

APPENDIX E

FISCAL YEAR 2017-2021 WORKFORCE PLAN

I. Agency Overview

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 555-566 and 568-569) and the Texas Dangerous Drug Act (Health and Safety Code, Chapter 483).

The policy-making body of the agency is an eleven-member Board appointed by the Governor, with concurrence of the Senate, for staggered six-year terms. Seven members must have been registered pharmacists in Texas for five years immediately preceding appointment, be in good standing with the Board, and continue practice pharmacy while serving. In addition, the Board must have representation for licensed pharmacists who are primarily employed in community and institutional pharmacies. Three members of the Board must be representatives of the public (i.e., non-pharmacist, consumer representatives). One member must have been a registered pharmacy technician for five years immediately preceding appointment, be in good standing with the Board, and be acting as a pharmacy technician while serving.

In terms of the coverage of regulation, the Board has the responsibility of regulating three distinct but interrelated and inseparable elements:

- the persons who dispense prescription drugs to the public (pharmacists) and who assist the pharmacist (pharmacy technicians);
- the place where prescription drugs are dispensed to the public (pharmacies); and
- the distribution of dangerous drugs (prescription drugs that are not classified as controlled substances). In addition, the Board has responsibility for the administration and the enforcement of the Texas Pharmacy Act and Texas Dangerous Drug Act.

As of August 2015, the agency licensed approximately 31,807 pharmacists, 7,914 pharmacies, and registers 60,767 pharmacy technicians and trainees over a land area of approximately 270,000 square miles. The agency's limited numbers of Compliance and Investigative staff are challenged in the regular monitoring of these licensees by travel distances. All geographic regions are served by the agency. The field staffs of 12 Compliance Officers/Inspectors and 9 Investigators are assigned regions that encompass the entire state, including the Texas border regions. In addition, medically underserved areas present specific challenges for comprehensive inspection/investigative efforts. These areas are defined as locales where medical care and specifically, pharmacy services, may be inaccessible due to distance and lack of transportation, and lack of (or inadequate) insurance coverage. Medically underserved areas may occur in rural or sparsely populated areas of the state and in some densely populated urban areas of Texas.

The Executive Director/Secretary serves as the executive officer of the agency, and as such is an ex-officio member of the Board. The Executive Director/Secretary is responsible for advising the Board on policy matters, implementing Board policy, and managing the agency on a day-to-day basis.

The agency operates under a modified system of Management-By-Objectives (MBO). Goals and objectives are reviewed and approved annually by the Board Members. These objectives are directly tied to the agency's *Strategic Plan* and “operationalize” the *Strategic Plan*. The Executive Director manages the staff to accomplish the adopted objectives.

Regarding management structure, the Director of Administrative Services and Licensing is responsible for overall supervision of the Licensing and Administrative Services programs including the licensing of pharmacy and pharmacists, registration of interns pharmacy technicians and the ongoing renewal of licenses and registrations; and personnel, finance, purchasing, risk management services.

The Director of Enforcement is responsible for the investigation and resolution of complaints, conducting inspections of pharmacies and non-licensed facilities, and monitoring licensees/registrants compliance with the provisions specified in disciplinary orders.

The Director of Professional Services is responsible for proposing and adopting rules relating to the practice of pharmacy, providing information, including responses to requests for records relating to complaints and disciplinary orders, publication of TSBP Newsletter, speaking engagements, and developing pharmacy law questions for the Texas pharmacy jurisprudence examination. The Director of Professional Services is also responsible for the overall implementation of the Prescription Monitoring Program.

The General Counsel is responsible for preparing and prosecuting cases referred to the division after investigation and for assisting the Professional Services Division in the developing law questions for the Texas pharmacy jurisprudence examination and proposing and adopting rules relating to the practice of pharmacy.

The Director of Information Technology is responsible for the management of information services and these program services are shared among the divisions of the agency. An organizational chart of the agency can be found in *Appendix B*.

A. Agency Mission

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.

B. Strategic Goals and Objectives

<p>GOAL 1</p>	<p>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. 555-566 and 568-569)].</p>
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Objective	Continue to operate a licensure system for pharmacists, pharmacy technicians, pharmacy technician trainees, and pharmacies that will assure that 100% of pharmacists, 100% of licensees and registrants meet minimum licensing standards through 2019.
Strategy	Operate a timely, cost-effective application and renewal licensure system for pharmacies and pharmacists, pharmacy technicians and pharmacy technician trainees.
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. [Texas Pharmacy Act (Occupations Code, Sec. 551-569), and Health and Safety Code, Chapter 483, Dangerous Drugs].
Objective	Through 2019, 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; and to resolve/close complaints received within 200 days of receipt.
Strategy 1	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.
Strategy 2	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.

C. Anticipated Changes in Strategies

The Texas State Board of Pharmacy (TSBP) has identified several agency initiatives that are contained in the *Strategic Plan*, some of which may significantly impact the agency’s business and workforce. A sample of these initiatives is listed below (see the TSBP *Strategic Plan* for a complete listing, found under each *Policy Issue*).

- Work with associations and the Legislature to amend the Pharmacy Act to give the Board the authority to mandate that all pharmacies implement continuous quality improvement programs that include peer review.

- Work in partnership with other state and national pharmacy regulatory organizations and professional associations to ensure that the Act continues to provide the greatest protection for the citizens of Texas while not inhibiting the implementation of new and progressive healthcare and pharmaceutical care systems.
- Actively participate with other healthcare providers, legislators, and regulators in establishing initiatives to advance the safe and appropriate use of technology in pharmacy practice.
- Be proactive in developing educational and practice guidelines for well-qualified pharmacy technicians to facilitate the changing pharmacy practice paradigms.
- Remain progressive in initiatives focused on enhanced patient outcomes, with continued examination of those issues that are truly important while embracing current technology, gaining broad-based input, and acting aggressively and fairly to hold pharmacists accountable for the patient care they provide.

II. Current Workforce Profile (Supply Analysis)

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:

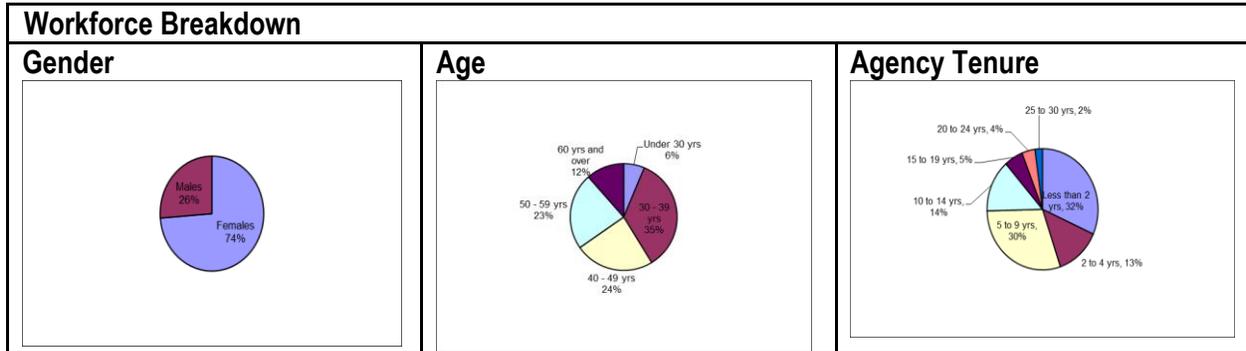
- extensive knowledge of healthcare systems and the practice of pharmacy and drug distribution, including legal and regulatory requirements;
- extensive knowledge of state administrative rules and regulations, including the management of human resources, budgetary, and appropriations process;
- extensive 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

The following **Table 1** profiles the agency’s workforce as of August 31, 2015. The TSBP workforce is comprised of 26% males and 74% females. In addition, 59% of our employees are over the age of 40 and 45% 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*

<u>Agency EEO Data</u>	WHITE		BLACK		HISPANIC		OTHER		TOTAL		GRAND TOTAL
	M	F	M	F	M	F	M	F	M	F	
Administrators	1	5	0	0	0	0	0	0	1	5	6
Professional	7	14	0	3	2	1	0	0	9	18	27
Para-Prof	11	20	0	1	2	12	0	0	13	33	46
Admin Support	1	5	0	2	0	4	0	0	1	11	12
TOTALS	20	44	0	6	4	17	0	0	24	67	91

*Data reflects actual staff as of 8/31/15.

C. Employee Turnover

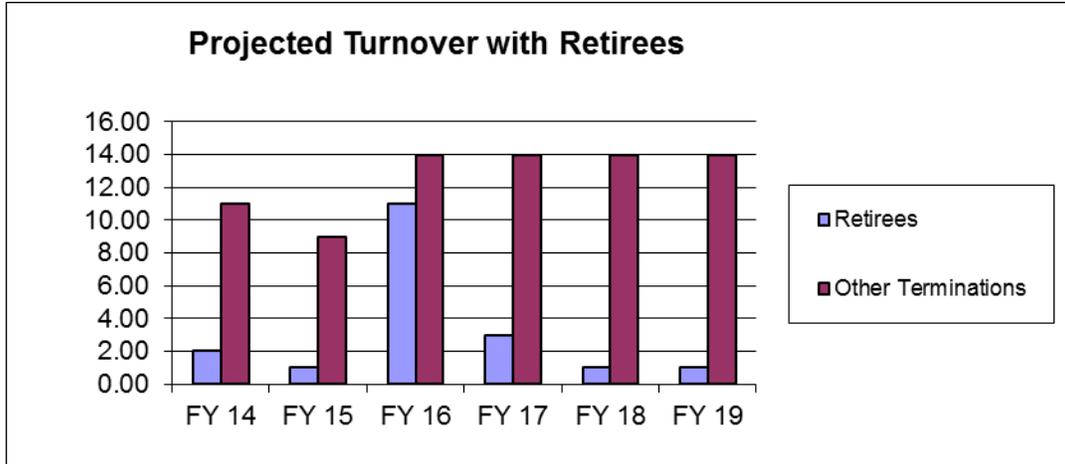
Agency employee turnover increased from 5% in FY2009 to 11.4% in FY2010 and again increased to 12.9% in FY2013, the majority citing “better pay/benefits” as the reason for leaving the agency. The turnover rate dropped in FY2015 to 9.8% which continues to compare to the overall state of Texas turnover rate of 18.9%.

The turnover in pharmacist staff was much more significant from FY2000 through FY2012 when the agency went from ten pharmacists (non-management) in FY2000 to four pharmacists (non-management) in FY2012. This loss of pharmacist staff was especially disturbing since the pharmacist staff is a part of the succession for the Executive Director position, which is statutorily required to be a pharmacist. The reason for the high turnover rate can be directly attributed to an agency lack of funding for salaries.

The 83rd Legislature funded the agency to hire two additional staff pharmacists based in the Austin office. During the 2015 Legislative Session the legislature increased the salary range for a Pharmacist II to \$92,390 - \$156,256 and for a Pharmacist III to \$111,793 - \$189,069. However,

even though the Legislature established these new salary ranges, the agency was not funded to hire pharmacists at the increased salaries and the budgeted salaries do not even reach the entry salary of a Pharmacist III.

D. Retirement Eligibility



III. Future Workforce Profile (Demand Analysis)

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.

IV. 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 although three of the five management staff has been identified as eligible for retirement immediately.
- 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.

V. STRATEGY DEVELOPMENT

GAP	LACK OF SUCCESSION PLANNING FOR THE EXECUTIVE DIRECTOR/SECRETARY AND KEY MANAGEMENT STAFF
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"> • Request additional funding in the next legislative session to increase the compensation of the exempt line item position of Executive Director/Secretary. • 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	TSBP CANNOT ATTRACT AND RETAIN QUALIFIED PHARMACISTS
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	<ul style="list-style-type: none"> • Request additional appropriations to enhance employee compensation, especially in the recruitment and retention of pharmacists.