



# **Texas State Board of Pharmacy**

## **GOALS & OBJECTIVES**

### **Fiscal Year 2017**

## FY2017 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 provide testimony, attend public hearings, and provide 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, including legislation outlining the Sunset Commission's recommendations, throughout the 85<sup>th</sup> 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 FY2018-2019.
3. To direct the implementation of the transfer of the Texas Prescription Monitoring program from the Texas Department of Public Safety to the Texas State Board of Pharmacy.

### **Objectives (Ongoing)**

1. To manage and monitor the agency's performance and operational efficiency throughout FY2017.
2. To coordinate the development of proposed goals and objectives and budget for FY2018 based on the *Strategic Plan* and projected budget, for submission to the Board two weeks prior to the August 2017 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 FY2017.
4. To manage the information resource needs (data processing, telecommunication, and Website) of the agency throughout FY2017 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 FY2017.

6. As the Executive Director of the Board, throughout FY2017, 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 FY2017.
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 FY2017.
9. To provide the Board information necessary to conduct performance evaluation of the Executive Director by August 31, 2017.
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 *FY2016 Annual Report* to be presented to the Board at the August 2017 meeting.

**FY2017 GOALS AND OBJECTIVES  
ADMINISTRATIVE SERVICES AND LICENSING DIVISIONS**

**GOAL**

To administer agency operations including personnel, finance, purchasing and risk management. 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, 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, including legislation outlining the Sunset Commissions' recommendations, throughout the 85th Texas Legislative Session.
2. To assist the Executive Director, in cooperation with other Divisions, in the implementation of the transfer of the Texas Prescription Monitoring Program from the Texas Department of Public Safety to the Texas State Board of Pharmacy.
3. To participate with the Comptroller of Public Accounts in implementing the Centralized Accounting and Payroll/Personnel System (CAPPS) HR/Payroll program for the Texas State Board of Pharmacy.

**Objectives (Ongoing) – Administrative Services**

1. To prepare a proposed budget for FY2018 for submission to the Board two weeks prior to the 2017 Annual Policy Meeting.
2. To prepare and submit all required accounting and fiscal reports/reconciliations in compliance with all applicable state statutes throughout FY2017.
3. To review and recommend to the Executive Director additional sources of spendable revenue and to assess fees charged for Board services throughout FY2017.
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 FY2017.
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 FY2017.
6. To serve as the agency's Human Resource Coordinator in ensuring agency compliance with all applicable state and federal personnel statutes throughout FY2017.

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 FY2017.
8. To serve as the Agency Risk Manager by annually assessing areas of agency risk exposures and recommending procedures to control these exposures throughout FY2017.
9. To provide verbal and written information to Board staff and customers throughout FY2017 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 FY2017.
11. To manage employees under the supervision of the Division throughout FY2017, 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 FY2017.
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 FY2017.
14. To prepare a report on the accomplishment of Division objectives for incorporation into the agency's *FY2016 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 2016-2017 Appropriations Act and to submit to the Executive Director by specified due dates throughout FY2017.
16. To register all qualified pharmacist-interns within an average of ten 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 FY2017.
18. To provide staff support to the *Examination Retake Committee* and any other advisory committee related to licensing issues as required in FY2017.

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 FY2017.
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 FY2017.
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 FY2017.
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 FY2017.
23. To issue initial and/or renewal certificates to all pharmacy technician candidates on receipt of the required fees and all required documents according to the following guidelines throughout FY2017.
  - A. Initial certificates to pharmacy technician applicants within an average of 10 working days; and
  - B. Renewal certificates to pharmacy technician applicants within five working days.
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 FY2017.
  - 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 FY2017, including fingerprint-based criminal background checks; and to conduct criminal background checks on licensees and registrants on a quarterly basis throughout FY2017.

## **FY2017 GOALS AND OBJECTIVES PROFESSIONAL SERVICES DIVISION**

### **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)**

1. To assist the Executive Director, in cooperation with other Divisions, 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, including legislation outlining the Sunset Commission's recommendations, throughout the 85th Texas Legislative Session.
2. To assist the Executive Director, in cooperation with other Divisions, in the implementation of the transfer of the Texas Prescription Monitoring Program from the Texas Department of Public Safety to the Texas State Board of Pharmacy.

### **Objectives (Ongoing)**

1. To develop rules for consideration by the Board relating to professional issues and to assist other Divisions with the development of rules pertaining to Board operations throughout FY2017.
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 FY2017.
3. To respond to open records requests throughout FY2017, 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 FY2017.
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 FY2017.
7. To audit the pharmacists' and pharmacy technicians' compliance with continuing education and to initiate complaints on pharmacists and pharmacy technicians who are not in compliance with the rules regarding mandatory continuing education for renewal, in cooperation with the Enforcement Division, throughout FY2017.
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 FY2017.
9. To provide professional staff support to Board-appointed task forces and complete other special projects as assigned throughout FY2017.
10. To assist the Executive Director in developing and implementing the objectives of the Health Professions Council (HPC) pertinent to Division activities throughout FY2017.
11. To provide technical assistance and maintain liaison with federal, state, and local regulatory agencies involved in pharmacy practice regulation throughout FY2017.
12. To manage employees under the supervision of the Division throughout FY2017, 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.
13. To destroy records in accordance with the agency's record retention plan throughout FY2017; 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 FY2017.
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 FY2017.
15. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's FY2016 Annual Report and submit to the Executive Director by the due date.

## **FY2017 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, 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, including legislation outlining the Sunset Commission's recommendations, throughout the 85th Texas Legislative Session.
2. To assist the Executive Director, in cooperation with other Divisions, in the implementation of the transfer of the Texas Prescription Monitoring Program from the Texas Department of Public Safety to the Texas State Board of Pharmacy.

### **Objectives (Ongoing)**

1. To submit data regarding enforcement and peer assistance data for Key Performance Targets required under the FY2016-2017 Appropriations Act to Executive Director by specified due dates throughout FY2017; to assist in the preparation of applicable reports to the Legislative Budget Board and Governor's Budget Office regarding performance measures.
2. To conduct 3,000 inspections of all classes of pharmacies located in Texas, throughout FY2017, including pre-inspections, partial inspections, attempted inspections, inspection-visits, and/or follow-up inspections to "Warning Notices." To conduct inspections of pharmacies located in Texas, according to the following priorities, throughout FY2017:
  - A. Pre-inspections of pharmacies who are applying for a new pharmacy license;
  - B. Pharmacists and pharmacies who are the subject of a complaint received by TSBP or a disciplinary order entered by TSBP;
  - C. Pharmacies that compound 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 of loss of prescription drugs; and
  - G. Routine inspections.

3. On a random basis, throughout FY2017, to collect samples of preparations that are compounded by pharmacies located in Texas, including sterile and non-sterile preparations; to monitor the analysis of these samples regarding potency, sterility, fungal and endotoxin testing results; and in cooperation with the TSBP Accounting Department, to monitor the budget and expenditures resulting from the sampling program.
4. Throughout FY2017, to conduct inspections of pharmacies that compound sterile preparations prior to initial licensure and prior to pharmacy's expiration date. To conduct inspections of pharmacies that do not compound sterile preparations approximately every four years.
5. Throughout FY2017, to monitor the inspections of Class E-S Pharmacies (Non-Resident Pharmacies who compound sterile preparations) that are conducted by authorized vendors, on behalf of TSBP; to monitor the analysis of samples of compounded preparations that are collected by authorized vendors; to provide training to authorized inspectors, as needed, regarding Texas laws/rules and inspection policies/procedures; and in cooperation with the TSBP Accounting Department, to monitor authorized vendors' compliance with their contractual obligations, including the review of activity reports that authorized vendors submit to TSBP on a monthly basis.
6. To coordinate and monitor throughout FY2017, the receipt, assignment, and resolution of all complaints filed with the agency and the notification of complainants. To investigate complaints throughout FY2017, 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 various illegal means, such as:
    - 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 or received deferred adjudication for a felony 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 or received deferred adjudication for a felony relating to offenses not involving drug laws or 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 or received deferred adjudication for 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 or received deferred adjudication for a misdemeanor relating to offenses not involving drug laws or 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.
7. Throughout FY2017, to investigate reports from pharmacies that involve the pilferage of controlled substances by employees; to prepare an annual report regarding the number of individuals who have pilfered controlled substances and the number of dosage units of controlled substances that have been pilfered during FY2017.
  8. 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 FY2017, including fingerprint-based criminal background checks; and to conduct criminal background checks on licensees and registrants on a quarterly basis throughout FY2017.
  9. 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 FY2017.
  10. To monitor compliance with all Board Orders and Agreed Board Orders, including rehabilitation Orders relating to impaired or recovering pharmacists, throughout FY2017.

11. To provide verbal and written information to Board staff and customers as needed or required throughout FY2017, to include providing technical assistance to other Divisions and responding to surveys and questionnaires.
12. 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 FY2017.
13. 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 FY2017.
14. To assist the Executive Director in developing and implementing the objectives of the Health Professions Council pertinent to Division activities throughout FY2017.
15. To manage employees under the supervision of the Division throughout FY2017, 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.
16. To maintain Division records throughout FY2017, 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.
17. 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 FY2017.
18. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's *FY2016 Annual Report* and submit to the Executive Director by the due date.

## **FY2017 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, 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, including legislation outlining the Sunset Commission's recommendations, throughout the 85th Texas Legislative Session.
2. To assist the Executive Director, in cooperation with other Divisions, in the implementation of the transfer of the Texas Prescription Monitoring Program from the Texas Department of Public Safety to the Texas State Board of Pharmacy.

### **Objectives (Ongoing)**

1. To coordinate and monitor throughout FY2017 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 FY2017.
3. To plan and conduct a minimum of 24 days of informal conference sessions in FY2017 to adjudicate violators of pharmacy laws/rules.
4. To refer disciplinary cases to the State Office of Administrative Hearings (SOAH) throughout FY2017, 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 FY2017; 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 FY2017, 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 FY2017; 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 FY2017.
9. To assist the Executive Director in developing and implementing the objectives of the Health Professions Council throughout FY2017.
10. To manage employees under the supervision of the Division throughout FY2017, 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 FY2017; to update the Division's Policy and Procedure Manual as needed and submit any substantive revisions to the Executive Director/Secretary for approval throughout FY2017.
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 FY2017.
13. To prepare a report on the accomplishment of Division objectives, for incorporation into the agency's *FY2016 Annual Report* and submit to the Executive Director by the due date.