California State Board of Pharmacy
Specific Language to Amend 16 CCR § 1760

Initial proposed changes indicated with single ~~strikethrough~~ for deletions and single underline for additions.

Modified changes indicated with ~~double strikethrough~~ for deletions and double underline for additions

Changes made to the second modified language are shown by ~~bold double strikethrough in red ink~~ for deletion and by bold double underline in red ink for additions.

Amend Section 1760 to Division 17 of Title 16 of the California Code of Regulations to read as follows:

§ 1760. Disciplinary Guidelines.
In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code section 11400 et seq.) the board shall consider the disciplinary guidelines entitled "Disciplinary Guidelines" (Rev. ~~10/2007~~ ~~7/2015~~ ~~10/2015~~ 2/2017), which are hereby incorporated by reference.

Deviation from these guidelines and orders, including the standard terms of probation, is appropriate where the board, in its sole discretion, determines that the facts of the particular case warrant such a deviation-the presence of mitigating factors; the age of the case; evidentiary problems.

Note: Authority cited: Sections 315, 315.2, 315.4 and 4005, Business and Professions Code; and Section 11400.20, Government Code. Reference: Sections 315, 315.2, 315.4, 4300 - 4313 ~~and 4301~~, Business and Professions Code; and Sections 11400.20 and 11425.50(e), Government Code.