orders; 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 FY2014, including fingerprint-based criminal background checks; and to conduct criminal background checks on licensees and registrants on a quarterly basis throughout FY2014.
 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 FY2014.
 6. To monitor compliance with all Board Orders and Agreed Board Orders, including rehabilitation Orders relating to impaired or recovering pharmacists and pharmacy technicians/trainees, throughout FY2014.
 7. To provide verbal and written information to Board staff and customers as needed or required throughout FY2014, 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 FY2014.

9. To serve as liaison for the Board to the Professional Recovery Network (PRN) of the Texas Pharmacy Association and to assist in monitoring non-financial contractual obligations of PRN throughout FY2014.
10. To assist the Executive Director in developing and implementing the objectives of the Health Professions Council pertinent to Division activities throughout FY2014.
11. To manage employees under the supervision of the Division throughout FY2014, in compliance with all applicable state and federal personnel statutes, including the following: to hire qualified applicants for new or vacant positions; to update or develop job descriptions in compliance with the State Classification System; to participate in State Classification audits of positions; to conduct periodic reviews and annual evaluations of Division employees; and to promote self-development through such activities as on-the-job training, cross-training, and attendance at professional seminars.
12. To maintain Division records throughout FY2014, including the following: to image records and destroy records in accordance with the agency's record retention plan; to review the Division's *Policies and Procedures Manual* on an on-going basis and update as needed, and to submit any substantive revisions to the Executive Director for approval.
13. 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 FY2014.
14. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's *FY2013 Annual Report* and submit to the Executive Director by the due date.

FY2014 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)

To assist the Executive Director, in cooperation with other Divisions, in the following new objectives throughout FY2014:

1. Reviewing and implementing legislation passed by the 83rd Texas Legislature that affects agency operations and/or the practice of pharmacy;
2. Updating and preparing the *TSBP Strategic Plan for FY2015-2019* and submitting the plan to the Governor's Office of Budget, Planning, and Policy and the Legislative Budget Board by the due date;
3. Preparing a proposed budget for the FY2016-2017 biennium for review and approval by the Board at the 2014 Board Budget meeting;
4. Preparing the *TSBP Legislative Appropriation Request for FY2016-2017* and corresponding performance measures by the due date; and
5. Conducting the orientation of new Board members within 90 days of appointment by the Governor.

Objectives (Ongoing)

1. To coordinate and monitor throughout FY2014 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 FY2014.
3. To plan and conduct a minimum of 24 days of informal conference sessions in FY2014 to adjudicate violators of pharmacy laws/rules.
4. To refer disciplinary cases to the State Office of Administrative Hearings (SOAH) throughout FY2014, and file a complaint with SOAH within an average of 180 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 the public dissemination of information.
6. To review and monitor the *Texas Register* for Attorney General opinions; to draft requests for Attorney General Opinions throughout FY2014; 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 provide guidance and advice with open records requests throughout FY2014, 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 FY2014; 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 FY2014.
9. To assist the Executive Director in developing and implementing the objectives of the Health Professions Council throughout FY2014.
10. To manage employees under the supervision of the Division throughout FY2014, in compliance with all applicable state and federal personnel statutes, including the following: to hire qualified applicants for new or vacant positions; to update or develop job descriptions in compliance with the State Classification System; to participate in State Classification audits of positions; to conduct periodic reviews and annual evaluations of Division employees; and to promote self-development through such activities as on-the-job training, cross-training, and attendance at professional seminars.
11. To destroy records in accordance with the agency's record retention plan throughout FY2014; to update the Division's Policy and Procedure Manual as needed and submit any substantive revisions to the Executive Director/Secretary for approval throughout FY2014.
12. 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 FY2014.
13. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's *FY2013 Annual Report* and submit to the Executive Director by the due date.