

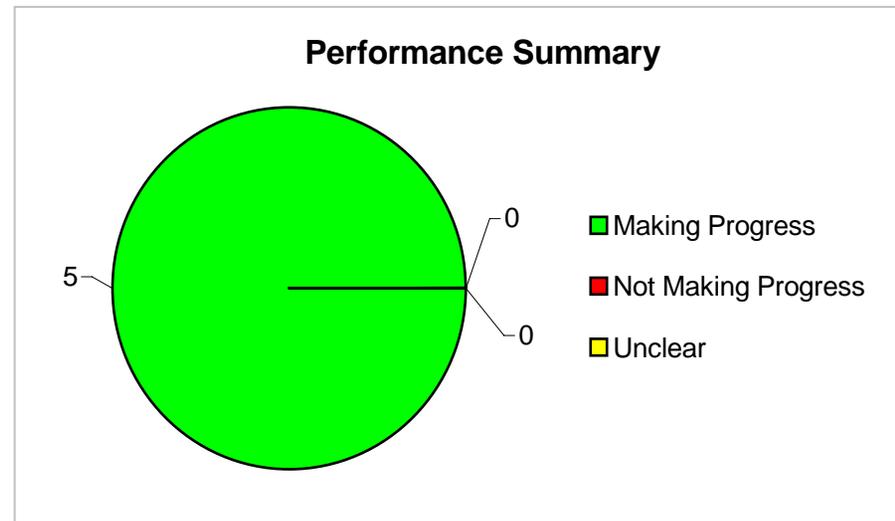
## Board of Pharmacy Annual Performance Progress Report (APPR) for Fiscal Year 2005-06

Original Submission Date: 2/5/07

2005-07 KPM#	2005-07 Key Performance Measures (KPMs)	Page #
1	Percent of inspected pharmacies that are in compliance annually	5
2	Percent of audited pharmacists who complete continuing education on time	7
3	Percent of pharmacies inspected annually	8
4	Average number of days to complete an investigation from complaint to board presentation	10
5	Percent of customers rating their satisfaction with the Agency's customer service as "good or "excellent": Overall Customer Service, Timeliness, Accuracy, Helpfulness, Expertise and Availability of Information.	11
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Alternate: Gary Schnabel, Executive Director		Phone: 971-673-0001

### 1. SCOPE OF REPORT

- The Board of Pharmacy is identified as one program. Current key performance measures specifically address issues relating to the Compliance and Licensing programs in the agency as well as general overall agency performance for customer service.
- The Agency has five operational components: Licensing, Compliance, Administration, Operations and the Pharmacy Recovery Network (PRN). The PRN program is a confidential, off-sight program to support pharmacy professionals who are recovering from alcohol or drug abuse



## Board of Pharmacy

## II. KEY MEASURE ANALYSIS

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dependence. There are no specific performance measures for this program.

### 2. THE OREGON CONTEXT

The Board's mandate is to promote, preserve and protect the public health, safety and welfare of the citizens of Oregon. The desired outcome is safe practices within the profession that result in a safer Oregon. The Board's role is to make sure that only competent individuals are allowed to enter into the profession and that Oregon citizens have confidence in the security and integrity of our drug supply.

There aren't currently any high level societal outcome measures that exist within the Oregon Benchmarks.

### 3. PERFORMANCE SUMMARY

#### *a. Protect Oregon consumers by regulating the practice of pharmacy and distribution of drugs*

**Successes:** During the 2005-2006 reporting period, the Board and staff continued to spend a considerable amount of time addressing public safety issues relating to methamphetamine, distribution of pseudoephedrine products and how the Board's rules needed to be revised to restrict the sale of pseudoephedrine and therefore limit access to this over the counter drug for illegal purposes as defined by the 2005 Legislature. The Legislature passed HB2485 which, among other things required the Board to list all pseudoephedrine products, prescription only, controlled substance schedule III by July 1, 2006. The Board worked with stakeholder groups and adopted the permanent rule with an effective date of July 1, 2006 as required. As of December 2006, the Oregon State Police reports a 90% reduction in the incidence of meth labs in Oregon. The Board also continues to actively work with the Governor's Meth Task Force. Oregon now has the most restrictive rules in the country to combat this serious public safety issue.

In 2006, the Board also implemented updated Pharmaceutical Wholesaler rules for licensing and distribution. This update was necessary because on a state and national level, there has been a growing impact of gray market wholesalers that have been doing business illegally by failing to be licensed, wholesaling and importing drugs from foreign countries. The Board's Compliance staff initiated a series of investigations of Oregon wholesalers and the Board was startled by the findings. The new rules implement pedigree requirements, they adopt updated licensing requirements, new standards for operational policies and procedures and recordkeeping.

The Board adopted and implemented updated rules for Pharmacy Technicians to require national certification. This came after years of discussion and consideration on how the Board might require training and education for these licensees. The Board feels strongly that all Pharmacy Technicians need to have an entry level educational requirement. It is the Board's expectation that with entry level requirements, Pharmacy Technicians will be better equipped and more accountable for public safety.

The Board has taken a new approach to ensuring that pharmacists complete the annual continuing education requirement on time by requiring those who fail the audit to retake the Multistate Pharmacy Jurisprudence Exam (MPJE). 2006 saw an improvement in this measure.

Over the past two years, the Board has had a Pharmacy Inspector on the road to perform on site drug outlet inspections full time. The percent of pharmacies inspected in 2006 exceeded the target expectation. One of the primary objectives of this includes

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conducting annual on site inspections of pharmacies with an emphasis on education and voluntary compliance. The Board has not only exceeded the performance target, but has received a number of favorable comments from pharmacy managers on this effort. The Board believes it will help pharmacies and pharmacists increase their level of compliance as well as provide an increased level of service to their customers in the interest of patient health and safety.

Over all, the Performance Measure data shows that there has been improvement in compliance from 2005 to 2006. These numbers best reflect what is happening in pharmacies and the profession around the state.

### b. *Provide excellent customer service*

**Successes:** The Agency has had several successes in the area of customer service. All of the rules previously mentioned directly result in service to our stakeholders. Each of them included a broad spectrum of licensees and associations for stakeholders directly affected. All have resulted in a collaborative and successful outcome.

The Agency's Compliance staff continues to do an admirable job in streamlining documentation and completing investigations for presentation to the Board in a timely manner that exceeds the target.

Licensing and registration performance continues to meet expected targets even though these were removed from our legislatively required measures in 2005. The Board continues to use this as an internal performance measure.

The new customer service measure clearly identifies in all categories that the Board is excellent or above average. There is room for improvement, but the Board was pleased to see the outstanding results.

The Board's website has become a regular method of communication to licensees and the public. We've also been able to post lengthy documents on the website and refer people to it to reduce the cost of printing and mailing.

### c. *Conduct business in a manner that supports a positive environment for the pharmacy industry*

**Successes:** The Board does not currently have a performance measure attached to this goal; however this is something that the Board considers with regularity.

The Board's Research Council process described in past reports continues to be an effective way to support a collaborative review of OAR Chapter 855 and address topics that require specific research and stakeholder input. Stakeholders are invited to participate and have been very helpful in identifying issues that support the Boards goal to conduct business in a "business friendly" manner.

Overall, there has been improvement in each of the four established performance measures and very good results from the customer service surveys.

## 4. CHALLENGES

### a. *Protect Oregon consumers by regulating the practice of pharmacy and distribution of drugs*

One challenge that continues to be an issue for the Board is the fact that turn-over for the Pharmacy Inspector positions is high due to the heavy workload and low salary. Additionally, the agency continues to expend a significant level of resources toward

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consumer and professional education as well as education regarding importation of prescription drugs into the state from foreign countries. Finally, the Board has seen a significant increase in the number of drug diversion cases involving Pharmacy Technicians within the last year that have been very time consuming for agency staff and costly for the agency in attorney fees.

*b. Provide excellent customer service*

The most significant barrier continues to be the vacant pharmacist positions in the Compliance department. As noted above, the challenge is the non-competitive salary range. Pharmacists are interested and inquire about the position; however the low salary often prevents them from even applying. Another barrier that presents itself often is the demand on the Agency's workload by outside requests. The Agency is regularly called on to assist with projects that require pharmacist expertise such as Medicare Part D. This is a good example of something that is pharmacy related, however not specific to the Board's authority. During the early roll out of Medicare Part D, Office of Medical Assistance Programs (OMAP) needed assistance in communicating quickly with pharmacies and pharmacists. We assisted on short notice with writing and producing an informational mailing to licensees. The Board also provided information to the legislature and law enforcement agencies on pseudoephedrine and distribution alternatives. The Board continues to work with stakeholders on distribution alternatives for emergency contraceptives.

*c. Conduct business in a manner that supports a positive environment for the pharmacy industry*

Agency workload and vacancies within the Compliance section continue to severely challenge our ability to follow through on Administrative rule updates. With the addition of a Project Manger position this biennium, a solid process and plan is in place and the Board is moving forward on restructuring several divisions that require updating.

## 5. RESOURCES USED AND EFFICIENCY

None of the existing key performance measures specifically speak to efficiency measures, but rather to the Agency's goals.

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KPM #1	PERCENT OF INSPECTED PHARMACIES THAT ARE IN COMPLIANCE ANNUALLY.	Measure since: 2000
Goal	Protect Oregon consumers by regulating the practice of pharmacy and distribution of drugs.	
Oregon Context	Agency mission.	
Data source	Query database.	
Owner	Board of Pharmacy – Compliance Director (971) 673-0001	

### 1. OUR STRATEGY

The Board's goal is to complete inspection of all Oregon pharmacies annually. To achieve this goal, it is necessary to have trained pharmacist Compliance staff.

### 2. ABOUT THE TARGETS

Ideally, the target should be 100% compliance, however, that is not realistic.

### 3. HOW WE ARE DOING

This performance measure indicates that the number of inspected pharmacies that were in compliance in 2005 dropped to 67%. Ideally, this percentage will continue to increase as a result of an upgraded self-inspection process.

### 4. HOW WE COMPARE

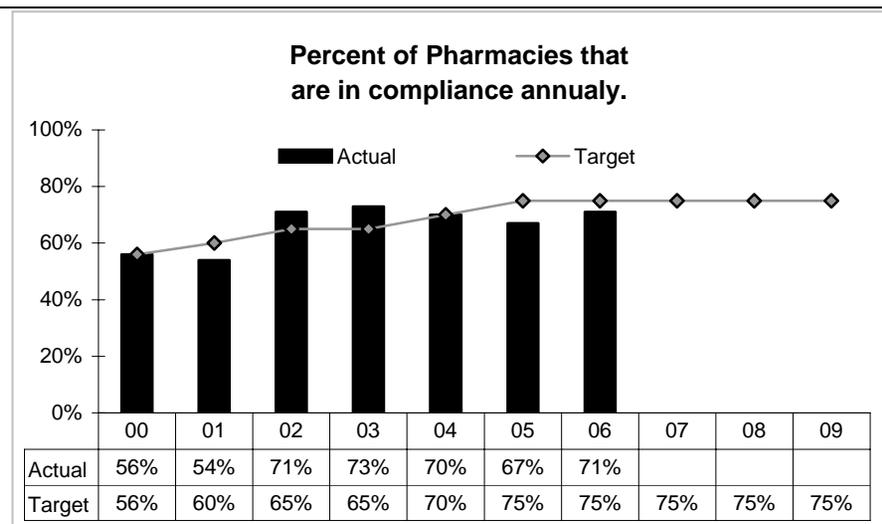
The Board established a self-inspection report that has assisted pharmacies in complying with Oregon laws and rules. The variance shows that pharmacies were less compliant during fiscal year 2004-2005. This performance ties directly to the pharmacies maintaining compliance with agency laws and rules. More pharmacies were inspected in 2005 and this is probably a more accurate reflection of compliance than in prior years when fewer pharmacies were inspected.

### 5. FACTORS AFFECTING RESULTS

Vacancies in the Compliance staff make it difficult to respond to questions and counsel on best practices leading to increased non-compliance. Annually updated self-inspection forms provide the pharmacists with information and references to issues the Board feels are important which leads to increased levels of compliance.

### 6. WHAT NEEDS TO BE DONE

The Board needs to be more creative and aggressive with recruitment and consider the possibility of non-pharmacist staff to assist the Pharmacist Inspectors and Investigators. We need to continue regularly updating the self-inspection form based on the analysis of the compliance statistics or new issues of significance identified by the Board.



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### **7. ABOUT THE DATA**

This is strong data because it is easy to determine whether the pharmacy is in compliance or out of compliance. Compliance staff use warning notices and update the self inspection form annually.

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KPM #2	PERCENT OF AUDITED PHARMACISTS WHO COMPLETE CONTINUING EDUCATION ON TIME	Measure since: 2000
Goal	Protect Oregon consumers by regulating the practice of pharmacy and distribution of drugs.	
Oregon Context	Agency mission.	
Data source	Manual review of license renewal.	
Owner	Board of Pharmacy – Licensing (Administrative Director) (971) 673-0001	

### 1. OUR STRATEGY

Continuing education is one strategy to ensure pharmacist competency to practice. The Board adopted rules requiring a minimum of 15 hours of continuing education annually. The Board audits 10% of pharmacists for compliance annually.

### 2. ABOUT THE TARGETS

The 100% target is maintained because pharmacists are required to achieve 15 hours of continuing education annually in order to renew their license.

### 3. HOW WE ARE DOING

The Board statistics reflect that most audited individuals are in compliance annually. Any pharmacist not in compliance is subject to disciplinary action.

### 4. HOW WE COMPARE

It is difficult to compare. Other Oregon health licensing boards are inconsistent in their requirements or lack of for continuing education.

### 5. FACTORS AFFECTING RESULTS

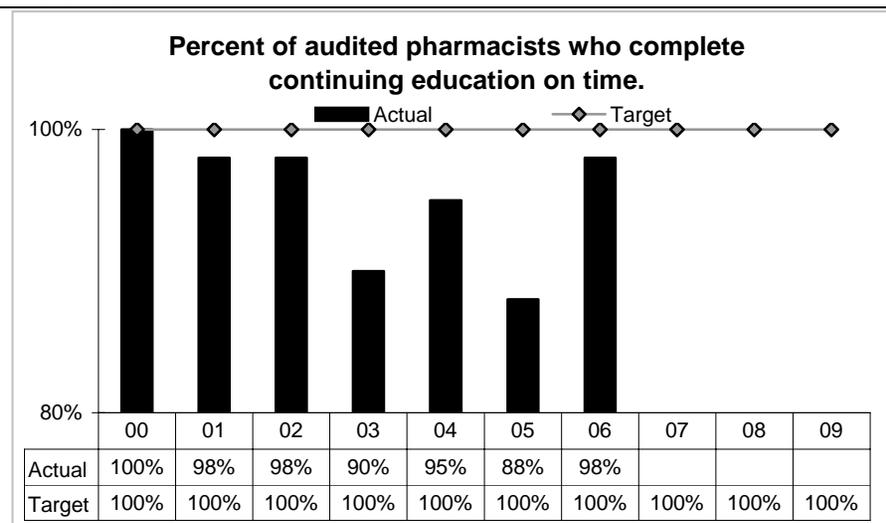
The decreased availability of live CE programs in rural areas is a barrier to achieving the required number of hours. Availability of Compliance staff to provide pharmacy law CE in rural areas is also a barrier. Finally, the availability of some CE programs on the internet and in pharmacy journals provides an alternative to attending live CE programs.

### 6. WHAT NEEDS TO BE DONE

We continue to audit pharmacists' hours to ensure compliance with the CE requirement.

### 7. ABOUT THE DATA

This data reflects 10% of pharmacists audited annually. This is used to estimate compliance with the CE requirement across the profession.



**Board of Pharmacy**

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KPM #3	PERCENT OF PHARMACIES INSPECTED ANNUALLY	Measure since: 2002
<b>Goal</b>	Protect Oregon consumers by regulating the practice of pharmacy and distribution of drugs.	
<b>Oregon Context</b>	Agency mission.	
<b>Data source</b>	Query database	
<b>Owner</b>	Board of Pharmacy – Compliance Director (971) 673-0001	

**1. OUR STRATEGY**

The Boards goal is to complete inspection of all Oregon pharmacies annually. To achieve this goal, it is necessary to have positions filled with trained pharmacist Compliance staff.

**2. ABOUT THE TARGETS**

The past five years, it has been very challenging to keep pharmacist staff positions filled due to the low salary. As a result, the ability to conduct inspections suffered. Targets have been adjusted in the past as a result and reflection of agency staffing. If the positions are filled, a target of 90 to 100% is reasonable. If not, however, inspections suffer due to other pressing workload issues. The target was lowered to 50% to reflect the ongoing vacancies in the Compliance staff.

**3. HOW WE ARE DOING**

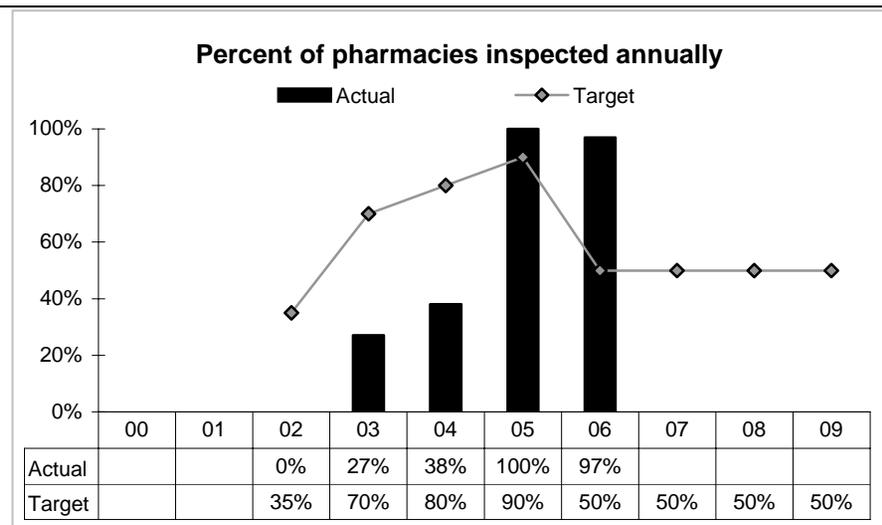
In 2005, the Board filled one Pharmacy Inspector position with an off site employee. In 2005 and 2006, this individual spent approximately 95% of his time conducting inspections and educating pharmacies on compliance requirements throughout the state. Actual figures show this was extremely successful. In addition, the opportunity to identify the challenges and educate pharmacists on best practices and regulatory requirements has been well received. We have also used this position to bring together local pharmacists for continuing education opportunities around the state.

**4. HOW WE COMPARE**

Our data compares favorably to other states in which on site inspections occur every second or third year.

**5. FACTORS AFFECTING RESULTS**

Factors affecting the Compliance staff's ability to complete annual on site inspections include vacancies in the compliance staff, the compliance investigation schedule and other projects such as rule writing, committees and taskforces and responding to public inquiries.



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### **6. WHAT NEEDS TO BE DONE**

Continue the current practice of regular pharmacy inspection. Consider hiring non-pharmacists to assist the pharmacist inspectors with compliance workload.

### **7. ABOUT THE DATA**

This is strong data. The pharmacy was either inspected or not.

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KPM #4	NUMBER OF DAYS TO PROCESS COMPLETE INVESTIGATION FROM COMPLAINT TO BOARD PRESENTATION.	Measure since: 2000
Goal	Provide excellent customer service.	
Oregon Context	Agency mission.	
Data source	Query database.	
Owner	Board of Pharmacy – Compliance Director (971) 673-0001	

### 1. OUR STRATEGY

Decreasing the lag time from complaint to presentation is in the public interest. The Oregon Department of Justice and law enforcement and regulatory agencies both state and federal are regular partners in the Board's investigations.

### 2. ABOUT THE TARGETS

The Board's goal is to reduce the number of days between complaint and presentation.

### 3. HOW WE ARE DOING

The Board moved to bi-monthly Board Meetings in a cost saving effort which means the opportunity to present cases occurs every 60 days rather than every thirty days. The time it takes to conduct investigations, criminal background checks and compliance staff vacancies continue to impact the lag time.

### 4. HOW WE COMPARE

Anecdotally this compares favorably to other Oregon regulatory boards and other state boards of pharmacy.

### 5. FACTORS AFFECTING RESULTS

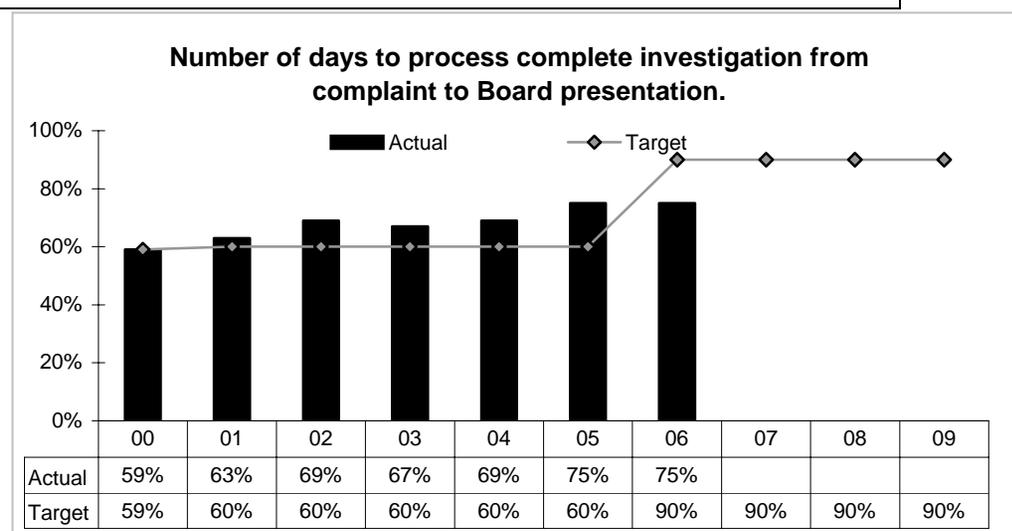
Compliance vacancies and the corporate culture of licensee's corporate legal departments and government relation teams adds to the complexity of investigations. Other factors include the availability of Board general counsel and need for ongoing investigator training.

### 6. WHAT NEEDS TO BE DONE

Fill vacancies, get more training and review and update investigation procedures.

### 7. ABOUT THE DATA

There could be variability in the data due to possible inconsistency with the dates reported. The date reported could be the date the complaint was received or the date the investigation was started or the date of the notice of non compliance or the anonymous report of suspected violation.



**Board of Pharmacy**

**II. KEY MEASURE ANALYSIS**

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KPM #5	CUSTOMER SERVICE : Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall, timeliness, accuracy, helpfulness, expertise, availability of information	Measure since: 2006
<b>Goal</b>	Provide excellent customer service	
<b>Oregon Context</b>	Agency mission	
<b>Data source</b>	Customer service survey	
<b>Owner</b>	Board of Pharmacy – Administrative Director (971) 673-0001	

**1. OUR STRATEGY**

The Board strives to excellent customer services though the services it provides including investigations, licensing, examinations and consumer information.

**2. ABOUT THE TARGETS**

The goal is to achieve excellence. However, licensees who are disciplined by the Board are not likely to give the Board excellent scores.

**3. HOW WE ARE DOING**

The Board conducted several surveys of various licensees and the public during this reporting period. Combined results indicate a high service rating in all but two areas.

**4. HOW WE COMPARE**

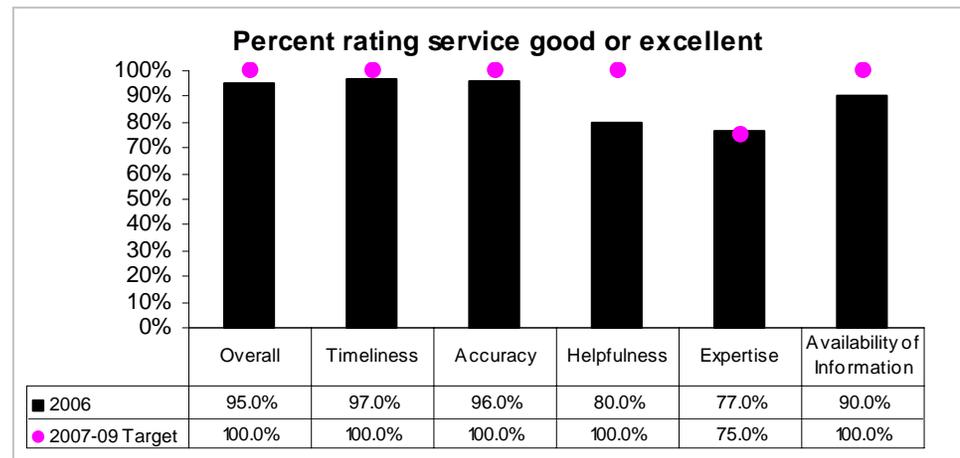
We haven’t reviewed other agencies results to compare. This is the first measurement in this category.

**5. FACTORS AFFECTING RESULTS**

Lower results in two categories could be a reflection of high staff turnover. Licensees who have been disciplined by the Board are not likely to provide high scores. The new licensing and compliance database implemented in late 2003 has facilitated staffs ability to provide a higher level of service.

**6. WHAT NEEDS TO BE DONE**

Staff training and use of internet resources and updated agency website in addition to use of brochures are ways in which the Agency seeks to continue excellent customer service.



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### 7. ABOUT OUR CUSTOMER SERVICE SURVEY

Please provide the following specific information: a) survey name; b) surveyor; b) date conducted; c) population; d) sampling frame; e) sampling procedure; f) sample characteristics; g) weighting. For clarification, see pages four through six of the [Customer Service Guidance](#).

The Board used one "Customer Service Survey" that was distributed and conducted as follows:

#### Method 1:

A link to an online Customer Service Survey was put on the main page of the Website. It was available for a period of 6 weeks. We received 9 responses.

#### Method 2:

We did a direct mailing to all new licensees between the dates of January 1, 2006 and August 31, 2006. 1841 surveys were mailed. 256 responses were received by the requested date of September 22, 2006. We received a 13.91% response rate.

#### Method 3:

Surveys were available to all attendees at the Oregon State Pharmacists Association (OSPA) annual Conference in September, 2006. 200 surveys were available, 25 responses were received at the end of the conference. We received a 12.5% response rate.

Specify the reporting cycle (Oregon fiscal year, federal fiscal year or calendar year). Describe the strengths and weaknesses of the data. Note procedures taken by your agency to verify reliability. If available, explain how readers desiring more detail can access additional or disaggregated data.

This data is for the 2006 calendar year reporting cycle. The data appears to be strong; however the sampling response was not large. We will conduct additional surveys during the 2007-09 biennium to capture a greater number of responses. The data was manually collected into an excel spreadsheet directly from paper surveys by one staff member. Additional information can be obtained from the Board of Pharmacy on the specifics of this sampling.

## Board of Pharmacy

## III. USING PERFORMANCE DATA

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Contact: Executive Director Gary Schnabel	Phone: (971) 673-0001
Alternate: Administrative Director Karen MacLean	Phone: (971) 673-0001

The following questions indicate how performance measures and data are used for management and accountability purposes.	
1 INCLUSIVITY Describe the involvement of the following groups in the development of the agency's performance measures.	Performance measures were developed by agency management, Progress Board staff and are reviewed by the Board annually at the annual strategic planning session. This meeting is open to the public and held in different locations around the state to encourage participation.
2 MANAGING FOR RESULTS How are performance measures used for management of the agency? What changes have been made in the past year?	Performance measures are used to develop policies and procedures that facilitate customer service and further the agency's mission to protect public health, safety and welfare. Performance measures are analyzed as part of the Board's annual strategic planning process. The Board established a new disciplinary outcome as a result of the KPM #2 data. In order achieve our goals; one pharmacist inspector was assigned to the road full time to focus on on-site inspections exclusively for KPM #3.
3 STAFF TRAINING What training has staff had in the past year on the practical value and use of performance measures?	No new training has occurred in the past year.
4 COMMUNICATING RESULTS How does the agency communicate performance results to each of the following audiences and for what purpose?	The agency communicates performance results in the biennial budget process as required. These documents and Annual Report are posted at <a href="http://www.pharmacy.state.or.us">www.pharmacy.state.or.us</a> . We are in the process of developing an annual report for the agency which will include this information and is available to the following audiences: licensees, stakeholders and the public.