



California State Board of Pharmacy
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Business, Consumer Services and Housing Agency
Department of Consumer Affairs
Gavin Newsom, Governor



Notice of Teleconference Meeting and Agenda Public Board Meeting

DATES & TIMES: July 27, 2022, 9:00 a.m.
July 28, 2022, 9:00 a.m.

Note: Pursuant to the provisions of Government Code section 11133, neither a public location nor teleconference locations are provided

FOR OBSERVATION ONLY

WEBCAST: The Board plans to webcast this meeting on the Department of Consumer Affairs' website at <https://thedcapage.blog/webcasts> Webcast will be available at 9:00 a.m. on July 27, 2022, and 9:00 a.m. July 28, 2022. Using the Webcast link will allow only for observation with closed captioning. Webcast availability cannot, however, be guaranteed due to resource limitations or technical difficulties. The meeting will not be cancelled if Webcast is unavailable. If you wish to participate, please plan to participate via the WebEx option listed above or at teleconference location.

FOR PUBLIC PARTICIPATION AND COMMENT, PLEASE LOG ON TO WEBEX AS SPECIFIED BELOW.:

July 27, 2022 - To access the Webex event, attendees will need to click the following link and enter a first name, last name, email, and the event password listed below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mecafa6f7750f506cbf06c7fb06eee752>

If joining using the link above:

Webinar number: 2492 884 5396

Webinar password: CSBP07272022

If joining by phone:

+1-415-655-0001 US Toll

Access code: 249 288 45396

Passcode: 27270727

July 28, 2022 - To access the Webex event, attendees will need to click the following link and enter their first name, last name, email, and the event password listed below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=med5f4b324daaa378bb5dd9fb53c8a02d>

If joining using the link above:

Webinar number: 2484 876 1733

Webinar password: CSBP07282022

If joining by phone:

+1-415-655-0001 US Toll

Access code: 248 487 61733

Passcode: 27270728

Members of the public participating via WebEx will be able to hear the meeting and provide public comment but may not be able to observe the meeting. The preferred audio connection is via phone bridge. The phone number and access code will be provided as part of your connection to the meeting. General instructions for using WebEx can be found at the end of the agenda.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will need to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

Important Notices to the Public: The Board of Pharmacy will hold a teleconference meeting via WebEx – access as provided above. General instructions for using WebEx are attached to the agenda. The meeting is open to the public. Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Debbie Damoth at (916) 518-3090, by emailing Debbie.Damoth@dca.ca.gov or sending a written request to the Board of Pharmacy, 2720 Gateway Oaks Drive, Suite 100, Sacramento CA 95833. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

The time and order of agenda items are subject to change at the discretion of the Board President. In the event a quorum of the Board is unable to attend the meeting, or the Board is unable to maintain a quorum once the meeting is called to order, the members present may, at the President’s discretion, continue pursuant to Business and Professions Code section 4309(c), to discuss items from the agenda and make recommendations to the full Board at a future meeting.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board or prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issues before the Board, but the President may, at his discretion, apportion available time among those who wish to speak. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)). Adjournment, if it is the only item that occurs after a closed session, may not be broadcast in any medium.

Agenda

Discussion and action may be taken on any agenda item.

July 27, 2022

Call to Order

9:00 a.m.

I. Call to Order, Establishment of Quorum, and General Announcements

II. Public Comments on Items Not on the Agenda/Agenda Items for Future Meetings

Note: The board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code sections 11125, 11125.7(a)]

III. Approval Board Meeting Minutes

- a. April 26-27, 2022, Board Meeting
- b. May 11, 2022, Board Meeting
- c. June 16, 2022, Board Meeting

IV. Update from the Department of Consumer Affairs

V. Discussion and Consideration of Board's Strategic Plan

VI. Organizational Development Committee Report

- a. Budget Update and Report
- b. Board Member Attendance and Mail Vote Information
- c. Personnel Update
- d. Discussion and Consideration of Board Policy Related to Legislative Positions
- e. Future Meeting Dates

VII. Standard of Care Ad Hoc Committee Report

The Board will review a summary of the Committee's work at its June 22, 2022, meetings as well as updates for discussion and action as necessary.

- a. Summary of Presentation Provided by Kerrie Webb, Attorney III, Medical board of California, Perspective on Standard of Care Enforcement in the Practice of Medicine
- b. Summary of Discussion of Actions Taken By Other State Boards of Pharmacy Related to Standard of Care
- c. Summary of Discussion of Policy Questions Related to Standard of Care in the Practice of Pharmacy

VIII. Medication Error Reduction and Workforce Ad Hoc Committee Report

The Board will review a summary of the Committee's work at its June 27, 2022, meetings as well as updates for discussion and action as necessary.

- a. Summary of Presentation by the National Association of Boards of Pharmacy on its Workforce Task Force Report and National Perspective on Workforce Related Issues including Discussion and Consideration
- b. Summary of Presentation by the American Pharmacists Association on the Well-Being Index, Pharmacist's Fundamental Responsibilities and Rights and Survey Results
- c. Summary of Presentation by the Nova Scotia College of Pharmacists on the Nova Scotia Workplace Conditions Strategic Work

IX. Communication and Public Education Committee Report

The Board will review a summary of the Committee's work at its July 19, 2022, meeting, as well as

updates for discussion and action as necessary.

- a. Discussion and Consideration of Providing Education to Licensees about the Institute for Safe Medication Practices
- b. Discussion and Consideration of Providing Naloxone Educational Materials for Pharmacists
- c. Discussion and Consideration of Public Awareness Campaign “Treating Your Pharmacy Staff with Courtesy”
- d. Discussion and Consideration of Senate Resolution Designating September 2022 as Opioid, Heroin, Fentanyl, and Prescription Drug Abuse Awareness Month
- e. Update on Communication and Public Education Activities by Staff
 1. The Script
 2. Staff Outreach
 3. News Media
 4. Educational Resources

X. Licensing Committee Report

The Board will review a summary of the Committee’s work at its July 18, 2022, Committee Meeting.

- a. Discussion and Consideration of Business and Professions Code section 4111 related to Ownership Prohibitions of Pharmacy Licensure Including Possible Changes
- b. Discussion, Consideration, and Possible Recommendation to Approve Draft Regulations to Implement Provisions of Assembly Bill 107 (Chapter 693, Statutes of 2021) Related to Requirements to Issue a Temporary License
- c. Discussion and Consideration of Current Pharmacy Technician Authorized Duties, Current Pharmacist to Pharmacy Technician Ratio and Possible Changes
- d. Licensing Statistics

XI. Enforcement and Compounding Committee Report

The Board will review a summary of the Committee’s work at its July 19, 2022, meeting as well as updates for discussion and action as necessary.

- a. Discussion, Consideration, and Possible Recommendation to Approve Draft Changes to CCR Section 1715.1 related to Self-Assessment of an Automated Drug Delivery System by the Pharmacist-in-Charge of Unlicensed AUDS
- b. Discussion and Consideration of Proposed Revisions to Frequently Asked Questions Related to Automated Drug Delivery Systems (ADDS)
- c. Summary of Presentation on Board’s Inspection Program
- d. Summary of Presentation on Board’s Citation and Fine Program
- e. Discussion and Consideration of Community Pharmacy Staff Requirements Including Business and Professions Code Section 4113.5 and Title 16, California Code of Regulations Section 1714.3
- f. Review and Discussion of Enforcement Statistics

XII. Closed Session Matters

- a. Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on Disciplinary Matters, Including Proposed Decisions, Stipulated Decisions, Defaults, Petitions for Reductions in Penalty, and Any Other Disciplinary Matters
- b. Pursuant to Government Code Section 11126(c)(1), the Board Will Convene in Closed Session to

Consider the Preparation, Approval, Grading or Administration of One or More Licensing Examination(s)

XIII. Presentation on the Pharmacists Recovery Program

XIV. Discussion, Consideration and Possible Approval of Recommended Changes to Proposed Regulations to Amend Title 16, CCR Section 1793.5 Related to Pharmacy Technician Application, Section 1793.6 Related to the Pharmacy Technician Training Requirements, and Section 1793.65 Related to the Pharmacy Technician Certification Programs

XV. Legislation and Regulation Committee Update

The Board will review a summary of the Committee's work at its July 18, 2022, meeting as well as updates for discussion and action as necessary

- a. Discussion and Consideration of Pending Legislation Impacting the Practice of Pharmacy, the Board's Jurisdiction or Board Operations
 1. Assembly Bill 852 (Wood) Health Care Practitioners: Electronic Prescriptions
 2. Assembly Bill 1328 (Irwin) Clinical Laboratory Technology and Pharmacists
 3. Assembly Bill 1662 (Gipson) Licensing Boards: Disqualification from Licensure: Criminal Conviction
 4. Assembly Bill 1733 (Quirk) State Bodies: Open Meetings
 5. Assembly Bill 2194 (Ward) Pharmacists and Technicians; Continuing Education: Cultural Competency
 6. Senate Bill 731 (Durazo) Criminal Records: Relief
 7. Senate Bill 872 (Dodd) Pharmacies: Mobile Units
 8. Senate Bill 988 (Hueso) Compassionate Access to Medical Cannabis Act or Ryan's Law
 9. Senate Bill 1237 (Newman) Licenses: Military Service
 10. Senate Bill 1259 (Laird) Pharmacists: Furnishing Opioid Antagonists
 11. Senate Bill 1346 (Becker) Surplus Medication Collection and Distribution
- b. Discussion and Consideration of Board Adopted Regulations Undergoing Final Review by the Office of Administrative Law
 1. Proposed Regulation to Amend Title 16, CCR Section 1715.65 Related to Inventory Reconciliation
 2. Proposed Regulation to Amend Title 16, CCR Section 1708.1 Related to the Temporary Closure of Facilities
- c. Discussion and Consideration of Board Adopted Regulations Undergoing Final Review by the Department of Consumer Affairs or Business, Consumer Services and Housing Agency
 1. Proposed Regulations to Amend Title 16, CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
 2. Proposed Regulation to Amend Title 16, CCR Section 1784 to Update the Wholesale/3PL Self-Assessment Form 17M-26
 3. Proposed Regulations to Amend Title 16, CCR Section 1793.5 Related to Pharmacy Technician Application, Section 1793.6 Related to the Pharmacy Technician Training Requirements, and Section 1793.65 Related to the Pharmacy Technician Certification Programs
- d. Discussion and Consideration of Board Approved Regulations Undergoing Pre-Notice Review by the Department of Consumer Affairs or Business, Consumer Services and Housing Agency
 1. Proposed Regulation to Amend Title 16 CCR Section 1707.6 Related to the Notice to Consumers

2. Proposed Regulation to Amend Title 16, CCR Section 1709.1, Related to the Designation of Pharmacist-in-Charge
3. Proposed Regulation to Amend Title 16, CCR Section 1715.1 Related to the ADDS Self-Assessment Form 17M-112
4. Proposed Regulation to Amend Title 16, CCR Section 1760 Related to the Disciplinary Guidelines
- e. Discussion and Consideration of Recently Approved Section 100 Regulation Change to Title 16, CCR Section 1730.1 Related to Advanced Practice Pharmacists

XVI. Executive Officer Report

- a. Discussion of Board's Response to COVID-19 Pandemic and Actions Taken by Other Agencies
- b. Update on Business Modernization Activities
- c. Annual CURES Update
- d. Medical Board of California Interested Parties Meeting
- e. Department of Health Care Access and Information – Licensure Data Collection
- f. Report of Actions Taken at the Annual National Association of Boards of Pharmacy Meeting

XVII. Petitions for Reinstatement of Licensure, Early Termination or other Modification of Penalty

- a. Chi Nguyen, RPH 46977
- b. Colin Boggs, RPH 36395

XVIII. Closed Session Matters

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- b. Pursuant to Government Code Section 11126(c)(1), the Board Will Convene in Closed Session to Consider the Preparation, Approval, Grading or Administration of One or More Licensing Examination(s)

Reconvene Open Session, if necessary

XVII. Adjournment

Upon conclusion of business

Due to technological limitations, if adjournment follows closed session, such adjournment will not be broadcast. Adjournment will immediately follow closed session, and there will be no other items of business discussed.