

WHAT IS A QUOTA UNDER SB 362 (NEWMAN)?

We heard, loud and clear, from you, our pharmacist and pharmacy technician members who work for large corporate-owned chain pharmacies, that you are routinely forced to meet purely profit-driven corporate benchmarks based on business metrics. Benchmarks that may, at times, conflict with your professional judgment based on years of education and training as licensed pharmacy professionals. The California Pharmacists Association and the United Food and Commercial Workers (UFCW) Western States Council united to address this important issue and the result was a first-in-the-nation law, Senate Bill (SB) 362, authored by Senator Josh Newman (D-Fullerton) to ban the practice of quotas in chain pharmacies. SB 362 is clear - the bill bans individual quotas, or fixed numbers or formulas related to the duties for which a pharmacist or pharmacy technician license is required.

We've also heard that many of your employers are trying to skirt the law, asking you to meet benchmarks that may or may not be a quota. See the chart below for what qualifies as a quota under SB 362 (Newman):

NUMBER OF PRESCRIPTIONS FILLED BY AN INDIVIDUAL PHARMACIST	✓	QUOTA
SERVICES RENDERED TO PATIENTS BY AN INDIVIDUAL PHARMACIST	✓	QUOTA
PROGRAMS OFFERED TO PATIENTS BY AN INDIVIDUAL PHARMACIST	✓	QUOTA
REVENUE OBTAINED BY AN INDIVIDUAL PHARMACIST	✓	QUOTA
REVENUE OBTAINED BY A STORE	✗	NOT A QUOTA
QUALITY OF CARE OR COMPETENCY EVALUATIONS	✗	NOT A QUOTA
PERFORMANCE EVALUATIONS	✗	NOT A QUOTA