



Proposed regulatory action in this area will be discussed at future meetings.

A consumer pamphlet has been prepared as a joint project by the Board and the California Optometric Association. However, the Board currently lacks funding for printing and public distribution of the pamphlet.

FUTURE MEETINGS:

To be announced.

BUREAU OF PERSONNEL SERVICES

Chief: Jean Orr
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The Bureau of Personnel Services, formerly the Bureau of Employment Agencies, was established within the Department of Consumer Affairs to regulate those businesses which secure employment or engagements for others for a fee. The Bureau regulates both employment agencies and nurses' registries. Those businesses which place applicants in temporary positions or positions which command annual gross salaries in excess of \$25,000 are exempt from Bureau regulation.

The Bureau's primary objective is to limit abuses among those firms which place individuals in a variety of employment positions. It prepares and administers a licensing examination and issues several types of licenses upon fulfillment of the Bureau's requirements. There are approximately 2,100 licensees.

The Bureau is assisted by an Advisory Board created by the Employment Agency Act. This seven-member Board consists of three representatives from the employment agency industry and four public members. All members are appointed for a term of four years. There are currently three vacancies on the Advisory Board: two industry positions and one public member position.

MAJOR PROJECTS:

Impacts of AB 2929. Due to the deregulation of employer-retained agencies pursuant to AB 2929 (see CRLR Vol. 7, No. 1 (Winter 1987) p. 56), the number of Bureau licensees may be significantly reduced.

Bureau staff and selected Advisory Board members plan to meet with Marie Shibuya-Snell, Director of the Department of Consumer Affairs, to discuss the future of the Bureau. The Department recently sent industry members information on AB 2929 and also

included a three-page survey. The survey results indicate that the industry wants the Bureau to stay in existence.

LEGISLATION:

AB 2733 (Bane), a bill clarifying which employers are required to pay for their employees' unemployment insurance, has been chaptered (Chapter 793, statutes of 1986). Following review by legal counsel Don Chang, the Bureau plans to inform nurses' registries and babysitting and domestic agencies as to how this legislation affects them.

RECENT MEETINGS:

The Advisory Board met on January 9 in Los Angeles, with discussion focusing on the Board's purpose. Members commented that they would like more interaction with Bureau staff in the form of written recommendations.

There was also some discussion at the January 9 meeting as to whether domestics should be deregulated. A subcommittee was appointed to look into the matter of deregulation of employer-retained domestics and will report back at the next Advisory Board meeting.

FUTURE MEETINGS:

To be announced.

BOARD OF PHARMACY

Executive Officer: Lorie G. Rice
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The Board of Pharmacy grants licenses and permits to pharmacists, pharmacies, drug manufacturers, wholesalers and sellers of hypodermic needles. It regulates all sales of dangerous drugs, controlled substances and poisons. To enforce its regulations, the Board employs full-time inspectors who investigate accusations and complaints received by the Board. Investigations may be conducted openly or covertly as the situation demands.

The Board conducts fact-finding and disciplinary hearings and is authorized by law to suspend or revoke licenses or permits for a variety of reasons, including professional misconduct and any acts substantially related to the practice of pharmacy.

The Board consists of ten members, three of whom are public. The remaining members are pharmacists, five of whom must be active practitioners. All are appointed for four-year terms.

MAJOR PROJECTS:

Handbook. A new handbook of current Pharmacy Laws and Regulations became available in March 1987. The Board will also publish a newsletter discussing, among other topics, the law regarding the rescheduling of anabolic steroids as controlled substances.

Mail Order Prescriptions. The Board has been investigating the mail-order prescription business, which is not presently allowed in California. The Board has been studying other states in which the business is permitted, particularly with respect to deaths, injuries, or other complaints from consumers resulting from mail order prescriptions. The Board has also communicated with the Federal Trade Commission (FTC) for information on problems in other states. An FTC representative is scheduled to appear at a future meeting to update the Board on an ongoing FTC study of the mail order prescription business. The Little Hoover Commission is also studying this matter.

After receiving and evaluating information from the FTC and the Little Hoover Commission, the Board will examine its regulations and determine whether changes or additions to its regulatory authority are needed. The Board will also evaluate various pieces of proposed legislation dealing with mail order prescriptions.

Regulations. Section 1769.1 of Title 16 of the California Administrative Code, which addresses the standards for reinstatement of licensees, was disapproved by the Office of Administrative Law (OAL). Rather than resubmit the regulations to OAL, the Board has decided to publish the standards as guidelines and distribute them to those seeking reinstatement.

Section 1781.5 of Title 16 dealing with hearings for exemptees was also recently disapproved by OAL, and will be resubmitted with corrections. The section would permit the Board to issue an exemption certificate to a manufacturer or wholesaler which employs an individual who has passed a written examination given by the Board and is a pharmacist licensed in a state other than California, or has at least two years of applicable experience in the manufacture, wholesale, or distribution of dangerous drugs.

Finally, the Board's continuing education regulations were also disapproved by OAL, and will be resubmitted. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 49.)