



California State Board of Pharmacy

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BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

LICENSING COMMITTEE REPORT

Debbie Veale, RPh, Chairperson

Lavanza Butler, RPh

Victor Law, RPh

Albert Wong, PharmD

LICENSING COMMITTEE REPORT

The Licensing Committee did not meet this quarter. Below are some items for discussion that fall under the purview of this committee.

- a. **FOR DISCUSSION AND POSSIBLE ACTION: Request from West Coast Possessing ACPE “Pre-Candidate” Accreditation for Recognition by the Board of Pharmacy Under Section 16 CCR § 1719 For Purposes of Issuing Intern Licenses**

Relevant Regulation

Title 16 CCR 1719, states that a "recognized school of pharmacy" means a school accredited, or granted candidate status by the Accreditation Council for Pharmacy Education (ACPE).

There are three levels to full ACPE accreditation status for new schools of pharmacy: pre-candidate status, candidate status and full accreditation. A school may be granted candidate status once the school has produced its first class of graduates. At this point, section 1719 allows the board to issue intern licenses to current and future students. However, before possessing candidate status and while students are moving through the program at a new school, the school may have pre-candidate status with ACPE. This means that the school is progressing to meet the ACPE accreditation standards but has not yet completed the process nor graduated its first class. In such cases, the board must recognize the school for purposes of issuing an intern license. In order to secure the training expected by ACPE, students need intern licenses.

ACPE does not award pre-candidate status to new schools that are not adequately progressing towards full accreditation.

For Board Consideration

On September 23, 2014, the board received a letter from Dr. Nicholas Blanchard, Dean, West Coast University School of Pharmacy. This letter advises the board that their program was granted pre-candidate status by the ACPE on July 2, 2014, and is requesting board recognition of its program for purposes of issuing intern pharmacist licenses to students attending their program. A copy of the letter from the school requesting recognition by the board is provided in **Attachment 1**.

b. FOR DISCUSSION AND POSSIBLE ACTION: Request for Waiver of California Business and Professions Code Section 4118 Pertaining to Licensure as a Centralized Hospital Packaging Pharmacy, California Business and Professions Code Sections 4128 et seq., From Palomar Medical Center

Relevant Statutes

Business and Professions Code Section 4128 establishes the general functions for a Centralized Hospital Packaging Pharmacy (CHP).

Business and Professions Code Section 4128.2 establishes the general requirements for a CHP License.

Business and Professions Code section 4128.4 establishes the required elements of the barcode that must be affixed at the time of packaging to be readable at the inpatient's bedside.

Background

In 2012 the California Society of Health System Pharmacists and the California Hospital Association sponsored legislation to establish a centralized hospital packaging license which would allow a hospital chain under common ownership to consolidate packaging operations into a single location in a specialized pharmacy to prepare single dose medications that are barcoded. The specific provisions were contained in AB 377 (Solorio, Chapter 687, Statutes of 2012).

Included in the provisions of this measure was the requirement that the unit dose medications filled by the centralized hospital packaging license be barcoded to be readable at the inpatient's bedside and specifies the information that must be retrievable when the barcode is read. The board supported this measure and actively advocated for its passage because of the significant positive impact the use of barcoding would have on the reduction of medication errors that occur in hospitals. Specifically, the board's letter to the governor included the following:

“...Bar coding is important for patient safety. Before a medication is administered to a patient, by scanning the bar code on a medication, a patient's chart and a patient's wristband the right medication, in the right dose will be ensured at the patient's bedside. This provides an important step forward to improve patient safety and decrease the rate of medication errors and potential adverse drug events...”

For Board Consideration

On July 22, 2104, the board received an application for a CHP license from Palomar Health. As part of the application, Palomar Health also submitted a request seeking a waiver of the requirements contained in Business and Professions Code Section 4128.4. Consistent with the requirements of the law, the application was submitted and is complete. Additionally, the

required pre-licensure inspection was recently conducted by a board inspector. Prior to issuance of the license, the board will need to take action on the waiver request.

The board has previously granted similar waiver requests to other institutions all seeking licensure as a CHP.

Attachment 2 includes a copy of the waiver request.

c. **FOR DISCUSSION AND POSSIBLE ACTION: Proposed Statutory Change to Business and Professions Code Section 4209 Relating to Intern Experience Requirements, and to Title 16 California Code of Regulations Section 1728**

Relevant Statute/Regulations

Business and Professions Code Section 4200 establishes the requirements an applicant for the Pharmacist Licensure Examination must satisfy, including 1500 hours of pharmacy practice or the equivalent.

Business and Profession Code Section 4209 establishes the parameters for the pharmacy practice experience that is required and how an applicant must document compliance with these requirements

California Code of Regulations Section 1728 (a) (1) provides further specificity on the pharmacy practice experience that is required including the requirement that pharmacy practice experienced must be obtained in both the communicate and institution pharmacy practice settings as well as a minimum of 900 hours of pharmacy practice experience must be obtained in a pharmacy.

Background

Over the years the board has reviewed its requirements for pharmacy practice experience and the documentation requirements to support completion of such experience. The board accepts verification of pharmacist licensure in another state for one year to satisfy the 1500 hours of pharmacy practice experience.

More recently, during the April 2014 board meeting, the board determined it should revise its current process for the reporting of pharmacy practice experience for individuals graduating from an ACPE school of pharmacy CPJE. Under current law, a candidate for CPJE must submit intern hours affidavits documents the number of hours completed or request that hours earned in another state be transferred to California. In addition, the board accepts self-certification from the applicant confirming that pharmacy practice experience was gained in the community and institutional practice settings as well as certification that a minimum of 900 hours of practice experience was earned in a community setting.

This proposal would allow the board to accept transcripts (including the degree posted and date conferred) as sufficient documentation that a student that graduates from an ACPE school

after June 2016 as appropriate documentation to verify completion of the requirements for pharmacy practice experience.

Previous Committee and Board Action

During its June 18, 2014 meeting, the committee approved proposed amendments to Business and Professions Code Section 4209 as well as California Code of Regulations Section 1728 to facilitate implementation of the changes to the reporting requirements for pharmacy practice experience.

During the July 2014 Board Meeting, the board voted to table the item to allow staff the opportunity to review the proposal with the legal office and determine what documents would need to be submitted with applications.

Recent Update

Board staff has confirmed with counsel that as long as the degree is posted and date is conferred, the transcript could be used as sufficient documentation that the pharmacist practice experience was completed.

Also, the proposed amendments to B&PC 4209 and CCR 1728 have been modified slightly to implement the board's desire to accept the PharmD as documentation that an individual has completed all aspects of the pharmacy practice experience requirements, not just the 1500 hours. Further the language in CCR 1728 was amended to also reflect the name change of the National Practitioner Databank.

Attachment 3 includes the proposed amendments to B&PC 4209 and CCR 1728 as well as an excerpt from the June 2014 Licensing Committee Meeting.

d. FOR INFORMATION: State of Implementation of Recently Enacted Legislation Impacting Licensing Programs for the Board

Several pieces of legislation were signed this year that impact application requirements that will require implementation by board staff. Below is a brief synopsis of each measure as well as the status of implementation.

AB 2605 (Bonilla) Pharmacy: Third-Party Logistics Providers

As indicated in the Legislation and Regulation Chair Report, this measure was board sponsored to ensure the appropriate and continued regulation over third party logistics providers. Specifically, the measure creates three new licensing classifications for the board as well as establishes the requirements for application, licensure and renewal. The specific new licensing classifications include:

- Third-Party Logistics Providers
- Nonresident Third-Party Logistics Providers
- Designated Representative-3PL

Implementation of these provisions will require changes to the existing licensing and application computer system used by the board which is a bit more complicated than previously because of the department's current efforts to convert to the new BreEZe computer system. We have requested a freeze exemption.

During the next committee meeting, the committee will need to discuss how to transition currently licensed wholesalers that will, effective January 1, 2015, become third-party logistics providers under the law.

SB 1159 (Lara) Professions and Vocations: License Applicants: Individual Tax Identification Number

This measure requires an applicant to provide the board with either a social security number or an individual taxpayer identification number. Implementation of this provision will require updating application and instruction forms as well as slight modification to the licensing and application computer systems. As this legislation impacts all boards and bureaus within the Department, we do not anticipate the need to submit separate request for these changes.

SB 1226 Veterans: Professional Licensing

This measure requires the board, on or after July 1, 2016, to expedite the initial licensure process for an applicant who supplies satisfactory evidence to the board that the applicant has served as an active duty member of the Armed Forces and was honorably discharged. Implementation of this provision will require updating application and instruction forms.

SB 1466 (Omnibus) Business and Professions

SB 1466 contained two provisions that impact board licensing programs. The first amends the definition of a correction facility. Implementation of this provision will require updating application and instruction forms as well as securing changes to the existing licensing and application system. The board will need to secure a freeze exemption. Board staff will work with the department to secure the necessary changes.

SB 1466 also changed to requirements for an applicant designated representative to require that the individual be at least 18 years of age. This provision only requires a procedural update.

e. FOR DISCUSSION AND POSSIBLE ACTION: Proposed Amendment to Title 16 California Code of Regulations Section 1793.5 to Update the Pharmacy Technician Application Form

Relevant Regulation

California Code of Regulations Section 1793.5 details the required for the Pharmacy Technician application and also incorporates, by reference, the application for itself.

Background

At the request of the DCA legal office, beginning in December 2013, the Licensing Committee and Board considered changes to the questions asked on applications for licensure. This request was made in an effort to provide uniformity throughout the DCA boards and bureaus.

As part of the discussion, the board noted that unlike other professions regulated under the department, working in a pharmacy or drug wholesaler gives individuals direct access to dangerous drugs, including controlled substances. The committee and board discussed information and suggested language from various attorneys regarding suggested changes to the conviction question.

Board Action

During the July 2014 Board Meeting, members voted to amend specific questions on various applications, including question seven on the pharmacy technician application.

Recent Update

Board staff updated the question and made a few non-substantive changes to question seven. Additional changes were made to facilitate implementation of SB 1159 (Lara, Chapter 752, Statutes of 2014) and SB 1226 (Correa, Chapter 657, Statutes of 2014). In addition to the changes to that question, board staff is asking for consideration of the board to make a few additional changes designed to provide more clarification to applicants on what is required. All of the proposed changes are highlighted in underscore.

Requested Action

Because the application form is incorporated by reference in CCR 1793.5, the board will need to initiate a rulemaking modify the application form. **Attachment 4** includes proposed language for CCR 1793.5 as well as the draft application.

f. FOR INFORMATION: Competency Committee Report and Examination Statistics

The competency committee held its annual meeting in August as well as workgroup meetings in September and October to fulfill examination development related duties.

Examination scores for the CPJE and NAPLEX are release twice a year, generally in spring and fall each year. Examination scores should be available for dissemination during the board meeting.

g. FOR INFORMATION: Licensing Statistics

Licensing Statistics for July 1, 2014 – September 30, 2014

As of September 30, 2014, the board has 140,182 licensees including almost 45,000 pharmacists and almost 74,000 pharmacy technicians. The board has received over 5500 applications and issued over 4100 licenses during the first quarter.

Processing times for most areas of licensing are much higher than in prior years in part because to vacancies as well as the necessary redirection of staff to implement the significant expansion of the sterile compounding. Board staff is working diligently to reduce the processing times and we expect all licensing times to be reduced to less than 90 days from the date an application is received by end of the year.

Attachment 5 includes the first quarter licensing statistics.

Attachment 1

September 23, 2014

Virginia Herold, Executive Director
California State Board of Pharmacy
1625 North Market Blvd, Suite N219
Sacramento, CA 95834

Re: California Code of Regulation Section 1719 Requesting Approval

Dear Executive Director Herold,

The West Coast University School of Pharmacy program (WCUSOP) Doctor of Pharmacy program has been granted pre-candidate status by the Accreditation Council of Pharmacy Education (ACPE). The status was received on July 2, 2014.

Pursuant to California Code of Regulation section 1719, I am requesting board approval of the West Coast University School of Pharmacy (WCUSOP) for purposes of issuing intern licenses for schools who possess Accreditation Council of Pharmacy Education (ACPE) pre-candidate status. The board's recognition of WCUSOP for purposes of issuing intern licenses will ensure that our students are able to pursue intern requirements while they earn their education as WCUSOP is moving towards full candidate status with ACPE.

A site visit is planned for April 28-30, 2015 for the purpose of achieving candidate status. I will provide updates to the board on the status of our ACPE accreditation once we hear back from the accrediting body.

Please feel free to contact me if you have any questions, comments or concerns at 323-315-0257 or nblanchard@westcoastuniveristy.edu.

Sincerely,



Nicholas Blanchard, PharmD, MEd
Dean and Professor

Attachment 2

PHARMACY SERVICES

Memorandum



To: California State Board of Pharmacy
CC: David Tam, MD
Chief Administrative Officer, Pomerado Hospital
From: Cedric Terrell, Pharm.D, District Director, Pharmacy Services
Date: 7/22/2014
Re: Centralized Hospital Packaging Pharmacy License (B&PC Section: 4128)

This letter is to confirm that Palomar Health d/b/a, Palomar Medical Center, Palomar Hospital Downtown Campus, and Pomerado Hospital, located in Escondido, California, are under common ownership within a 15 square mile radius of one another.

This letter is also to confirm that **Palomar Health intends to implement Centralized Hospital Packaging under the requirements of Article 7.6 (commencing with Section 4128) of the Business and Professions Code. However, a waiver of requirement is requested towards Article 7.6 Section 4128.4 Barcode Required: Information Retrievable Upon Reading Barcode.**

Palomar Health (PPH) is the largest Non-Profit, Public Hospital District in California – serving more than 500,000 residents in Inland North San Diego County over an 850-square mile area. As a Level II Trauma center we service 2200 square miles in the North County District. Palomar Health includes Palomar Medical Center (PMC), Palomar Health Downtown Campus (PHDC), Pomerado Hospital (POM), Villa Pomerado Skilled Nursing facility, Palomar Behavioral Health Services, Palomar Acute Rehabilitative Services, Expresscare Retail Health Clinics, Arch Health Partners (Medical Foundation based Physician Practice Group), and Palomar Home Health Care.

If any member of our Board of Pharmacy has questions, would like to provide comments, and/or has concerns regarding our Pharmacy Services please do not hesitate to contact me by email: cedric.terrell@palomarhealth.org or phone: (760) 739-3935.

Sincerely,

Cedric A Terrell, Pharm.D.
District Director, Pharmacy Services

Cc: David Tam, M.D.
Chief Administrative Officer

Cedric A. Terrell, Pharm.D. 555 East Valley Parkway - Escondido - California - 92025
Office: 760-739-3935 Email: cedric.terrell@palomarhealth.org Website: www.palomarhealth.org

A California Health Care District

Attachment 3

4209. Intern Pharmacist; Minimum Hours of Practice to Apply for Pharmacist Exam

(a) (1) An intern pharmacist shall complete 1,500 hours of pharmacy practice before applying for the pharmacist licensure examination.

(2) This pharmacy practice shall comply with the Standards of Curriculum established by the Accreditation Council for Pharmacy Education (ACPE) or with regulations adopted by the board.

(3) This experience shall include a minimum of 900 hours of pharmacy practice experience in a pharmacy as a pharmacist and must also include pharmacy practice experience in both the community and institutional pharmacy practice settings.

(b) An intern pharmacist shall submit proof of his or her pharmacy practice experience on board-approved affidavits, or another form specified by the board, which shall be certified under penalty of perjury by a pharmacist under whose supervision such experience was obtained or by the pharmacist-in-charge at the pharmacy while the pharmacist intern obtained the experience. ~~Intern hours~~ Pharmacy practice experience earned in another state may be certified by the licensing agency of that state to document proof of those hours.

(c) An applicant for the examination who has been licensed as a pharmacist in any state for at least one year, as certified by the licensing agency of that state, may submit this certification to satisfy the required 1,500 hours of ~~intern experience~~ pharmacy practice, provided that the applicant has obtained a minimum of 900 hours of pharmacy practice experience in a pharmacy as a pharmacist and has pharmacy practice experience in both the community and institutional pharmacy practice settings. Certification of an applicant's licensure in another state shall be submitted in writing and signed, under oath, by a duly authorized official of the state in which the license is held.

(d) An applicant for the examination who has graduated after June 30, 2016, from an ACPE approved college of pharmacy or department of pharmacy of a university recognized by the board shall be deemed to have satisfied 1500 hours of pharmacy practice experience.

1728. Requirements for Examination.

(a) Prior to receiving authorization from the board to take the pharmacist licensure examinations required by section 4200 of the Business and Professions Code, applicants shall submit to the board the following:

(1) ~~Satisfactory Proof~~ proof of 1500 hours of pharmacy practice experience pursuant to the requirement of Business and Professions Code Section 4209. ~~that meets the following requirements:~~

~~— (A) A minimum of 900 hours of pharmacy practice experience obtained in a pharmacy.~~

~~— (B) A maximum of 600 hours of pharmacy practice experience may be granted at the discretion of the board for other experience substantially related to the practice of pharmacy.~~

~~— (C) Experience in both community pharmacy and institutional pharmacy practice settings.~~

~~— (D) Pharmacy practice experience that satisfies the requirements for both introductory and advanced pharmacy practice experiences established by the Accreditation Council for Pharmacy Education.~~

(2) Satisfactory proof that the applicant graduated from a recognized school of pharmacy.

(3) Fingerprints to obtain criminal history information from both the Department of Justice and the United States Federal Bureau of Investigation pursuant to Business and Professions Code section 144.

(4) A signed copy of the examination security acknowledgment.

(5) A sealed, original Self Query Report from the National Practitioner Data Bank ~~Healthcare Integrity and Protection Data Bank (NPDB-HPDB)~~, dated no earlier than 60 days before an application for examination as a pharmacist is submitted to the board.

(b) Applicants who hold or held a pharmacist license in another state shall provide a current license verification from each state in which the applicant holds or held a pharmacist license prior to being authorized by the board to take the examinations.

(c) Applicants who graduated from a foreign school of pharmacy shall provide the board with satisfactory proof of certification by the Foreign Pharmacy Graduate Examination Committee prior to being authorized by the board to take the examinations.

Authority cited: Sections 851, and 4005, Business and Professions Code. Reference: Sections 144, 851, and 4200, Business and Professions Code.

June 2014 Licensing Committee Meeting

Mercy Hospital of Folsom and Loma Linda University are requesting similar waivers from the board.

At this meeting, representatives from Mercy Hospital of Folsom provided information about their current barcoding system and spoke in support of obtaining a waiver. There were no representatives from Loma Linda University Medical Center.

A representative from CSHP stated that CSHP is working with the board to write legislation to clarify the language in Business and Professions Code section 4128.4.

Committee Recommendation

Motion: Recommend that the board approve a five-year waiver for Mercy Hospital of Folsom. As long as the lot number is provided on the label and the required data elements are otherwise retrievable, waive the requirement that the data elements in section 4128.4 be retrievable at the patient's bedside by way of a barcode.

M/S: Law/Wong

Support: 4 Oppose: 0 Abstain: 0

5. Discussion on Reporting of Intern Hours Earned for Interns in ACPE Accredited Schools

At the March Licensing Committee and the April Board Meeting, the board discussed the topic of the reporting of intern hours for purposes of qualifying to take the CPJE. At the April Board Meeting, the board agreed to revise the current process used by the board.

To secure this action, a statute and regulation will need modification. Additionally this committee needs to recommend to the board a new process for validating the intern hours earned by students in ACPE-approved schools. Existing provisions will remain for foreign-educated pharmacists who possess FPGEC certification, but need 1,500 hours of intern experience to qualify to take the CPJE.

California Business and Professions Code section 4209 provides:

- (a) (1) An intern pharmacist shall complete 1,500 hours of pharmacy practice before applying for the pharmacist licensure examination.
- (2) This pharmacy practice shall comply with the Standards of Curriculum established by the Accreditation Council for Pharmacy Education or with regulations adopted by the board.
- (b) An intern pharmacist shall submit proof of his or her experience on board-approved affidavits, or another form specified by the board, which shall be certified under penalty of perjury by a pharmacist under whose supervision such experience was obtained or by the pharmacist-in-charge at the pharmacy while the pharmacist intern obtained the experience. Intern hours earned in another state may be certified by the licensing agency of that state to document proof of those hours.
- (c) An applicant for the examination who has been licensed as a pharmacist in any state for at least one year, as certified by the licensing agency of that state, may submit this certification to satisfy the required 1,500 hours of intern experience, provided that the applicant has obtained a minimum of 900 hours of pharmacy practice experience in a pharmacy as a pharmacist. Certification of an

applicant's licensure in another state shall be submitted in writing and signed, under oath, by a duly authorized official of the state in which the license is held.

Board regulations provide additional requirements for earning intern hours:

1728. Requirements for Examination.

- (a) Prior to receiving authorization from the board to take the pharmacist licensure examinations required by section 4200 of the Business and Professions Code, applicants shall submit to the board the following:
- (1) Proof of 1500 hours of pharmacy practice experience that meets the following requirements:
 - (A) A minimum of 900 hours of pharmacy practice experience obtained in a pharmacy.
 - (B) A maximum of 600 hours of pharmacy practice experience may be granted at the discretion of the board for other experience substantially related to the practice of pharmacy.
 - (C) Experience in both community pharmacy and institutional pharmacy practice settings.
 - (D) Pharmacy practice experience that satisfies the requirements for both introductory and advanced pharmacy practice experiences established by the Accreditation Council for Pharmacy Education.

There are two areas where the intern hours completed can be recorded: (1) Number of hours of pharmacy practice experience obtained in a pharmacy, and (2) Number of hours of pharmacy practice experience substantially related to the practice of Pharmacy.

Staff recommendations:

1. For California Pharmacist Applicants who Graduated After June 2010:
 - (a) If not licensed in any state in the US:
 - Accept a certified copy of a transcript from the ACPE-approved school of pharmacy identifying that the student has fulfilled all requirements and earned a doctor of pharmacy degree
 - OR
 - Require a letter from the ACPE-approved school of pharmacy that the student has completed at least 1500 hours of intern experience while completing the PharmD curriculum
 - (b) If licensed for one year in any state in the US -- no change—accept licensure for one year as fulfilling the intern hours requirement
 - (c) If a graduate of a foreign school of pharmacy, possessing FPGEC certification
 - No change --must submit intern hours on the intern hours affidavit forms. If hours earned outside California, must provide proof of licensure as an intern in that state and still require intern hours forms to total 1,500 hours. The state will not have to certify the forms nor collect the hours to transfer to CA.

Chair Veale provided background information and the committee reviewed staff recommendations and made additional suggestions for proposed amendments to current Pharmacy Law to address changes to the intern hours process. There was no public comment.

Committee Recommendations

Motion: Recommend that the board sponsor amendments to section 4209 of the Business and Professions Code in the 2015 legislative session as follows:

(a) (1) An intern pharmacist shall complete at least 1,500 hours of pharmacy practice before applying for the pharmacist licensure examination.
(2) This pharmacy practice shall comply with the Standards of Curriculum established by the Accreditation Council for Pharmacy Education or with regulations adopted by the board.

(b) An intern pharmacist who has graduated from a school of pharmacy on or after January 1, 2016, which has been accredited by the Accreditation Council for Pharmacy Education as provided in section 4200 shall be deemed to have complied with the intern experience requirements specified in subdivision (a) upon award of a PharmD degree. The board shall accept fulfillment of at least 1,500 hours of intern experience upon receipt of a certified transcript from the school of pharmacy which posts the PharmD degree.

(c) Applicants seeking intern experience outside of the PharmD curricula in a school of pharmacy accredited by the Accreditation Council for Pharmacy Education shall submit proof of his or her experience on board-approved affidavits, or another form specified by the board, which shall be certified under penalty of perjury by a pharmacist under whose supervision such experience was obtained or by the pharmacist-in-charge at the pharmacy while the pharmacist intern obtained the experience. Intern hours earned in another state may be certified by the licensing agency of that state to document proof of those hours.

~~(e)~~ (d) An applicant for the examination who has been licensed as a pharmacist in any state for at least one year, as certified by the licensing agency of that state, may submit this certification to satisfy the required 1,500 hours of intern experience, provided that the applicant has obtained a minimum of 900 hours of pharmacy practice experience in a pharmacy as a pharmacist. Certification of an applicant's licensure in another state shall be submitted in writing and signed, under oath, by a duly authorized official of the state in which the license is held.

M/S: Law/Butler

Support: 4 Oppose: 0 Abstain: 0

Motion: Recommend that the board adopt the revisions to CCR 1728 for the 2015 legislative session, as follows:

(a) Prior to receiving authorization from the board to take the pharmacist licensure examinations required by section 4200 of the Business and Professions Code, applicants shall submit to the board the following:

(1) Proof of at least 1500 hours of pharmacy practice experience that meets the following requirements:

(A) A minimum of 900 hours of pharmacy practice experience obtained in a pharmacy.

(B) A maximum of 600 hours of pharmacy practice experience may be granted at the discretion of the board for other experience substantially related to the practice of pharmacy.

(C) Experience in both community pharmacy and institutional pharmacy practice settings.

(D) Pharmacy practice experience that satisfies the requirements for both introductory and advanced pharmacy practice experiences established by the Accreditation Council for Pharmacy Education.

(2) [Proof of completing at least 1,500 hours of pharmacy practice experience by graduates of a school of pharmacy accredited by the Accreditation Council for Pharmacy Education on or after January 1, 2010, shall be deemed to have fulfilled this requirement by the award of a PharmD degree posted to the graduate's transcript.](#)

~~(2)~~ (3) Satisfactory proof that the applicant graduated from a recognized school of pharmacy.

~~(3)~~ (4) Fingerprints to obtain criminal history information from both the Department of Justice and the United States Federal Bureau of Investigation pursuant to Business and Professions Code section 144.

~~(4)~~ (5) A signed copy of the examination security acknowledgment.

(b) Applicants who hold or held a pharmacist license in another state shall provide a current license verification from each state in which the applicant holds or held a pharmacist license prior to being authorized by the board to take the examinations.

(c) Applicants who graduated from a foreign school of pharmacy shall provide the board with satisfactory proof of certification by the Foreign Pharmacy Graduate Examination Committee prior to being authorized by the board to take the examinations.

M/S: Law/Wong

Support: 4 Oppose: 0 Abstain: 0

6. Review and Discussion of Questions on Applications to Collect Prior Conviction Information

At the request of the DCA legal office, the committee in December 2013 began a discussion to revise the 'conviction questions' on the board's individual applications. This was requested by the department in an effort to provide uniformity throughout the boards and bureaus.

Unlike other professions, working in a pharmacy or drug wholesaler gives individuals direct access to dangerous drugs, including controlled substances. The board needs to determine how it will address prior convictions involving drugs.

The committee discussed the language proposed by the department, as well as the current language on the Pharmacist, Pharmacy Technician and other personal license applications.

The 'conviction question' language discussed was:

"Have you ever been convicted of any crime in any state, the USA and its territories, military court or foreign country?"

Check the box next to **"YES"** if you have ever been convicted or plead guilty to any crime. "Conviction" includes a plea of no contest and any conviction that has been set aside or deferred pursuant to Sections 1000 or 1203.4 of the Penal Code, including infractions, misdemeanor, and felonies. You do not need to report a

Attachment 4

Proposed Amendment to Title 16 California Code of Regulations Section 1793.5. Pharmacy Technician Application.

The "Pharmacy Technician Application (Form 17A-5(Rev. ~~01/11~~ 10/15)), incorporated by reference herein, required by this section is available from the Board of Pharmacy upon request.

(a) Each application for a pharmacy technician license shall include:

(1) Information sufficient to identify the applicant.

(2) A description of the applicant's qualifications, and supporting documentation for those qualifications.

(3) A criminal background check that will require submission of fingerprints in a manner specified by the board and the fee authorized in Penal Code section 11105(e).

(4) A sealed, original Self-Query from the National Practitioner Data Bank — ~~Healthcare Integrity and Protection Data Bank~~ (NPDB-~~HIPDB~~) dated no earlier than 60 days of the date an application is submitted to the board.

(b) The applicant shall sign the application under penalty of perjury and shall submit it to the Board of Pharmacy.

(c) The board shall notify the applicant within 30 days if an application is deficient; and what is needed to correct the deficiency. Once the application is complete, and upon completion of any investigation conducted pursuant to section 4207 of the Business and Professions Code, the board will notify the applicant within 60 days of a license decision.

(d) Before expiration of a pharmacy technician license, a pharmacy technician must renew that license by payment of the fee specified in subdivision (r) of section 4400 of the Business and Professions Code.

Authority cited: Sections 163.5, 4005, 4007, 4038, 4115, 4202, 4207, and 4400, Business and Professions Code. Reference: Sections 163.5, 4005, 4007, 4038, 4115, 4202, 4207, 4402, and 4400, Business and Professions Code; Section 11105, Penal Code.



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BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
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PHARMACY TECHNICIAN APPLICATION

All items of information requested in this application are mandatory. Failure to provide any of the requested information will result in an incomplete application and a deficiency letter being mailed to you. Please read all the instructions prior to completing this application. **Page 1, 2, and 3 of the application must be completed and signed by the applicant.** All questions on this application must be answered. If not applicable indicate N/A. Attach additional sheets on paper if necessary.

MILITARY (Check here if you meet the requirements for expediting your application.)

Applicant Information – Please Type or Print

Full Legal Name: Last Name:	First Name:	Middle Name:
Previous Names (AKA, Maiden Name, Alias, etc):		
*Official Mailing/Public Address of Record (Street Address, PO Box #, etc):		
City:	State:	Zip Code:
Residence Address (if different from above):		
City:	State:	Zip Code:
Home#: ()	Cell#: ()	Work#: ()
Email Address:		
Date of Birth (Month/Day/Year):	**Social Security # or Individual Tax ID #:	Driver's License No: State:

Mandatory Education (check one box)

Please indicate how you satisfy the mandatory education requirement in Business and Professions Code Section 4202(a).

High school graduate or foreign equivalent.
Attach a ~~certified copy~~ an official embossed transcript or notarized copy of your high school transcript, or certificate of proficiency, or foreign secondary school diploma along with a certified translation of the diploma.

Completed a General Education Development (GED)
Attach an official transcript or your GED test results.

TAPE A COLOR PASSPORT STYLE
 PHOTOGRAPH (2"X2") TAKEN
 WITHIN 60 DAYS OF THE FILING OF
 THIS APPLICATION
**NO POLAROID OR
 SCANNED IMAGES**
 PHOTO MUST BE ON PHOTO
 QUALITY PAPER

Pharmacy Technician Qualifying Method (check one box)

Please check one of the boxes below indicating how you qualify in order to apply for a pharmacy technician license pursuant to Section 4202(a)(1)(2)(3)(4) of the Business and Professions Code.

Attached Affidavit of Completed Coursework or Graduation for: Associate degree in Pharmacy Technology, Training Course, or Graduate of a school of pharmacy

Attached is a certified copy of PTCB certificate – Date certified: _____

Attached is a certified copy of your military training DD214

List all state(s) where you hold or held a license as a pharmacist, intern pharmacist and/or pharmacy technician and or another health care profession license, including California. Attach an additional sheet if necessary.

State	Registration Number	Active or Inactive	Issued Date	Expiration Date

Self-Query Report by the National Practitioner Data Bank (NPDB) ~~Healthcare Integrity and Protection Data Bank (HIPDB)~~

Attached is the original sealed envelope containing my Self-Query Report from NPDB. (This must be submitted with your application.)

FOR BOARD USE ONLY

Photo <input type="checkbox"/>	FP Cards/Live Scan <input type="checkbox"/>	License no. _____	App fee no. _____
Enf 1 st Check <input type="checkbox"/>	FP Cards Sent _____	Date issued _____	Amount _____
Enf 2 nd Check <input type="checkbox"/>	FP Fees <input type="checkbox"/>	Date expires _____	Date cashiered _____
Qualify Code _____	DOJ Clear Date: _____		
Self-Query <input type="checkbox"/>	FBI Clear Date: _____		

You must provide a written explanation for all affirmative answers indicated below. Failure to do so may result in this application being deemed incomplete and being withdrawn.

<p>1. Do you have a medical condition which in any way impairs or limits your ability to practice your profession with reasonable skill and safety without exposing others to significant health or safety risks? If "yes," attach a statement of explanation. If "no," proceed to #2. Are the limitations caused by your medical condition reduced or improved because you receive ongoing treatment or participate in a monitoring program? Yes <input type="checkbox"/> No <input type="checkbox"/> If "yes," attach a statement of explanation.</p> <p>If you do receive ongoing treatment or participate in a monitoring program, the board will make an individualized assessment of the nature, the severity and the duration of the risks associated with an ongoing medical condition to determine whether an unrestricted license should be issued, whether conditions should be imposed, or whether you are not eligible for license.</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>																				
<p>2. Do you currently engage, or have you been engaged in the past two years, in the illegal use of controlled substances? If "yes," are you currently participating in a supervised rehabilitation program or professional assistance program which monitors you in order to assure that you are not engaging in the illegal use of controlled dangerous substances? Yes <input type="checkbox"/> No <input type="checkbox"/> Attach a statement of explanation.</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>																				
<p>3. Has disciplinary action ever been taken against your pharmacist, intern pharmacist and/or pharmacy technician license in this state or any other state? If "yes," attach a statement of explanation to include circumstances, type of action, date of action and type of license, registration or permit involved.</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>																				
<p>4. Have you ever had an application for a pharmacist, intern pharmacist and/or pharmacy technician license denied in this state or any other state? If "yes," attach a statement of explanation to include circumstances, type of action, date of action and type of license, registration or permit involved.</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>																				
<p>5. <u>Have you ever had a pharmacy license, or any professional or vocational license or registration, denied, suspended, revoked, placed on probation or had other disciplinary action taken by this or any other government authority in California or any other state?</u> If "yes," provide the name of company, type of permit, type of action, year of action and state. _____</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>																				
<p>6. Are you currently or have you previously been listed as a corporate officer, partner, owner, manager, member, administrator or medical director on a permit to conduct a pharmacy, wholesaler, medical device retailer or any other entity licensed in this state or any other state? If yes, provide company name, type of permit, permit number and state where licensed.</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>																				
<p>7. <u>Have you ever been convicted of, or pleaded guilty or nolo contendere/no contest to, any crime, in any state, the United States or its territories, a military court, or any foreign country? Include any felony or misdemeanor offense, and any infraction involving drugs or alcohol with a fine of \$500 or more. You must disclose a conviction even if it was: (1) later dismissed or expunged pursuant to Penal Code section 1203.4 et seq., or an equivalent release from penalties and disabilities provision from a non-California jurisdiction, or (2) later dismissed or expunged pursuant to Penal Code section 1210 et seq., or an equivalent post-conviction drug treatment diversion dismissal provision from a non-California jurisdiction. Failure to answer truthfully and completely may result in the denial of your application.</u></p> <p><u>NOTE: You may answer "NO" regarding, and need not disclose, any of the following: (1) criminal matters adjudicated in juvenile court; (2) criminal charges dismissed or expunged pursuant to Penal Code section 1000.4 or an equivalent deferred entry of judgment provision from a non-California jurisdiction; (3) convictions more than two years old on the date you submit your application for violations of California Health and Safety Code section 11360, subdivision (b); and (4) infractions or traffic violations with a fine of less than \$500 that do not involved drugs or alcohol.</u></p> <p>You may wish to provide the following information in order to assist in the processing of your application: descriptive explanation of the circumstances surrounding the conviction (i.e. dates and location of incident and all circumstances surrounding the incident.) If documents were purged by the arresting agency and/or court, a letter of explanation from these agencies is required.</p> <p>Failure to disclose a disciplinary action or conviction may result in the license being denied or revoked for falsifying the application. Attach additional sheets if necessary.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #cccccc;"> <th style="width: 15%;">Arrest Date</th> <th style="width: 15%;">Conviction Date</th> <th style="width: 20%;">Violation(s)</th> <th style="width: 10%;">Case #</th> <th style="width: 40%;">Court of Jurisdiction (Full Name and Address)g</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Arrest Date	Conviction Date	Violation(s)	Case #	Court of Jurisdiction (Full Name and Address)g																Yes <input type="checkbox"/> No <input type="checkbox"/>
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APPLICANT AFFIDAVIT

You must provide a written explanation for all affirmative answers. Failure to do so will result in this application being deemed incomplete. Falsification of the information on this application may constitute ground for denial or revocation of the license.

All items of information requested in this application are mandatory. Failure to provide any of the requested information may result in the application being rejected as incomplete.

Collection and Use of Personal Information. The California State Board of Pharmacy of the Department of Consumer Affairs collects the personal information requested on this form as authorized by Business and Professions Code Sections 4200 and 4202 and Title 16 California Code of Regulations Section 1793.5 and 1793.6. The California State Board of Pharmacy uses this information principally to identify and evaluate applicants for licensure, issue and renew licenses, and enforce licensing standards set by law and regulation.

Mandatory Submission. Submission of the requested information is mandatory. The California State Board of Pharmacy cannot consider your application for licensure or renewal unless you provide all of the requested information.

Access to Personal Information. You may review the records maintained by the California State Board of Pharmacy that contain your personal information, as permitted by the Information Practices Act. The official responsible for maintaining records is the Executive Officer at the board's address listed on the application. Each individual has the right to review the files or records maintained by the board, unless confidential and exempt by Civil Code Section 1798.40.

Possible Disclosure of Personal Information. We make every effort to protect the personal information you provide us. The information you provide, however, may be disclosed in the following circumstances:

- In response to a Public Act request (Government Code Section 6250 and following), as allowed by the Information Practices Act (Civil Code Section 1798 and following);
- To another government agency as required by state or federal law; or
- In response to a court or administrative order, a subpoena, or a search warrant.

*Once you are licensed with the board, the address of record you enter on this application is considered public information pursuant to the Information Practices Act (Civil Code section 1798 et seq.) and the Public Records Act (Government Code Section 6250 et seq.) and will be placed on the Internet. This is where the board will mail all correspondence. If you do not wish your residence address to be available to the public, you may provide a post office box number or a personal mail box (PMB). However, if your address of record is not your residence address, you must also provide your residence address to the board, in which case your residence will not be available to the public.

**Disclosure of your U.S. social security account number or individual taxpayer identification number is mandatory. Section 30 of the Business and Professions Code, Section 17520 of the Family Code, and Public Law 94-455 (42 USC § 405(c)(2)(C)) authorize collection of your social security account number. Your social security account number will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for child or family support in accordance with section 17520 of the Family Law Code, or for verification of license or examination status by a licensing or examination entity which utilizes a national examination and where licensure is reciprocal with the requesting state. If you fail to disclose your social security account number, your application will not be processed and you may be reported to the Franchise Tax Board, which may assess a \$100 penalty against you.

MANDATORY REPORTER

Under California law, each person licensed by the Board of Pharmacy is a "mandated reporter" for both child and elder abuse or neglect purposes.

California Penal Code Section 11166 and Welfare and Institutions Code Section 15630 require that all mandated reporters make a report to an agency specified in Penal Code Section 11165.9 and Welfare and Institutions Code Section 15630(b)(1) [generally law enforcement, state and/or county adult protective services agencies, etc.] whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child, elder and/or dependent adult whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or elder abuse or neglect. The mandated reporter must contact by telephone immediately or as soon as possible, to make a report to the appropriate agency(ies) or as soon as practicably possible. The mandated reporter must prepare and send a written report thereof within two working days or 36 hours of receiving the information concerning the incident.

Failure to comply with the requirements of Section 11166 and Section 15630 is a misdemeanor, punishable by up to six months in a county jail, by a fine of one thousand dollars (\$1,000), or by both that imprisonment and fine. For further details about these requirements, consult Penal Code Section 11164 and Welfare and Institutions Code Section 15630, and subsequent sections.

APPLICANT AFFIDAVIT

(must be signed and dated by the applicant)

I, _____, hereby attest to the fact that I am the applicant whose signature appears
(Print full Legal Name)

below. I hereby certify under penalty of perjury under the laws of the State of California to the truth and accuracy of all statements, answers and representations made in this application, including all supplementary statements. I also certify that I have read the instructions attached to this application.

Original Signature of Applicant

Date



California State Board of Pharmacy
 1625 N. Market Blvd, Suite N219, Sacramento, CA 95834
 Phone (916) 574-7900
 Fax (916) 574-8618

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
 DEPARTMENT OF CONSUMER AFFAIRS
 GOVERNOR EDMUND G. BROWN JR.

**AFFIDAVIT OF COMPLETED COURSEWORK OR GRADUATION
 FOR PHARMACY TECHNICIAN**

Instructions: This form must be completed by the university, college, school, or pharmacist (The person who must complete this form will depend on how the applicant is qualifying). All dates must include the month, day, and year in order for the form to be accepted.

This is to certify that _____ has
Print Name of Applicant

- Completed a pharmacy technician training program accredited by the American Society of Health-System Pharmacists as specified in Title 16 California Code of Regulations section 1793.6(a) on _____/_____/_____
(completion date must be included)
- Completed 240 hours of instruction as specified in Title 16 California Code of Regulations Section 1793.6(c) on _____/_____/_____
(completion date must be included)
- Completed an Associate Degree in Pharmacy Technology and was conferred on her/him on _____/_____/_____
(graduation date must be included)
- Graduated from a school of pharmacy accredited by the American Council on Pharmaceutical Education (ACPE). The degree of Bachelor of Science in Pharmacy or the degree of PharmD was conferred on her/him on _____/_____/_____
(graduation date must be included)

I hereby certify under penalty of perjury under the laws of the State of California to the truth and accuracy of the above:

Signed: _____ Title: _____ Date: _____/_____/_____

<p>Affix school seal here.</p> <p>OR</p> <p>Attach a business card of the pharmacist who provided the training pursuant to Section 1793.6(c) of the California Code of Regulation here. The pharmacist's license number shall be listed.</p>	<p>University, College, or School of Pharmacy Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>Print Name of Director, Registrar, or Pharmacist: _____</p> <p>Phone Number: _____</p> <p>Email: _____</p>
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Attachment 5

