

TEXAS STATE BOARD OF PHARMACY

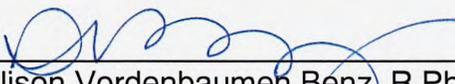
STRATEGIC PLAN For the Fiscal Years 2019-2023



Board Member	Dates of Term	Hometown
Jeanne D. Waggener, R.Ph., President	8/10/2006-8/31/2017	Waco
Jenny Downing Yoakum, R.Ph., Vice President	10/06/2015-08/31/2021	Kilgore
Bradley A Miller, Ph.T.R., Treasurer	9/26/2013-8/31/2019	Austin
Buford T. Abeltdt, Sr., R.Ph.	5/9/2008-8/31/2019	Lufkin
Christopher M. Dembny, R.Ph.	9/26/2013-8/31/2017	Richardson
L. Suzan Kedron	5/9/2008-8/31/2019	Dallas
Alice G. Mendoza, R.Ph.	8/10/2006-8/31/2017	Kingsville
Phyllis A. Stine	8/31/2011-8/31/2017	Abilene
Chip Thornsburg	10/06/2015-08/31/2021	San Antonio
Suzette Tijerina, R.Ph.	10/06/2015-08/31/2021	Castle Hills
Dennis F. Wiesner, R.Ph.	5/9/2008-8/31/2019	Austin

May 1, 2018

Signed:


Allison Vordenbaumen Benz, R.Ph., M.S.
Executive Director/Secretary

Approved:

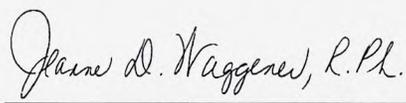

Jeanne D. Waggener, R.Ph.
President

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AGENCY MISSION

The Texas State Board of Pharmacy's mission is to promote, preserve, and protect the public health, safety, and welfare by fostering the provision of quality pharmaceutical care to the citizens of Texas, through the regulation of: the practice of pharmacy; the operation of pharmacies; and the distribution of prescription drugs in the public interest.

The Texas State Board of Pharmacy is an independent state health regulatory agency, operating under the authority of its enabling legislation, the Texas Pharmacy Act (Texas Occupations Code Ann., Chapters 555-569), the Texas Controlled Substances Act (Health and Safety Code, Chapter 481), and the Texas Dangerous Drug Act (Health and Safety Code, Chapter 483).

PHARMACY BOARD OPERATIONAL GOALS AND ACTION PLANS

Agency Operational Goal 1

To establish and implement reasonable standards for pharmacist, pharmacy technician and pharmacy technician trainee education and practice, and for the operations of pharmacies to assure that safe and effective pharmaceutical care is delivered to the citizens of Texas [Texas Pharmacy Act (Occupations Code, Sec. 555-569)].

Action Items to Achieve Goal

Continue to operate a licensure system for pharmacists, pharmacy technicians, pharmacy technician trainees, and pharmacies that will ensure that all licensees and registrants meet minimum licensing standards.

Agency Operational Goal 2

To assertively and swiftly enforce all laws relating to the practice of pharmacy to ensure that the public health and safety are protected from the following: incompetent pharmacists, pharmacy technicians and pharmacy technician trainees; unprofessional conduct, fraud, and misrepresentation by licensees, and diversion of prescription drugs from pharmacies; and to promote positive patient outcomes through the following: reduction of medication errors by encouraging or requiring licensees to implement self-assessment programs and continuous-quality improvement programs, including peer review processes; and enforcement of rules relating to patient counseling and drug regimen review, including prevention of misuse and abuse of prescription drugs and to operate the Prescription Monitoring Program for the State of Texas. [Texas Pharmacy Act (Occupations Code, Sec. 551-569), and Health and Safety Code, Chapter 481, Controlled Substances, and Chapter 483, Dangerous Drugs.]

Action Items to Achieve Goal

Through 2023, deter and reduce the incidence of violations of the law through, compliance inspections of 40% of the licensed pharmacies located in Texas each year; through technical assistance to licensees; through education and increased licensee access to information by contacting all licensees; and resolve complaints received within an average of 200 days.

Agency Operational Goal 3

To establish and implement policies governing purchasing and public works contracting that foster meaningful and substantive inclusion of historically underutilized business (HUBs).

Action Items to Achieve Goal

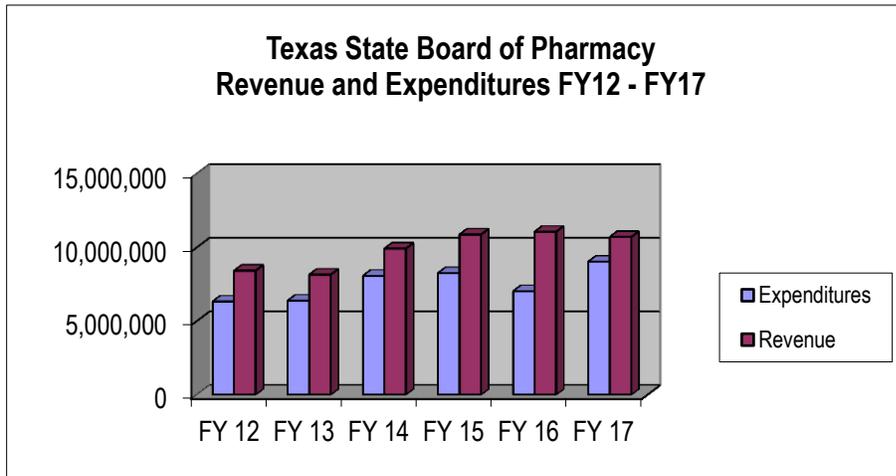
Through 2023, the Board will implement a plan for increasing the use of historically underutilized businesses through purchasing and public works contracts and subcontracts.

AGENCY GOAL OR ACTION ITEMS THAT SUPPORT STATEWIDE OBJECTIVES

1. Accountable to Tax and Fee Payers of Texas

The agency is totally self-supporting, in that the operations of the agency are supported primarily from statutory fees related to licensing, reciprocity, and examinations.

The chart below shows the agency's revenues and expenditures for a six-year period (FY2012 - FY2017).



Note: Figures derived from Operating Budget includes OPP & Other Indirect Costs

Degree to Which Current Funding Meets Current and Expected Needs

One key factor that continues to affect the ability of the agency to serve and protect the public interest is the increased demand for agency services in every area of its operation. Dramatic increases in the demand for licensing, enforcement, and information services are well-documented throughout this *Strategic Plan* and in the agency's budget requests. The continued increase in demand for services, together with the increase in the complex nature of modern health and pharmaceutical care, continues to tax the agency's ability to respond to future challenges.

The agency has the authority and mechanisms necessary to generate the revenue needed to support its *Strategic Plan* and Budget Requests. Although the TSBP budget for FY2018-2019 was reduced by 4%, the agency was successful in obtaining additional appropriations for a portion of the requested exceptional items during the 85th Legislative Session. This included funding for the Prescription Monitoring Program, an increase to the Executive Director's salary, and increases to technology.

It is anticipated that the growth of the registration of pharmacy technicians, pharmacists and pharmacies, will continue to challenge the agency. Labor statistics indicate that employment of pharmacy technicians is projected to grow 12% from 2016 to 2026, faster than the average for all occupations. Additionally, the Bureau of Labor Statistics' reports that "employment of pharmacists is expected to grow by 6% between 2016 and 2026, which is as the average for all occupations."

Since 2012, the licensee population of the agency has grown 23% (from 91,575 to 112,521) with a 22% increase in the number of pharmacists, a 13% increase in the number of pharmacies, and a 24% increase in the number of pharmacy technicians/trainees. This growth appears to be associated with the good health of the Texas economy and the availability of jobs in Texas. Growth in the number of licensees has dramatically affected every division including the enforcement and legal divisions since the number of complaints has increased with the number of licensees. In FY2017, the agency received 6,356 jurisdictional complaints, closed 5,897 jurisdictional complaints, and entered 525 disciplinary orders.

Finally, the passage of Senate Bill 195 transferred the responsibility for the operation of the Texas Prescription Monitoring Program (PMP) from the Texas Department of Public Safety (DPS) to the Texas State Board of Pharmacy on September 1, 2016. This program collects and monitors prescription data for all Schedule II, III, IV, and V controlled substances dispensed by a pharmacy in Texas or to a Texas resident from a pharmacy located in another state. At FY2017 year end, the program reported 58,642 registered users, 39,419,516 prescriptions dispensed, and 4,175,605 searches conducted through the program. Although the PMP was inadequately funded during the 2016-2017 biennium, the program was fully funded for 2018-2019.

The agency must be funded at an adequate level for it to accomplish its mission in a *proactive* rather than *reactive* manner. Failure to receive this funding will severely affect the agency's ability to provide quality customer service, information, and protection to the citizens of Texas.

2. Maximum Results Produced with a Minimum Waste of Funds.

The Sunset Advisory Commission's Staff Report for the 85th Texas Legislature states "Sunset staff found that Texas has a continuing need to regulate the practice of pharmacy to ensure Texans receive safe and quality pharmaceutical care, and that no significant benefits would justify an alternative organization to the current independent agency structure." Overall, the Sunset Commission concluded that the Texas State Board of Pharmacy is an effective, well run agency that should be continued for 12 years.

3. Successfully Fulfilling Core Functions.

The agency continually operates by implementing and measuring performance against strategic and operational *Goals and Objectives* and through customer feedback. Therefore, the agency is continually self-evaluating, through each division and every employee. In addition to this continuous process, and in preparation for this *Strategic Plan*, the agency sought the input of Board Members, staff, officials of national and state pharmacy organizations, pharmacy academicians, and officials of consumer advocacy groups.

The strategy for the continued success of the agency consists of three distinct but interrelated elements:

- Leadership – The creative process comes from the ability of the organization and all its members to learn, improve, and innovate. The Board and management staff must establish a climate that allows the creative process to continue;
- Feedback from Employees – The *Survey of Employee Engagement*, administered by the School of Social Work at The University of Texas at Austin provides a uniform benchmark for all Texas government to compare employees' perceptions of organizational achievement from agency to agency and over time. The agency's scores are consistently higher than the statewide average for all workplace dimensions; and
- Feedback from External Customers – The agency has developed customer service standards, and has been conducting a survey of agency customers regarding the quality of service delivered by the agency since FY2000.

The Texas State Board of Pharmacy has an excellent state and national reputation for its stature and effectiveness as a state health regulatory agency. This reputation has been reinforced within Texas and throughout the nation, as evidenced by the following:

- The Sunset Advisory Commission’s Staff Report for the 85th Texas Legislature states “The Texas State Board of Pharmacy has established itself as a well-run agency capable of effectively responding to new regulatory issues and legislative mandate within its limited resources”.
- The agency met or exceeded eight (80%) of the 10 key performance measures listed in the Appropriations Act and reported on an annual basis to the Legislative Budget Board for FY2017;
- Exception-free compliance audit of the agency’s personnel policies and procedures systems by the Texas Workforce Commission Civil Rights Division;
- Exception-free audits by the Texas Building and Procurement Commission of the agency’s purchasing process on the Delegated Service Certification Program (now the Texas Procurement and Support Services {TPASS} division of the State Comptroller);
- A 2008 audit of the “*Complaint Processing and Enforcement at the Board of Pharmacy*” conducted by the State Auditor’s Office concluded that the Board of Pharmacy:
 - imposes sanctions and disciplines licensees and registrants in accordance with state laws and regulations;
 - has processes in place to monitor compliance with Board-ordered disciplinary actions; and
 - follows its complaint handling process that prioritizes the assignment and investigation of complaints relative to the seriousness of the allegations.
- A 2015 audit on “*Inspections of Compounding Pharmacies at the Board of Pharmacy*” conducted by the State Auditor’s Office concluded that the Board of Pharmacy:
 - has designed and implemented inspection processes to help ensure that it conducts inspections of compounding pharmacies in accordance with applicable statutes and administrative rules;
 - has a documented process to monitor violations and track corrective action plans; and
 - has a process to help ensure that inspections of out-of-state pharmacies that compound sterile preparations are completed within the required time frames.

- Achievement, over the past five years (FY2013-FY2017), of an average settlement rate of approximately 98% of TSBP's contested cases resulting in a disciplinary order against licensees/registrants; this results in significant efficiencies, both in terms of complaint resolution time and costs;
- The agency's continued success with the licensee/registrant acceptance of the Texas Online application system (96% for pharmacists and pharmacy technicians).

4. Providing Excellent Customer Service.

In carrying out the TSBP mission, we will continue to strive to provide excellent customer service. Our customer service standards include: (1) being courteous, professional, flexible, honest, and helpful in all dealings with our customers; (2) providing our customers with clear, easy to understand, and accurate information about services; and (3) actively listening so we can better anticipate the needs of our customers and be fully responsive to customer concerns regarding our services. We appreciate and seek customer input to make informed decisions on policies, programs, and rules.

TSBP contracts with the University of Texas Organizational Excellence Group (UT) for an online customer satisfaction survey. The TSBP survey is accessible to all TSBP customers via a link on TSBP's website.

5. Transparent Agency Action.

TSBP's provision of information is spread across all of the divisions of the agency.

- Licensees – Information regarding the laws and rules relating to the practice of pharmacy.
- Consumers – Information on consumer issues, such as generic drugs, patient counseling requirements, and the provision of public information regarding complaint and disciplinary actions.
- Legislature and other state and federal agencies – Information regarding provision of the laws and rules relating to the practice of pharmacy and information regarding complaint and disciplinary actions.

In FY 2017, the agency accomplished the following related to the provision of information:

- The number of presentations to licensees by agency personnel has continued to increase annually and in 2017, agency staff gave 74 presentations to approximately 8,853 individuals. Included in this number are 18 online presentations to 1,405 individuals.

- The Enforcement Division staff responded to 22,985 telephone calls received via the Compliance Queue Phone Line, assisted 380 individuals through the Rx Law email, and made over 700 contacts with 97 law enforcement agencies.
- The Professional Services Division continued to use Mail Chimp, an online email system used to manage email addresses and send email notices as well as an email subscription to the Newsletter. The use of Mail Chimp improved agency efficiency by using less paper and postage. The number of subscriptions to the account steadily increased with just over 10,700 subscribers at the end of the FY2017 (approximately 12.6% increase as compared to FY2016).
- Facebook, Twitter, and YouTube continued to be useful tools to provide information. At the end of FY2017, over 4,500 individuals “liked” TSBP on Facebook and over 1,900 individuals “followed” TSBP on Twitter. There were 97 posts on Facebook/Twitter.
- Nine educational videos were produced and posted on You Tube during FY2017, including four tutorial videos regarding license/registration applications, two multilingual videos, and one video regarding the Prescription Monitoring Program. The videos posted in FY2017 had over 3,700 views.

FISCAL YEARS 2019-2023 BUDGET STRUCTURE**AGENCY GOALS**

1. To establish and implement reasonable standards for pharmacist, pharmacy technician and pharmacy technician trainee education and practice, and for the operations of pharmacies to assure that safe and effective pharmaceutical care is delivered to the citizens of Texas [Texas Pharmacy Act (Occupations Code, Sec. 555-569)].
2. To assertively and swiftly enforce all laws relating to the practice of pharmacy to ensure that the public health and safety are protected from the following: incompetent pharmacists, pharmacy technicians and pharmacy technician trainees; unprofessional conduct, fraud, and misrepresentation by licensees; and diversion of prescription drugs from pharmacies; and to promote positive patient outcomes through the following: reduction of medication errors by encouraging or requiring licensees to implement self-assessment programs and continuous-quality improvement programs, including peer review processes; and enforcement of rules relating to patient counseling and drug regimen review, including prevention of misuse and abuse of prescription drugs, and to operate the Prescription Monitoring Program for the State of Texas. [Texas Pharmacy Act (Occupations Code, Sec. 551-569), and Health and Safety Code, Chapter 481, Controlled Substances, and Chapter 483, Dangerous Drugs.]
3. To establish and implement policies governing purchasing and public works contracting that foster meaningful and substantive inclusion of historically underutilized businesses (HUBs).

AGENCY OBJECTIVES AND OUTCOME MEASURES**OBJECTIVE**

Continue to operate a licensure system for pharmacists, pharmacy technicians, pharmacy technician trainees, and pharmacies that will assure that all licensees and registrants meet minimum licensing standards through 2023.

Outcome Measure

- Percent of Licensees with No Recent Violations
- Percent of Licensees who Renew Online
- Percent of New Individual Licenses Issued Online

OBJECTIVE

Through 2023, deter and reduce the incidence of violations of the law through compliance inspections of 40% of the licensed pharmacies located in Texas each year; through technical assistance to licensees; through education and increased licensee access to information by contacting all licensees; and to resolve complaints received within an average of 200 days.

Outcome Measures

- Percent of Complaints Resolved Resulting in Disciplinary Action
- Recidivism Rate of Those Receiving Disciplinary Action
- Percent of Documented Complaints Resolved Within Six Months
- Recidivism Rate for Peer Assistance Program
- One-Year Completion Rate for Peer Assistance Program

OBJECTIVE

To include historically underutilized businesses (HUBs) in at least 23% of professional services contracts, 26% of other services contracts, and 21% of commodities contracts and subcontracts awarded annually by the agency in purchasing and public works contracting by fiscal year 2018.

Outcome Measure

- Percent of Total Dollar Value of Purchasing and Public Works Contracts and Subcontracts Awarded to HUBs

AGENCY STRATEGIES AND OUTPUT, EFFICIENCY, AND EXPLANATORY MEASURES**STRATEGY 01.01.01**

Operate a timely, cost-effective application and renewal licensure system for pharmacies and pharmacists, pharmacy technicians and pharmacy technician trainees.

Output Measures

- Number of New Licenses Issued to Individuals
- Number of Licenses Renewed (Individuals)
- Number of New Registrations Issued to Individuals
- Number of Registrations Renewed (Individuals)
-

Explanatory Measures

- Total Number of Individuals Licensed
- Total Number of Business Facilities Licensed
- Total Number of Individuals Registered

STRATEGY 02.01.01

Emphasize preventive enforcement by conducting compliance inspections of pharmacies, promote voluntary compliance by providing information, education and technical assistance to licensees; and protect public health and safety by receiving, investigating, and resolving complaints, disciplining licensees, and monitoring compliance with disciplinary orders resulting from board adjudication.

Output Measures

- Number of Inspections
- Jurisdictional Complaints Resolved

Efficiency Measure

- Average Resolution Time for Resolving Jurisdictional Complaints

Explanatory Measure

- Jurisdictional Complaints Received

STRATEGY 02.01.02

Operate a Peer Assistance Program by monitoring the growth, development, and compliance of a program to aid pharmacists and eligible pharmacy students impaired by chemical abuse or mental or physical illness, and monitor the success of individuals in the program.

Output Measure

- Number of Licensed Individuals Participating in Peer Assistance Program

STRATEGY

Develop and implement a plan for increasing the use of historically underutilized businesses through purchasing and public works contracts and subcontracts.

Output Measures

- Number of HUB Contractors and Subcontractors Contacted for Bid Proposals
- Number of HUB Contracts and Subcontracts Awarded
- Dollar Value of HUB Contracts and Subcontracts Awarded

PERFORMANCE MEASURE DEFINITIONS FOR FY2019-2023**LICENSING - OUTCOME MEASURES****(1) *Percent of Licensees with No Recent Violations***

Short Definition: The percent of the total number of licensees (pharmacists and pharmacies) at the end of the reporting period who have not been subject to a disciplinary order within the current and preceding two years (three years total).

Note: The number of disciplined licensees is expressed as a percentage of the total number of licensees at the end of the reporting period (i.e., persons who obtained a new pharmacy or pharmacist license, during the reporting period, or who renewed a pharmacist or pharmacy license during the reporting period).

Purpose/Importance: Licensing individuals helps ensure that these persons meet legal standards for professional education and practice, which is a primary agency goal. This measure is an indication of the percentage of licensees who have not committed substantive violations of the laws and/or rules governing the practice of pharmacy. This measure is important because it indicates how effectively the agency's activities deter violations of professional standards established by statute and rule.

Source/Collection of Data: Data regarding the denominator (number of licensees during the reporting period) is generated by the agency's computerized data base. Data regarding the information needed to calculate the numerator (number of licensees who have been the subject of a disciplinary order within the past three fiscal years) is determined by a manual review of all disciplinary orders entered during the three-year reporting period (i.e., manually counting all of the orders contained in the notebooks for current and preceding two fiscal years). If a Disciplinary Order is reviewed and approved by the Board at a Board Meeting that falls in one fiscal year, but the Order does not get signed by a Board Member until a date that falls into a subsequent fiscal year, the Order will be considered as entered in the fiscal year that the Board reviews/approves the Order. The Orders are maintained in readily retrievable notebooks.

Disciplinary Orders include the following two types of Orders:

- (1) Agreed Board Orders - consent Orders that are entered by the Board, in which the licensee neither admits nor denies the allegations contained in the Order, but agrees to the sanctions imposed by the Board; and
- (2) Board Orders - Orders which are entered by the Board after a public hearing has been conducted by the State Office of Administrative Hearings (SOAH), and may impose a sanction on the licensee; also includes Orders temporarily suspending a license (summary suspensions) or court-ordered suspensions (e.g., due to failure to pay child support).

TSBP Director of Administrative Services & Licensing is responsible for the licensure data. TSBP Director of Enforcement is responsible for the disciplinary data and calculating the measure.

Methodology:

Method of Calculation: This measure is calculated by dividing the numerator by the denominator and multiplying by 100 to achieve a percentage.

NUMERATOR - Denominator minus "X"

"X" is the total number of pharmacists, pharmacies who have been the subject of a Disciplinary Order within the current fiscal year and the two prior fiscal years (a total of three fiscal years). This number includes applicants who have a pharmacist, pharmacy license granted (with or without restrictions) under the terms of a Disciplinary Order.

Types of disciplinary orders included in this calculation would be orders imposing the following types of sanctions: granting a license (with or without restrictions), revocation, suspension with or without probation, cancellation, retirement, restriction, administrative penalty (fine), reprimand, or a combination of any of these sanctions. Warning letters are not considered as sanctions and are not included in this calculation.

There are some types of disciplinary orders that are NOT included in this calculation. These types of "excluded" Orders, for purposes of this performance measure only, are described below.

- (1) Disciplinary Orders would not be included in this calculation if the order resulted in the Board granting or denying the reinstatement of a previously revoked license, unless the Order included allegations of "new" violations (violations committed or allegedly committed by the licensee after the date the license was revoked, or not included in the prior order). Orders reinstating a license will generally not be included in this calculation because these types of orders generally do not include allegations (charges) of violations of laws/rules. Orders that deny a petition for reinstatement may include allegations or findings of new violations.
- (2) Disciplinary Orders would not be included in the calculation if the order resulted in the Board denying an individual's application to obtain a new or to renew a pharmacist or pharmacy license. Since this type of order would not result in the person being counted in the denominator (in that the person would not be a licensee), the order should not be counted in the numerator.
- (3) Disciplinary Orders would not be included in this calculation if the order resulted in the Board (a) denying an internship registration; or (b) granting an internship registration (with or without conditions), but not granting a pharmacist license. Since this type of order would not result in the person being counted in the

denominator (in that the person would not be a licensee), the order should not be considered in the numerator.

- (4) Disciplinary Orders would not be included in this calculation if the order resulted in the Board granting or denying the modifications of a previously entered order, unless the order included allegations of "new" violations (violations committed or allegedly committed by the licensee after the date the order was entered, or not included in the prior order). Orders that grant modifications will generally not be included in this calculation because these types of orders generally do not include allegations (charges) of violations of laws/ rules. Orders that deny modifications may include allegations or findings of new violations.
- (5) Disciplinary Orders would not be included in this calculation if the order would result in "double counting" of a licensee. For example, pharmacists who were subject to more than one order during the three-year period will be counted only once. If a facility was subject to more than one order during the three-year period, it will be counted only once if it maintained the same license number during the three-year period. If a facility changed ownership (obtained a new license number), it will be included in this calculation.

DENOMINATOR - total number of licensees (pharmacists and pharmacies) licensed by the agency in this reporting period. This number is calculated by adding the totals of the following categories of licenses:

- (1) Number of new licenses issued to individuals (pharmacists) in current fiscal year (reporting period);
- (2) Number of new licenses issued to facilities (pharmacies) in current fiscal year (reporting period);
- (3) Number of pharmacist licenses renewed in current fiscal year (reporting period); and
- (4) Number of pharmacy licenses renewed in current fiscal year (reporting period).

Data Limitations: With regard to the Denominator, the agency has no control over the number of persons who wish to obtain or renew a license to operate a pharmacy in Texas, or who wish to obtain or renew a license to practice pharmacy in Texas. With regard to the Numerator, the number of disciplinary orders (that are entered by the Board each year) is limited by:

- (1) the number of applicants/licensees who commit substantive violations of the laws and/or rules governing the practice of pharmacy;
- (2) the number of complaints filed (TSBP has no control over the number of complaints that are filed with TSBP each year); and

- (3) the quantity of agency staff who investigate complaints and institute disciplinary action against an applicant or licensee.

<u>Calculation Type</u>	Non-cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

(2) Percent of Licensees Who Renew Online

Short Definition: Percent of the total number of licensed, registered, or certified individuals who renewed their license, registration, or certification online during the reporting period.

Purpose/Importance: To track use of online license renewal technology by the licensee population.

Source/Collection of Data: The TSBP computerized data base calculates the total number of licenses or registrations renewed for a specific period of time, including the number of renewals that are issued as a result of the user accessing the Texas online application system.

Methodology: Total number of individual licenses, registrations, or certifications renewed online divided by the total number of individual licenses, registrations, or certifications renewed during the reporting period. The result should be multiplied by 100 to achieve a percentage.

Data Limitations: TSBP has no control over the number of individuals who choose to submit an online license, registration, or certification.

<u>Calculation Type</u>	Non-Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

(3) Percent of New Individual Licenses Issued Online

Short Definition: Percent of all new licenses, registrations, or certifications issued to individuals during the reporting period, using the Texas online technology for initial payment. (Denominator = number of all new licenses issued, regardless of whether they have paid in any manner. Because TSBP issues a 30 day initial license, the payment for that license may not occur in the quarter reported. Numerator = number of initial license payments using the Texas online technology for payment.)

Purpose/Importance: To track use of online license renewal application technology by the licensee population.

Source/Collection of Data: The TSBP computerized data base can calculate the total number of new licenses or registrations issued for a specific period of time.

The TSBP computerized data base calculates the total number of initial licenses or registrations issued for a specific period of time, including the number that was issued as a result of the user using the Texas online application system.

Methodology: Total number of new licenses, registrations, or certifications issued to individuals online divided by the total number of new licenses, registrations, or certifications issued to individuals during the reporting period. The result should be multiplied by 100 to achieve a percentage.

Data Limitations: TSBP has no control over the number of individuals who choose to submit an online license, registration, or certification.

<u>Calculation Type</u>	Non-Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

Licensing - Output Measures

(1) Number of New Licenses Issued to Individuals

Short Definition: The number of licenses issued to previously unlicensed individuals during the reporting period.

Purpose/Importance: To determine the number of new licenses issued to Texas pharmacists. This measure can be used to assist in determining the extent of a pharmacist surplus or shortage in Texas.

Source/Collection of Data: The licensing computer applications as developed and maintained by agency database system under master contract with the Department of Information Resources. TSBP Director of Administrative Services & Licensing is responsible for data.

Method of Calculation: The unduplicated number of individuals initially licensed in a reporting period.

Data Limitations: Data is dependent on the actual number of individuals who are initially licensed as a Texas pharmacist. This measure is only useful as an explanatory piece of information. The data can give the reader an idea of the workload in the licensing area. The data (number of people who choose Texas as their state of licensure) however, is not a factor that can be controlled by the agency.

<u>Calculation Type</u>	Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

(2) Number of New Registrations Issued to Individuals

Short Definition: The number of registrations issued to previously unregistered individuals during the reporting period.

Purpose/Importance: To determine the number of new registrations issued to Texas pharmacy technicians and technician trainees. This measure can be used to assist in determining the extent of a pharmacy technician surplus or shortage in Texas.

Source/Collection of Data: The licensing computer applications as developed and maintained by agency database system under master contract with the Department of Information Resources. TSBP Director of Administrative Services & Licensing is responsible for data.

Method of Calculation: The unduplicated number of individuals initially registered in a reporting period.

Data Limitations: Data is dependent on the actual number of individuals who are initially registered as a Texas pharmacy technician and technician trainee. This measure is only useful as an explanatory piece of information. The data can give the reader an idea of the workload in the licensing area. The data (number of people who choose Texas as their state of registration) however, is not a factor that can be controlled by the agency.

<u>Calculation Type</u>	Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

(3) Number of Licenses Renewed (Individuals)

Short Definition: The number of licenses issued to previously-licensed individuals during the reporting period.

Purpose/Importance: To determine the number of pharmacists who renew their Texas license. This measure can be used to assist in determining the extent of a pharmacist surplus or shortage in Texas, and determine the impact to the agency workload as this number increases.

Source/Collection of Data: The licensing computer applications, as developed and maintained by agency database system under master contract with the Department of Information Resources. TSBP Director of Administrative Services & Licensing is responsible for data.

Method of Calculation: The unduplicated number of individuals who renew a license in a reporting period.

Data Limitations: Data is dependent on the actual number of individuals who choose to continue their Texas pharmacist license. This measure is only useful as an explanatory piece of information. The data can give the reader an idea of the workload in the licensing area. The data (number of people who choose Texas as their state of licensure) however, is not a factor that can be controlled by the agency.

<u>Calculation Type</u>	Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

(4) Number of Registrations Renewed (Individuals)

Short Definition: The number of registrations issued to previously-registered individuals during the reporting period.

Purpose/Importance: To determine the number of pharmacy technicians who renew their Texas registration. This measure can be used to assist in determining the extent of a pharmacy technician surplus or shortage in Texas, and determine the impact to the agency workload as this number increases.

Source/Collection of Data: The licensing computer applications, as developed and maintained by agency database system under master contract with the Department of Information Resources. TSBP Director of Administrative Services & Licensing is responsible for data.

Method of Calculation: The unduplicated number of individuals who renew a registration in a reporting period.

Data Limitations: Data is dependent on the actual number of individuals who choose to continue their Texas pharmacy technician registration. This measure is only useful as an explanatory piece of information. The data can give the reader an idea of the workload in the licensing area. The data (number of people who choose Texas as their state of registration) however, is not a factor that can be controlled by the agency.

<u>Calculation Type</u>	Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than target

LICENSING - EXPLANATORY MEASURES

(1) Total Number of Individuals Licensed

Short Definition: The unduplicated number of individuals currently licensed (active and inactive) by the agency.

Purpose/Importance: An information tool to report the number of pharmacists who are currently licensed by the agency, at any given point in time.

Source/Collection of Data: This number is obtained from licensing computer applications, as developed and maintained by agency database system under master contract with the Department of Information Resources. TSBP Director of Administrative Services & Licensing is responsible for the data.

Method of Calculation: See Collection of Data above.

Data Limitations: Data is dependent on the actual number of individuals who choose to continue their Texas pharmacist license. This measure is only useful as an explanatory piece of information. The data can give the reader an idea of the workload in the licensing area. The data (number of people who choose Texas as their state of licensure) however, is not a factor that can be controlled by the agency.

<u>Calculation Type</u>	Non-Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

(2) Total Number of Business Facilities Licensed

Short Definition: The unduplicated number of facilities currently licensed by the agency.

Purpose/Importance: An information tool to report the number of pharmacies that are currently licensed by the agency, at any given point in time.

Source/Collection of Data: This number is obtained from licensing computer applications as developed and maintained by agency database system under master contract with the Department of Information Resources. TSBP Director of Administrative Services & Licensing is responsible for the data.

Method of Calculation: See Collection of Data above.

Data Limitations: Data is dependent on the actual number of pharmacies that choose to continue their licensure status in Texas. This measure is only useful as an explanatory piece of information. The data can give the reader an idea of the workload in the licensing area. The data (number of people who choose to operate a pharmacy in Texas) however, is not a factor that can be controlled by the agency.

<u>Calculation Type</u>	Non-Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

(3) Total Number of Individuals Registered

Short Definition: The unduplicated number of individuals currently registered by the agency.

Purpose/Importance: An information tool to report the number of pharmacy technicians and pharmacy technician trainees who are currently registered by the agency, at any given point in time.

Source/Collection of Data: This number is obtained from licensing computer applications, as developed and maintained by agency database system under master contract with the Department of Information Resources. TSBP Director of Administrative Services & Licensing is responsible for the data.

Method of Calculation: See Collection of Data above.

Data Limitations: Data is dependent on the actual number of individuals who choose to initiate or continue their Texas pharmacy technician registration. This measure is only useful as an explanatory piece of information. The data can give the reader an idea of the workload in the licensing area. The data (number of people who choose Texas as their state of registration) however, is not a factor that can be controlled by the agency.

<u>Calculation Type</u>	Non-Cumulative
<u>New Measure</u>	Yes
<u>Desired Performance</u>	Higher than Target

ENFORCEMENT - OUTCOME MEASURES***(1) Percent of Complaints Resulting in Disciplinary Action***

Short Definition: Percent of documented jurisdictional complaints that were resolved (closed) through the entry of a Disciplinary Order during the reporting period.

Purpose/Importance: This measure is intended to show the extent to which the agency exercises its disciplinary authority in proportion to the number of complaints received. It is important that both the public and licensees have an expectation that the agency will work to ensure fair and effective enforcement of the laws and rules governing the practice of pharmacy. This measure seeks to indicate the agency's responsiveness to this expectation, as well as serves as an indication of the agency's workload with regard to investigations resulting in disciplinary actions as compared to investigations not resulting in disciplinary actions.

Source/Collection of Data: Data is obtained from the agency's computerized data base (complaint-tracking system). Disciplinary Orders are maintained in readily retrievable notebooks. The TSBP Director of Enforcement is responsible for the data.

Method of Calculation: The performance measure is calculated by dividing the numerator by the denominator and multiplying by 100 to achieve a percentage.

NUMERATOR - Total number of complaints (jurisdictional only) that are resolved (closed) during the reporting period in which at least one licensee has been the subject of a Disciplinary Order. See performance measure entitled "Percent of Licensees with No Recent Violations" for description and explanation of the term "Disciplinary Order." See performance measure entitled "Complaints Received" for description and explanation of the term "Jurisdictional Complaint." All Disciplinary Orders would be included in this calculation, including: (1) orders that grant or deny an application for a pharmacist or pharmacy license, intern registration, or technician registration; (2) petition to reinstate a previously revoked license; and (3) petition to modify a previously entered order.

A complaint may involve two licensees (one pharmacist and one pharmacy). Such a complaint may result in Disciplinary Orders against both licensees, only one licensee, or neither licensee. If the complaint results in a Disciplinary Order on one licensee (e.g., pharmacist) in one fiscal year (or reporting period) and a non-disciplinary action (i.e., no Disciplinary Order) on the second licensee (e.g., pharmacy) in another fiscal year (or reporting period), the complaint will be counted in the numerator as of the date the Disciplinary Order was entered (signed). If the complaint results in a Disciplinary Order on one licensee in one fiscal year (or reporting period) and a second Disciplinary Order on the second licensee in another fiscal year (reporting period), the complaint will be counted in the fiscal year (reporting period) as of the last date the Disciplinary Order was entered (signed). If the complaint is not closed with the entry of a Disciplinary Order on at least one licensee, the complaint will not be counted in the numerator. If

the complaint results in two Disciplinary Orders, the complaint will still be counted as only one complaint. If the Board enters a Disciplinary Order that closes more than one complaint (as a result of multiple complaints being filed on the licensee), all complaints will be counted in the numerator.

DENOMINATOR -- Total number of jurisdictional complaints that are resolved (closed) during the reporting period, regardless of how the complaint was resolved (closed). This is the same number that will be reported for the performance measure entitled "Complaints Resolved."

Data Limitations: TSBP has no control over the number of complaints it receives, and consequently, has no control over the number of complaints that require disciplinary action to be taken (i.e., complaints that, following an investigation, produce evidence to prove that a licensee or applicant has committed a substantive violation of the laws and/or rules governing the practice of pharmacy).

<u>Calculation Type</u>	Non-cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

Note: this statement is based upon the assumption that a greater percentage of disciplinary actions is an indication of "better" (more effective) enforcement. However, this assumption may or may not be true.

(2) Recidivism Rate of Those Receiving Disciplinary Action

Short Definition: The number of "repeat offenders" at the end of the reporting period as a percentage of all offenders during the most recent three-year period. For purposes of this measure, the term "repeat offender" is defined as a person who has been the subject of two or more disciplinary orders within the past three fiscal years.

Purpose/Importance: This measure is intended to show how effectively TSBP enforces the laws and rules governing the practice of pharmacy. It also gives an indication of the workload on the agency's enforcement/legal staff that is caused by "Repeat offenders." It is important that TSBP enforce its laws and rules strictly enough to ensure consumers are protected from unsafe, incompetent, and unethical practice by licensees.

Source/Collection of Data: Data is obtained from the agency's computerized data base (complaint-tracking system). Disciplinary Orders are maintained in readily retrievable notebooks. The TSBP Director of Enforcement is responsible for the data.

Method of Calculation: This performance measure is calculated by dividing the numerator by the denominator and multiplying by 100 to achieve a percentage.

NUMERATOR - Total number of persons who were the subject of more than one Disciplinary Order during the current fiscal year and the two prior fiscal years. See the performance measure entitled "Percent of Licensees with No Recent Violations" for description and explanation of the term Disciplinary Order." Warning Letters are not disciplinary orders and are not included in this calculation.

For purposes of calculating the numerator of this performance measure only, the following types of Disciplinary Orders would not be included: (1) Orders that grant or deny an application for a license or registration, unless the disciplinary action to deny/grant an application involved a repeat offense; (2) Orders that grant or deny a petition to modify a previously entered Order, unless the disciplinary action to deny/grant the petition involved a repeat offense; and (3) Orders that would result in double counting." See performance measure entitled "Percent of Licensees with no Recent Violations" for description and explanation of the term "double counting."

"Repeat offenders" are determined by manually reviewing Disciplinary Orders (that are maintained in notebooks) to determine the license numbers and registration numbers that were subject to orders entered during the current fiscal year; then entering those license and registration numbers into the agency's computerized data base to determine if the person was subject to another order that was entered in the prior two fiscal years. If the individual does not have a license number (e.g., applicant), matching of names will be required.

DENOMINATOR - The number of persons who have been the subject of a Disciplinary Order during the past three fiscal years. For purposes of calculating the denominator of this performance measure only, the following types of Disciplinary Orders would not be included: (1) Orders denying the reinstatement of license, unless the Order included allegations of "new" violations; (2) Orders granting or denying the modification of a previously entered Order, unless the Order included allegations of "new" violations; and (3) Orders that would result in "double counting." See performance measure entitled "Percent of Licensees with No Recent Violations" for description and explanation of the terms "new violations" and "double counting."

Data Limitations: TSBP aggressively monitors persons who are on probation (as a result of a sanction imposed by a Disciplinary Order). However, a person may violate the laws/rules governing the practice of pharmacy, despite the fact that the person knows the action will be a probation violation and will likely result in additional, more severe disciplinary sanctions. TSBP has no control over the licensee's intentions to violate the laws/rules governing the practice of pharmacy.

<u>Calculation Type</u>	Non-cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Lower than Target

Note: this statement is based upon the assumption that a lower percentage of repeat offenders is an indication of the agency's effectiveness of enforcement. This assumption may or may not be true.

(3) Percent of Documented Complaints Resolved Within Six Months

Short Definition: The percent of documented jurisdictional complaints resolved (closed) during the reporting period, that were resolved (closed) within a six-month period (180 calendar days) from the date of the receipt of the complaint by the agency.

Purpose/Importance: This measure gives an indication of the agency's timeliness in resolving (closing) complaints. It is important to ensure the swift enforcement of the laws and rules governing the practice of pharmacy, which is an agency goal.

Source/Collection of Data: Data is generated by the agency's computerized data base (complaint tracking system). The TSBP Director of Enforcement is responsible for the data.

Method of Calculation: This performance measure is calculated by dividing the numerator by the denominator and multiplying by 100 to achieve a percentage.

NUMERATOR - Total number of jurisdictional complaints closed within six months (or less) from the date of the receipt of the complaint.

DENOMINATOR - This number is the same as the number reported for the performance measure entitled "Jurisdictional Complaints Resolved."

The date of the receipt of the complaint is documented on the complaint form and is entered into the agency's computerized complaint tracking system. The date the complaint is closed by the agency is also documented on the complaint form and entered into the agency's computerized complaint tracking system. The computer calculates the total number of days it took the agency to resolve (close) each one of the complaints closed during the reporting period. The computer also calculates the number of complaints closed within six months and the number of complaints that were not closed within six months, as well as the percentage for each. The computer generates a report that: (a) lists all jurisdictional complaints closed during the reporting period, by complaint number; (b) identifies the complaints that took only six months to close; and (c) produces the information with regard to the percentage of complaints closed within six months.

Data Limitations: Because the agency prioritizes complaints, more serious complaints are handled before less serious complaints. In addition, the size of TSBP's complaint backlog has an impact on the number (percentage) of complaints that can be closed in a timely manner. When TSBP receives more complaints than it resolves (closes), a backlog of complaints is formed. Each year that TSBP is unable to close 100% of the complaints it receives, the backlog continues to mount and complaints get older before agency staff can begin to work on the new complaints being received. Most

significantly, the swiftness of resolution is dependent on the number and efficiency of enforcement staff who are handling the resolution of complaints.

<u>Calculation Type</u>	Non-cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

ENFORCEMENT - OUTPUT MEASURES

(1) Number of Inspections

Short Definition: Total number of compliance inspections/visits during the reporting period.

Purpose/Importance: This measure is an indication of the output of the agency's field Compliance Officers/Inspectors. In addition, the number of inspections/visits can be reflective of compliance with requirements. The more often an inspection occurs in a facility, the more likely they are to be in compliance.

Source/Collection of Data: Data is generated by the agency's computerized data base and is verified through a manual reporting system. TSBP Director of Enforcement is responsible for data.

Method of Calculation: The date of the inspection or inspection-visit is entered into the agency's computerized system. The computer calculates the number of inspections per reporting period. Compliance Officers/Inspectors complete weekly activity reports, indicating the number of pharmacies that were inspected or visited. The two reports are checked/verified against each other.

Data Limitations: The number of inspections conducted is dependent on the number of field Compliance Officers/Inspectors who are available to conduct the inspections. If the agency experiences any turnover in this area, the number of inspections conducted is decreased.

<u>Calculation Type</u>	Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

(2) Number of Jurisdictional Complaints Resolved

Short Definition: The total number of jurisdictional complaints resolved (closed) during the reporting period.

Purpose/Importance: This measure is an indication of the agency’s workload with regard to the number of complaint investigations conducted and final actions taken by the agency.

Source/Collection of Data: Data is generated by the agency’s computerized data base (complaint tracking system). TSBP Director of Enforcement is responsible for data.

Method of Calculation: All jurisdictional complaints resolved (closed) during the reporting period will be included in this calculation, regardless of the method of resolution. If a complaint is referred to the TSBP Legal Division for review (for possible institution of disciplinary action), the complaint will not be considered closed until final action is taken (e.g., entry of a disciplinary order, adjudicative warning letter, closing of complaint with no formal action, or institution of disciplinary action with subsequent dismissal). For these complaints, the date of the adjudication action will be the date that the complaint is closed (e.g., date of the disciplinary order, date of the warning letter, date of the informal conference in which the decision was made to dismiss the case). If the complaint is not referred to the Legal Division for review, the complaint will be considered closed as of the date of action (e.g., date of warning letter, if complaint was closed with a warning letter; date of the telephone call, if the complaint was closed with a telephone call; date of the final review by the division director, or designee, such as when a complaint is closed with investigation/no violation).

Data Limitations: TSBP has no control over the number of complaints that it receives, which has a direct relationship to the number of complaints it resolves (closes). Most significantly, the quantity of complaints closed is dependent on the number and efficiency of enforcement staff who are handling the resolution of complaints.

<u>Calculation Type</u>	Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target

ENFORCEMENT - EFFICIENCY MEASURES

(1) Average Resolution Time for Resolving Jurisdictional Complaints

Short Definition: The average length of time to resolve (close) a jurisdictional complaint, for all jurisdictional complaints resolved (closed) during the reporting period.

Purpose/Importance: This measure gives an indication of the agency’s timeliness in closing complaints.

Source/Collection of Data: Data is generated by the agency’s computerized data base (complaint tracking system). TSBP Director of Enforcement is responsible for data.

Method of Calculation: The date of the receipt of the complaint is entered into the agency's computerized complaint tracking system. The date the complaint is closed by the agency is also entered into the agency's computerized complaint tracking system. For each complaint, the agency's computer system calculates the total number of calendar days elapsed from the date of the receipt of the complaint by the agency to the date that the complaint is closed (i.e., the date final action is taken by the agency). Then the computer calculates the total number of calendar days for all closed complaints and divides this number by the total number of complaints closed by the agency (resulting figure is the average time for complaint resolution).

Data Limitations: When the agency receives many more complaints than it resolves (closes), a backlog of complaints is formed. Each year that the agency is unable to close 100% of the complaints it receives, the backlog continues to mount and complaints get older before agency staff can begin to work on the new complaints being received. This situation has a major impact on the average complaint resolution time. Most significantly, the swiftness of resolution is dependent on the number and efficiency of enforcement staff who are handling the resolution of complaints.

<u>Calculation Type</u>	Non-cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Lower than Target

ENFORCEMENT - EXPLANATORY MEASURES

(1) Number of Jurisdictional Complaints Received

Short Definition: The total number of jurisdictional complaints received by TSBP during the reporting period. See explanation of "jurisdictional complaint" below.

Purpose/Importance: This measure is an indication of the workload on the agency's enforcement staff.

Source/Collection of Data: Data is generated by the agency's computerized data base (complaint tracking system). TSBP Director of Enforcement is responsible for the data.

Method of Calculation: After a complaint is received and evaluated, agency staff determine whether the complaint is a jurisdictional complaint or a non-jurisdictional complaint. Jurisdictional complaints include complaints filed against persons licensed or registered by TSBP or persons who are applying for a license/registration that is issued by TSBP, regardless of the allegations made in the complaint. Jurisdictional complaints also include complaints filed against persons who are not licensed or registered by TSBP, if the complainant has alleged that the subject of the complaint has violated the Texas Pharmacy Act or the Texas Dangerous Drug Act (TSBP has the jurisdiction and authority to enforce these two Acts). Agency staff enter the jurisdictional status in the agency's computer system. The computer calculates the number of

jurisdictional complaints received during the reporting period and produces a report that (1) lists the total number of jurisdictional complaints received; (2) identifies all jurisdictional complaints received during the reporting period, by complaint number; and (3) lists the number of non-jurisdictional complaints. Although TSBP keeps track of the total number of non-jurisdictional complaints, TSBP does not use that figure in its calculation of this performance measure.

Data Limitations: TSBP has no control over how many complaints it receives. The Texas Pharmacy Act requires pharmacies to post a sign informing the consumer how to file a complaint (the sign lists the agency’s address, telephone number, and toll-free number). TSBP also requires pharmacies who deliver (mail) prescriptions to advise customers of the same information contained in the aforementioned sign. This information has increased consumer awareness.

<u>Calculation Type</u>	Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than Target, provided the agency has sufficient staff to handle the increased workload

(2) Number of Queries Received by the Prescription Monitoring Program (PMP)

Short Definition: The number of queries recorded by the PMP System during the reporting period.

Purpose/Importance: To determine the number of queries performed by users of the system. This measure can be used to assist in determining if additional educational/outreach efforts are needed to maximize use of the system.

Source/Collection of Data: The computer application system as developed and maintained by the agency vendor. TSBP Director of Professional Services is responsible for data.

Method of Calculation: Same as short definition above.

Data Limitations: Data is dependent on the actual number of queries received by the PMP System. This measure is only useful as an explanatory piece of information as the data is not a factor that can be controlled by the agency.

<u>Calculation Type</u>	Cumulative
<u>New Measure</u>	Yes
<u>Desired Performance</u>	Higher than target

(3) Number of Controlled Substances Prescriptions Submitted to the Prescription Monitoring System (PMP)

Short Definition: The number of controlled substances prescriptions submitted by dispensers during the reporting period.

Purpose/Importance: To determine the number of controlled substances prescriptions submitted by authorized users. This measure can be used to assist in determining the extent of the prescribing of controlled substances in Texas.

Source/Collection of Data: The computer application system as developed and maintained by the agency vendor. TSBP Director of Professional Services is responsible for data.

Method of Calculation: Same as short definition above.

Data Limitations: Data is dependent on the actual number of dispensers who report data to the PMP System. This measure is only useful as an explanatory piece of information as the data is not a factor that can be controlled by the agency.

<u>Calculation Type</u>	Cumulative
<u>New Measure</u>	Yes
<u>Desired Performance</u>	Higher than target

PEER ASSISTANCE - OUTCOME MEASURES**(1) Recidivism Rate for Peer Assistance Programs**

Short Definition: The percent of individuals who relapse within three years of the end of the reporting period as part of the total number of individuals who have been through or participate in the program during the previous three years.

Purpose/Importance: This measure is intended to show the three-year recidivism rate for those individuals who are participating in a peer assistance program. It is important because it indicates that consumers are being protected from unsafe, incompetent, and unethical (professional) practice as a result of the peer assistance program.

Source/Collection of Data: The PRN program will review its records and report the following numbers to TSBP: Data regarding the denominator [total number of individuals who have been reported to the PRN program in X-4 (where X is the current fiscal year), and who achieved a one-year sobriety date during X-3] is determined by a manual review of contracts entered during the reporting period. Data regarding the information needed to calculate the numerator (any individual who became the subject of a related disciplinary order anytime between the end of the one-year sobriety date and the end of the current fiscal year; or who has relapsed during this same period of time, as determined by PRN's review of individual files) is determined by a manual

review of individuals' files. For individuals on PRN contracts only, the PRN program will determine if the individual relapsed.

TSBP will review its records and determine the following numbers: Data regarding the denominator [number of individuals who have been the subject of a disciplinary order in X-4 (where X is the current fiscal year), and who achieved a one-year sobriety date during x-3] is determined by manual review of disciplinary orders entered during the reporting period. Data regarding the information needed to calculate the numerator (any individual who became the subject of a related disciplinary order anytime between the end of the one-year sobriety date and the end of the current fiscal year) is determined by a manual review of disciplinary orders.

TSBP will add the PRN numbers to its numbers and calculate totals. TSBP Enforcement Administrator is responsible for the collection of data. The data is maintained in manual files.

Method of Calculation: Of all individuals successfully completing the program in fiscal year X-3, (where X is the current fiscal year), the percent of individuals receiving related disciplinary action from the Board anytime between the beginning of the fiscal year X-3 and the end of fiscal year X (i.e., the current fiscal year).

This measure is calculated by dividing the numerator by the denominator and multiplying by 100 to achieve a percentage.

NUMERATOR – For individuals being monitored by TSBP, “X” is any individual who became the subject of a related Disciplinary Order anytime between successfully completing the program and the end of the current fiscal year. For individuals who are being monitored by the PRN program, “X” is any individual who has relapsed during this same period of time, as determined by PRN’s review of individual files. Individuals who have had their pharmacist license revoked or retired between the end of the one-year sobriety date and the end of the current fiscal year will be considered as having relapsed.

Applicable terms are defined below:

- (1) “Individuals” are defined as pharmacists licensed by TSBP or applicants for licensure, who are participating in the PRN program or are subject of a Disciplinary Order.

“Individuals” are defined as pharmacists licensed by TSBP, applicants for licensure, and eligible pharmacy students (students enrolled in the professional sequence of an accredited pharmacy degree program approved by TSBP), who are participating in the PRN program or are subject of a Disciplinary Order.

- (2) The term “Disciplinary Order” is defined in the performance measure entitled “Percent of Licensees with no Recent Violations.”

- (3) A “related” Disciplinary Order would be an Order containing one or more violations or alleged violations (i.e., charges or counts) that directly relate to relapse of impairment (e.g., unauthorized use of controlled drugs for personal use). An “unrelated” Order would not be included in this figure. Unrelated Orders would include the following types of disciplinary orders: (a) orders based upon an individual’s failure to submit to a drug screen (i.e., a “no-show” is not considered a “relapse”); (b) orders based upon an individual’s failure to submit required reports (e.g., self performance reports and reports from supervising pharmacist and/or mental health professional); and (c) orders based upon violations or alleged violations of the laws and rules governing the practice of pharmacy, other than impairment (e.g., failure to produce required continuing education records upon audit).
- (4) “Successfully completing the program” means individuals who have completed one-year sobriety (i.e., 12 months of sobriety from “start date” - see explanation of “start date” below).

DENOMINATOR - Total number of individuals who have been reported to the PRN program (regardless of the referral source) or who were the subject of a disciplinary order in X-4 (where X is the current fiscal year), and who achieved a one-year sobriety date during X-3.

These figures would include individuals in the PRN known only to the PRN program, as well as individuals in the PRN program known to the PRN program and TSBP. Year-end figures would not include individuals who did not participate in the program (“dropped out” of the program) during the reporting period due to reasons such as: (a) the individual allowed his/her pharmacist license to expire during the reporting period (i.e., the individual no longer holds a valid license and thereby, is not under TSBP’s jurisdiction); (b) the individual dies during the reporting period (regardless of the reason for the death of the individual) and (c) the individual moves out of state. Accordingly, such an individual may be included in the calculations during one or two of the three-year reporting period, but not in the remaining years of the reporting period.

If an individual was reported to the PRN program in one fiscal year, and reported to TSBP in a subsequent fiscal year (or vice versa), the following is applicable:

- (A) the individual would be counted only once;
- (B) for individuals reported to TSBP, the “start date” (for calculating the one-year sobriety period) would be the date of the entry of the Disciplinary Order*;
- (C) for individuals reported to PRN program, the “start date” (for calculating the one-year sobriety period) would be the date the individual signed a contract with the PRN program, or an equivalent date*;

- (D) for purposes of calculating the one-year sobriety period, the “start date” would be earlier of (B) or (C).

* If an individual is subject to a new/revised PRN contract or a second related Disciplinary Order (other than revocation, cancellation, or retirement), the date of the entry of the second contract or order would serve as a new “start date” for calculating the one-year sobriety period.

Data Limitations: With regard to the Denominator, TSBP has no control over the number of individuals who enter into PRN contracts. With regard to the numerator, the number of disciplinary orders (that are entered by TSBP each year) is limited by the number of individuals who commit violations involving relapse or impairment.

<u>Calculation Type</u>	Non-cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Lower than target

(2) One-year Completion Rate for Peer Assistance Program

Short definition: Percent of individuals who successfully completed the peer assistance program during the year prior to the reporting period and have not relapsed during the one-year period.

Purpose/Importance: It is important because it indicates that consumers are being protected from unsafe, incompetent, and unethical (professional) practice as a result of the peer assistance program.

Source/Collection of Data: The PRN program will review its records and report the following to TSBP: Data regarding the denominator (number of individuals who have entered contracts with the PRN program in the prior fiscal year) is determined by a manual review of contracts entered during the reporting period. Data regarding the information needed to calculate the numerator (the number of individuals who achieved their one-year sobriety date in the current fiscal year) is determined by a manual review of individuals’ files. For individuals on PRN contracts only (not subject to TSBP Disciplinary Orders), the PRN program will determine if the individual relapsed.

TSBP will review its records and determine the following numbers: Data regarding the denominator (total number of individuals subject to TSBP Disciplinary Order for impairment during the prior fiscal year) is determined by manual review of disciplinary orders entered during the prior fiscal year. Data regarding the information needed to calculate the numerator (number of individuals who were subject to an order during the prior fiscal year and who achieved one-year sobriety) is determined by a manual review of individuals’ files and disciplinary orders.

TSBP will add the PRN numbers to its number and calculate totals. TSBP Enforcement Administrator is responsible for the collection of the data. The data is maintained in manual files.

Method of Calculation: Of all the individuals who have been referred to the peer assistance program in fiscal year X-1 (where X is the current fiscal year), the percent who have successfully participated in the program for one year with no relapses. For the purposes of this performance measure, the definition of the term “individual” is the same definition contained in the performance measure entitled “Recidivism Rate for Peer Assistance Programs.”

This measure is calculated by dividing the numerator by the denominator and multiplying by 100 to achieve a percentage.

NUMERATOR - the number of individuals who signed a PRN contract in the previous year and who achieved their one year sobriety date in the current fiscal year and the number of individuals who were subject to a related disciplinary order during the prior fiscal year (and subject to a PRN contract after the date of the TSBP Disciplinary Order) and who achieved a one year sobriety during the current fiscal year. Applicable terms are defined below:

- (1) “Participation in the peer assistance program” - individuals who have signed a contract with the PRN program or been the subject of a disciplinary order during FYX-1.
- (2) “One-year sobriety date” - this term refers to individuals who have not had a relapse within 12 months of the entry of their contract or their disciplinary order. Individuals who die (regardless of the reason for the death of the individual) within 12 months of the entry of their contract or disciplinary order would not be considered as not having achieved their one-year sobriety date). Individuals who have had their pharmacist license revoked or retired within 12 months of the entry of their contract or their disciplinary order, regardless of the reason, would be considered as not achieving their one-year sobriety date.

DENOMINATOR - The number of all individuals who signed a contract with the PRN program during the prior fiscal year and all individuals who were subject to a TSBP Disciplinary Order for impairment during the prior fiscal year. For purposes of this performance measure, unrelated Disciplinary Orders would not be included in this calculation (i.e., Disciplinary Orders not related to relapse).

Data Limitations: TSBP has no control over the number of individuals who enter into PRN contracts or the number of individuals who relapse.

<u>Calculation Type</u>	Non-cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than target

PEER ASSISTANCE - OUTPUT MEASURES

(1) Number of Licensed Individuals Participating In a Peer Assistance Program

Short Definition: The number of licensed individuals who participated in a peer assistance program sponsored by the agency during the reporting period.

Purpose/Importance: This measure shows licensed individuals who continue to practice in their respective field who are participating in a substance abuse program.

Source/Collection of Data: The PRN program will manually review its records and report the following to TSBP: the total number of licensed individuals who have signed a contract during the reporting period and are being monitored by the PRN program (minus any TSBP program participants). TSBP will manually review its records and determine the following: the number of licensed individuals who have had disciplinary orders entered during the reporting period and are being monitored by TSBP and add the TSBP number to the PRN number.

TSBP will add the PRN numbers to its numbers and calculate totals. The TSBP Enforcement Administrator is responsible for the collection of the data. The data is maintained in manual files.

The first quarter's report will include all licensed individuals carried forward from the prior year as well as those individuals who have had Disciplinary Orders entered/signed contracts during the quarter. However, the report for the second, third, and fourth quarters will be only the number of licensed individuals who have had Disciplinary Orders entered/signed contracts during the respective quarter, in order for the cumulative number to be the total number of licensed individuals who participated in the peer assistance program during the current fiscal year.

Method of Calculation: The summation of all the licensed individuals who are listed as participating in the program during the reporting period.

PRN program will determine the total number of licensed individuals who are being monitored by the PRN program (i.e., individuals who have signed a contract with the PRN program). TSBP will determine the total number of licensed individuals who are being monitored by TSBP (i.e., individuals who have been subject to a Disciplinary Order requiring the individual to participate in the PRN program, and/or that includes

allegations or findings of one or more counts of impairment) during the current fiscal year.

The term “licensed individuals” refers only to pharmacists licensed by TSBP, including individuals who have been subject to an order granting or reinstating their license, and pharmacist applicants who have been subject to an Order granting their license. If an individual is licensed as a pharmacist as of September 1 of the current fiscal year, the individual will be counted as being licensed, for the purpose of this performance measure. Pharmacists licensed by TSBP include individuals who have the following licensure status: active, inactive, delinquent, suspended, probation, or restricted.

Note: TSBP may not count an individual who has a revoked or expired license. However, PRN may count an individual with a revoked or expired status, if that individual is being monitored under a current PRN contract.

Data Limitations: TSBP has no control over the number of licensed individuals who develop a physical, mental, or chemical impairment. In addition, the agency has no control over the number of licensed individuals reported to and monitored by PRN program.

<u>Calculation Type</u>	Non-Cumulative
<u>New Measure</u>	No
<u>Desired Performance</u>	Higher than target

HISTORICALLY UNDERUTILIZED BUSINESS PLAN

It is the intent of the Legislature that each state agency receiving appropriations shall make a good-faith effort to include historically underutilized businesses (HUB) in the following categories, in acquiring, constructing, or equipping new or existing facilities, and in the operation implements of each strategy funded:

Category	Actual FY2017	Agency Goal for FY2018
Professional Service Contracts	93.79%	23.7%
Other Services Contracts	1.22%	26.0%
Commodities Contracts	54.74%	21.1%

The agency attempts to utilize HUB vendors for all delegated purchases and, in fact, has a HUB policy. In the event of performance shortfalls, the agency reviews the requirements listed in the overall bid process and notes any constraints that exist, specifically constraints relating to contracts that are propriety in nature. Agency data regarding goals, and actual performance, and constraints are noted in the Annual NonFinancial Report.

The agency has made a dedicated effort to satisfy the requirement for soliciting at least two HUB-certified minorities and one women-owned business in the three bids solicited for each delegated spot purchase. The above constraints notwithstanding, the agency will increase its good-faith efforts by using an agency HUB Policy as the basis for obtaining the HUB participation goals.

CONTRACT MANAGER TRAINING

The agency purchaser maintains a Certified Texas Contract Manager (CTCM) certification. All Board members take the required Governing Bodies Webinar related to contracts and state purchasing.

FISCAL YEAR 2019-2023 WORKFORCE PLAN

Human resources investments are crucial to the continued efficiency and effectiveness of agency operations. In Texas government, as in the private sector, we must pay adequate wages if we expect to attract and retain quality employees. Our employees are our most valuable resource and Texas cannot afford to have less than the best. In addition to the initial investment of hiring qualified staff, the meeting of each employee's ongoing profession development and training needs is also crucial to the success of agency operations.

Human resource investments, such as provision of the up-to-date technology and ongoing training for agency staff, help position the agency as public and private sector employers compete for the same work force pool. The agency has a distinct advantage in that it has a highly educated and qualified staff who carry out their responsibilities in an efficient and effective, customer-service oriented manner. This proactive, progressive work environment, along with the general reputation of the agency, has definitely been an asset when recruiting staff. However, the fact that state salaries are not competitive with those in the private sector continues to hinder recruiting of qualified staff.

I. Current Workforce Profile

A. *Critical Workforce Skills*

There are several critical skills and knowledge areas that are important to the agency's ability to operate. Without these skills and knowledge areas, the TSBP could not provide basic business functions. They are as follows:

- extensive knowledge of healthcare systems and the practice of pharmacy and drug distribution, including legal and regulatory requirements;
- extensive knowledge of state administrative rules and regulations, including the management of human resources, budgetary, and appropriations process;
- extensive knowledge of information resource systems, including web-based applications;
- thorough knowledge of the Texas Administrative Procedures Act, rules of evidence, and other administrative and criminal laws and procedures;
- thorough knowledge of investigative procedures; and
- strong interpersonal skills and customer service.

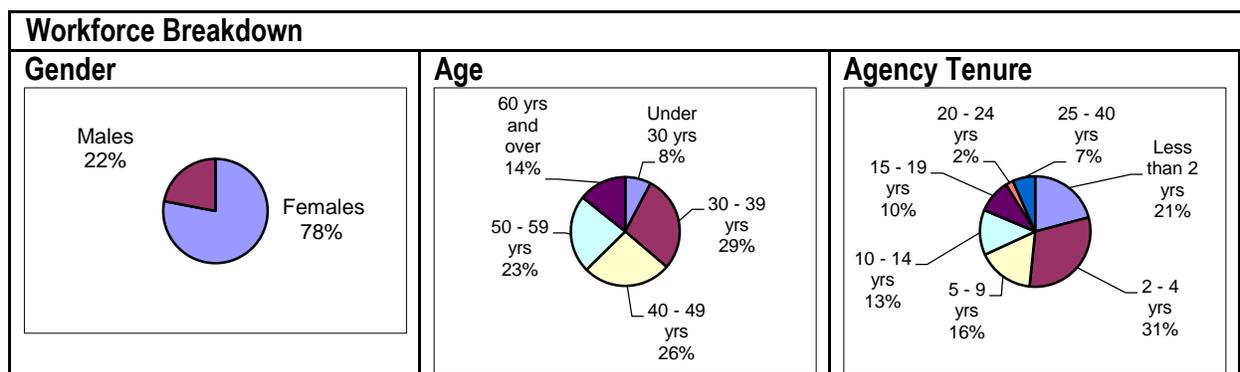
Additionally, a license to practice pharmacy by the TSBP is a critical requirement for many of the agency's positions, including the Executive Director/Secretary.

B. Workforce Demographics

At the end of FY2017, the TSBP workforce is comprised of 22% males and 78% females. On average, employees at the agency were 49.6 years of age and had 9.2 years of agency length of service. Of the agency's employees, 63% are over the age of 40 and 52% of employees has less than five year's agency service

These percentages are high enough to warrant strong training programs to ensure our employees are able to assume key positions in the event of unexpected turnover.

Table 1



The agency's overall workforce profile, as shown in **Table 2**, indicates that the agency needs to increase its efforts to recruit and retain qualified minority applicants at all levels of job categories.

Table 2*

	WHITE		BLACK		HISPANIC		OTHER		TOTAL		GRAND TOTAL
	M	F	M	F	M	F	M	F	M	F	
Administrators	0	5	1	0	0	0	0	0	1	5	6
Professional	6	15	0	3	2	1	0	1	8	20	28
Para-Prof	9	18	0	2	2	11	0	0	11	31	42
Admin Support	0	5	1	2	0	7	0	0	1	14	15
TOTALS	15	43	2	7	4	19	0	1	21	70	91

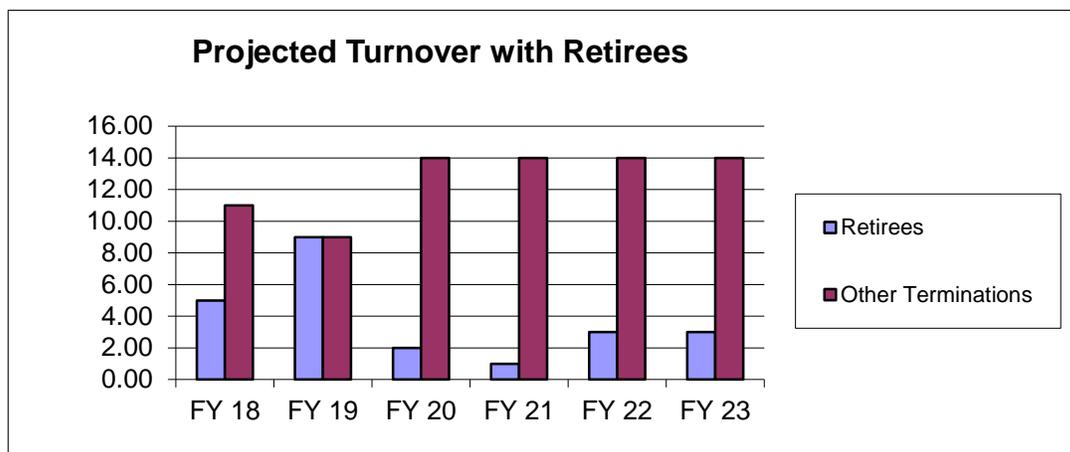
* Data reflects actual staff as of 8/31/17

C. Employee Turnover

Agency employee turnover increased from 9.8% in FY2015 to 13.2% in FY2016 and slightly decreased to 12.9% in FY2017, the majority citing “better pay/benefits” as the reason for leaving the agency. In FY2017, this turnover rate compares to the overall state of Texas turnover rate of 18.6%.

D. Retirement Eligibility

It is estimated that between fiscal years 2018 and 2022, 21.2% of the agency's workforce will be eligible to retire.



II. Future Workforce Profile

One key factor that continues to affect the ability of the agency to serve and protect the public interest is the increased demand for agency services in every area of its operation. Dramatic increases in the demand for licensing, enforcement, and information services are well documented throughout the *Strategic Plan* and in the agency's budget requests. This continued increase in demand for services, together with the increase in the complex nature of modern health and pharmaceutical care, continues to tax the agency's ability to respond to future challenges.

In addition, according to the Office of the State Auditor's (SAO) Annual Report on Classified Employee Turnover for Fiscal Year 2017, the statewide turnover rate was 18.6 percent which was the highest turnover rate of the past five fiscal years and was an increase from the fiscal year 2016 statewide turnover rate of 17.6 percent. The SAO further reported that the top 3 reasons employees reported in exit surveys for voluntarily leaving employment at their state agencies during fiscal year 2017 were:

- Retirement
- Better pay/benefits
- Poor working conditions/environment

The TSBP results from the Survey of Organizational Excellence also reported the top two areas of concern among employees of the agency were Pay and Benefits. Inadequate funding for the agency by the legislature for salary increases for all employees, results in the agency not able to offer salaries that are competitive to those paid in the private sector.

III. Gap Analysis

After analyzing the workforce information, TSBP has determined there are two primary gaps between the agency’s workforce supply and demand that must be addressed.

- Key positions in management, including the Executive Director/Secretary position, are not being targeted for succession planning.
- Historically, TSBP has not been able to attract and retain qualified pharmacists due to the inadequate funding of the agency by the legislature that results in the agency not able to offer salaries that are competitive to those paid in the private sector.

IV. STRATEGY DEVELOPMENT

GAP	<i>LACK OF SUCCESSION PLANNING FOR THE EXECUTIVE DIRECTOR/SECRETARY AND KEY MANAGEMENT STAFF</i>
Goal	Develop a competent, well-trained workforce.
Rationale	The training and development of current employees is critical to the success of the agency. TSBP should continue analyzing existing staff to determine which employees demonstrate the potential or interest to develop new competencies and assume new or modified positions.
Action Steps	<ul style="list-style-type: none"> • Expand training programs to include programs such as effective leadership and contemporary management training skills, effective project management, and assessing and managing risks. • Conduct an assessment of the level of risk facing the agency regarding the potential loss of knowledge particularly in areas where loss is likely due to the imminent loss of key employees.
GAP	<i>TSBP CANNOT ATTRACT AND RETAIN QUALIFIED PHARMACISTS</i>
Goal	Become an employer of choice.
Rationale	If the agency is to recruit and retain qualified pharmacists, TSBP must take affirmative actions with the legislature to increase agency appropriations to secure qualified pharmacists. TSBP will also continue to re-examine its organizational structure and requirements to see if other job classifications could meet the needs of these positions.
Action Step	Request additional appropriations to enhance employee compensation, especially in the recruitment and retention of pharmacists.

REPORT ON CUSTOMER SERVICE

The *Texas State Board of Pharmacy Customer Service Report for FY2016-FY2017*, was presented for review at the Board's February 6, 2018, business meeting.

The *Texas State Board of Pharmacy Customer Service Report for FY2016-FY2017* was submitted to the Governor's Office and the Legislative Budget Board on April 27, 2018.

The *Texas State Board of Pharmacy Customer Service Report for FY2016-FY2017* is posted on the Pharmacy Board website at:

http://www.pharmacy.texas.gov/files_pdf/Customer_Service_Report_FY16_17.pdf

EXTERNAL AND INTERNAL ASSESSMENT

IDENTIFICATION OF ISSUES

1. Combat Nontherapeutic Dispensing of Controlled Substances Contributing to the Opioid Epidemic

- e-prescribing;
- Prescription Monitoring Program integration;
- NarxCare.

2. Monitor Increased Use of Technology in the Practice of Pharmacy to Integrate Technological Advances into Texas Pharmacy Regulations

- receipt and data entry of prescriptions and patient information;
- storage of prescription information;
- delivery of pharmacy services;
- accountability for pharmacy services;
- use of the Internet.

3. Address Appropriate Level of Training and Supervision for Pharmacy Technicians in Order to Increase Pharmacists' Ability to Provide Clinical Services.

4. Increase Licensee Compliance with Laws and Rules Relating to the Practice of Pharmacy through Education of Licensees

- opioid dispensing;
- implementation of mobile inspections.

INFORMATION TECHNOLOGY PLANNING

To consistently provide fast, reliable, and cost-effective information technology (IT) services in support of agency and statewide objectives.

Action Plans:

Reliable and Secure Services

- Security - To develop policies, standards and guidelines to secure the technology infrastructure, ensure the integrity of online services and protect the private information collected from citizens and businesses.
- Continuity of Operations – To develop a comprehensive business continuity plan which will support the swift recovery of technology assets and resumption of mission-critical functions.
- Connectivity – To upgrade aging network infrastructure where possible to support the increasing need for continuous connectivity to conduct business at greater capacity and faster speeds.

IT Resource Management

- IT Planning and Governance – To implement policies and guidelines to facilitate planning and collaboration on projects that have an information technology component.
- IT Workforce – To develop and implement strategies to recruit, retain and manage a fully trained and qualified IT workforce to meet current and future agency objectives.

Cost Effective & Collaborative Solutions

- Legacy Modernization – To identify existing mission-critical legacy infrastructure and applications and prioritize their replacement or modernization.
- Cloud Services – To utilize as appropriate, cloud-based software and infrastructure services to lower costs and implement quick solutions for efficient operations.
- Shared Services – To continue leveraging shared services facilitated by the Health Professions Council (HPC) and identify new opportunities for inter-agency collaboration.

Data Utility

- Data Management & Governance – To implement sound data management and governance principles to support and improve business processes and reduce costs.
- Open Data – To continue publishing high-value datasets online in support of statewide open data initiatives.
- Data Analytics – To identify areas for improvement in data quality and usage of analytics in decision-making processes.

Mobile and Digital Services

- Mobile Applications – To implement mobile applications where appropriate to increase the efficiency of field staff and to improve the delivery of services to our customers.
- Digital Services – To continue offering digital services to our customers and identify areas to implement online services in place of paper-based processes.