



tial for abuse and fraud. The consensus of the Board was to attempt to limit the number of items which could be checked on each pad to one. The Board moved to table this discussion until its next meeting, when samples of the different types of pads currently in use would be made available for inspection.

Prescription Faxing. On October 25, the Board discussed whether it should take any action concerning the facsimile transmission ("faxing") of prescriptions. According to Deputy Attorney General William Marcus, current law allows the transfer of prescriptions by fax; but does not address the original transmission of a prescription by fax. The Board is concerned about the potential for fraud or mistake. The Board decided to table this matter, and wait until a pending Attorney General's Opinion is published.

Emergency Meeting. The Board held an emergency meeting on December 11 to discuss the resignation of Executive Officer Lorie Rice, effective February 1, 1990. The Board decided to appoint Patricia Harris as interim executive officer until the May 1990 meeting.

LEGISLATION:

The following is a status update on bills described in detail in CRLR Vol. 9, No. 4 (Fall 1990) at pages 75-76:

AB 1832 (Polanco) would have provided that any person who knowingly sells Syrup of Ipecac, any laxative, or any diuretic to another person who is under the age of eighteen is subject to either criminal action for a misdemeanor or a civil action brought by a city attorney, a county counsel, or a district attorney. This bill died in committee.

AB 1006 (Isenberg) would require health maintenance organizations to give written notice to all pharmacy providers in their service area of their intent to change the manner of payment for pharmacy services and to give those providers an opportunity to submit a bid to participate in the organization's panel of providers on the terms proposed. This bill is pending in the Senate Committee on Insurance, Claims, and Corporations.

AB 1177 (Kelley), as amended January 11, would amend section 4047.9 of the Business and Professions Code. Currently, this section requires a pharmacist to inform a patient orally or in writing of the harmful effects of a drug dispensed by prescription if the

drug poses substantial risk to the person consuming the drug when taken in combination with alcohol. This bill would include in that warning requirement any drug which may pose a substantial risk when taken in combination with other prescribed drugs. This bill is pending in the Senate Business and Professions Committee.

AB 1397 (Filante) would have required pharmacist consultation when an initial prescription is filled or when a pharmacist deems that a consultation is warranted. This bill died in committee.

AB 1986 (Ferguson), which would have created felony criminal and civil penalties for prescribing controlled substances to minors without the written consent of parents or guardians, died in committee.

Future Legislation. The Board may introduce legislation during the current legislative session regarding the scope of pharmaceutical care. Section 4046 of the Business and Professions Code currently allows pharmacists in certain licensed health care facilities to initiate, monitor, and adjust drug therapies, and to order related laboratory tests. The Board may propose to expand this statute to allow pharmacists in any practice setting to perform these tasks, under certain conditions. The Board's Ad Hoc Committee on Scope of Practice proposed that such activity be (1) regulated by protocol developed by the attending physician; (2) subject to the patient's authorization; and (3) in accordance with the Board's regulations.

At its October 25 meeting, the Board discussed the possibility of future legislation regarding the needle exchange issue. A coalition of advocates for people with AIDS recently called on the San Francisco Health Commission to support a citywide needle exchange program for drug addicts to help fight the spread of AIDS. The Commission then asked the Board to grant a license to San Francisco that would exempt the city from the state law forbidding dispensing syringes without a prescription. The Board denied this request because, in the opinion of a legislative analyst, the only way to legally allow needle exchange is to change state law. Therefore, the Board may propose to amend state law to allow such activity.

FUTURE MEETINGS:

May 30-31 (location undecided).

POLYGRAPH EXAMINER BOARD

Executive Officer: Dia Goode
(916) 739-3855

Until January 1, 1990, the Polygraph Examiners Board operated within the Department of Consumer Affairs. The Board had authority to issue new licenses and to regulate the activities of an estimated 655 examiners licensed in California. The Board's enabling act contained a sunset date of January 1, 1990.

During the fall of 1989, the legislature passed SB 1494 (Dills), which would have transferred the duties of the Board to the Department of Justice. However, the Governor vetoed the bill on October 2 (see CRLR Vol. 9, No. 4 (Fall 1989) p. 76 for background information). Thus, the sunset date in the Board's enabling legislation remained unchanged and the Board was abolished effective January 1, 1990.

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Executive Officer: Darlene Stroup
(916) 920-7466

The Board of Registration for Professional Engineers and Land Surveyors (PELS) regulates the practice of engineering and land surveying through its administration of the Professional Engineers Act, sections 6700 through 6799 of the Business and Professions Code, and the Professional Land Surveyors' Act, sections 8700 through 8805 of the Business and Professions Code. The Board's regulations are found in Chapter 5, Title 16 of the California Code of Regulations (CCR).

The basic functions of the Board are to conduct examinations, issue certificates, registrations, and/or licenses, and appropriately channel complaints against registrants/licensees. The Board is additionally empowered to suspend or revoke registrations/licenses. The Board considers the proposed decisions of administrative law judges who hear appeals of applicants who are denied a registration/license, and those who have had their registration/license suspended or revoked for violations.

The Board consists of thirteen members: seven public members, one licensed land surveyor, four registered Practice Act engineers and one Title Act