



California State Board of Pharmacy
2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833
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www.pharmacy.ca.gov

Business, Consumer Services and Housing Agency
Department of Consumer Affairs
Gavin Newsom, Governor



Notice of Board Meeting

Dates & Times: April 24, 2024, 1:00 p.m.
April 25, 2024, 9:00 a.m.

The California State Board of Pharmacy (Board) will meet by teleconference in accordance with Government Code section 11123.2 at the above-noted dates and times, with the following physical location available for members of the Board and the public to physically attend and participate in the meeting:

California Department of Consumer Affairs
1625 N. Market Blvd.
Hearing Room, First Floor
Sacramento, CA 95834

MEMBERS OF THE PUBLIC MAY PARTICIPATE FROM A REMOTE LOCATION BY JOINING THE MEETING VIA WEBEX:

WebEx for April 24, 2024: <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m2a51035cfeae49b725daf359722c85a4>

If joining using the link above

Webinar number: 2484 855 1785
Webinar password: CSBP424

If joining by phone

+1-415-655-0001 US Toll
Access code: 2484 855 1785
Passcode: 2727424

WebEx for April 25, 2024: <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m513d8ebfe014318b0579a703a5533762>

If joining using the link above

Webinar number: 2494 395 2704
Webinar password: CSBP425

If joining by phone

+1-415-655-0001 US Toll
Access code: 2494 395 2704
Passcode: 2727425

Members of the public may but are not required to identify themselves. 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 use a fictitious email address in the following sample format:

XXXXX@mailinator.com.

Members of the public may also view a livestream of the meeting at <https://thedcapage.blog/webcasts>. Using the livestream link will allow only for observation with closed captioning. Livestream availability cannot be guaranteed due to resource limitations or technical difficulties. The meeting will not be cancelled if livestream becomes unavailable.

IMPORTANT NOTICES TO THE PUBLIC:

The time and order of agenda items are subject to change at the discretion of the Board president. If a quorum of the Board becomes unavailable, the president may, at their discretion, continue to discuss items from the agenda to make recommendations to the full Board at a future meeting (Government Code section 11125(c)).

The meeting is open to the public except when specifically noticed otherwise, in accordance with the Open Meeting Act.

The meeting is accessible to the physically disabled. To request disability-related accommodations, use the contact information below. Please submit your request at least five (5) business days before the meeting to help ensure availability of the requested accommodation.

Contact Person: Debbie Damoth
(916) 518-3090 or Debbie.Damoth@dca.ca.gov
Board of Pharmacy
2720 Gateway Oaks Drive, Suite 100
Sacramento CA 95833

The Board welcomes and encourages public participation at its meetings. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. The Board also welcomes written public comments submitted in advance of the meeting. Such comments may be submitted to Debbie.Damoth@dca.ca.gov. The Board respectfully requests that such written comments be submitted at least two (2) business days in advance of the meeting to allow time for Board members and members of the public to receive and review the information.

Agenda

Discussion and action make be taken on any agenda item.

April 24, 2024

Call to Order

1:00 p.m.

- I. Call to Order, Establishment of Quorum, and General Announcements (Including Possible Notifications, Actions, and Disclosures Pursuant to Government Code section 11123.2(j))
- 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. Election of Board Officers
- IV. Recognition and Celebration of Pharmacists Licensed in California for 40 Years
- V. Approval of Board Meeting Minutes
 - a. February 8, 2024 Board Meeting
- VI. Presentation by Erin Hager, Diversion Investigator, Drug Enforcement Administration regarding Electronic Prescription Fraud
- VII. Report by the California Department of Consumer Affairs
- VIII. Discussion and Possible Action related to Proposed Amendment to California Code of Regulations, Title 16, Section 1749 Related to Fees
- IX. Discussion and Possible Action Related to Proposed Regulations, Title 16, California Code of Regulations, Section 1760, Related to Disciplinary Guidelines, Including Review of Any Comments Received During the 45-Day Comment Period
- X. **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 Settlements, Default Decisions, Petitions for Reinstatement or Modification of 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)
- c. Pursuant to Government Code section 11126(e)(1), the Board will Convene in Closed Session to Confer with its Legal Counsel Regarding Pending Litigation
 - 1. *ASD Specialty Healthcare LLC, DBA Oncology Supply v. California State Board of Pharmacy et al., Los Angeles County Superior Court Case 24STCP00935*
 - 2. *Purva Patel, Pharm.D., v. California State Board of Pharmacy, Los Angeles County Superior Court Case 24STCP01025*

XI. Reconvene in Open Session to Adjourn for the Day

Adjournment will immediately follow closed session, and there will be no other items of business discussed. Adjournment for the day may not be viewable on livestream.

April 25, 2024

9:00 a.m.

XII. Enforcement and Compounding Committee

The Board will review a summary of the Committee's work at its April 11, 2024 meeting, as well as updates for discussion and action as necessary.

- a. Presentation by the National Association of State Boards of Pharmacy on Drug Shortages including Discussion on the National Landscape
- b. Proposed Changes to ADDS Self-Assessment Rulemaking and Form, As Requested by the Office of Administrative Law
- c. Compounding Activities by IV Hydration Clinics
- d. Updates to Frequently Asked Questions Related to Assembly Bill 1286
- e. Enforcement Statistics

XIII. Licensing Committee

The Board will review a summary of the Committee's work at its April 10, 2024 meeting, as well as updates for discussion and action as necessary.

- a. Presentations Regarding Pharmacy Technician Certification Programs
 - I. Pharmacy Technician Certification Board
 - II. National Healthcareer Association, Exam for the Certification of Pharmacy Technicians (ExCPT)
- b. Presentation by the American Society of Health System Pharmacists Regarding Technician Training Program Accreditation
- c. Survey Results Received Related to the Pharmacist to Pharmacy Technician Ratio
- d. Implementation of Senate Bill 339 (Wiener, Chapter 1, Statutes of 2024) Related to HIV Preexposure Prophylaxis (PrEP) and Postexposure Prophylaxis (PEP), Including Draft Emergency Regulations, and Possible Action to Initiate an Emergency

Rulemaking and a Regular Rulemaking to Amend California Code of Regulations, Title 16, Section 1747

- e. Possible Amendment to California Code of Regulations, Title 16, Section 1713 Related to the Use of Automated Drug Delivery Systems
- f. Proposal to Establish Authority to Waive the Renewal Fee Requirement for Pharmacists Licensed Over 50 years
- g. Compounding by Pharmacy Technicians Outside of Pharmacies
- h. Presentations on Central Fill Pharmacy Models
 - I. Albertsons
 - II. Walgreens
- i. Licensure and Other Requirements for Nonresident Pharmacies
- j. Proposed Amendments to Pharmacy Law to Transition to a More Robust Standard of Care Model for Some Pharmacist-Provided Patient Care Services
- k. Licensing Statistics

XIV. Legislation and Regulation Committee

The Board will review a summary of the Committee's work at its April 11, 2024 meeting, as well as updates for discussion and action as necessary.

- a. Pending Legislation Impacting the Practice of Pharmacy, the Board's Jurisdiction, or Board Operations
 - 1. Assembly Bill 82 (Weber, 2022) Dietary Supplements for Weight Loss and Over-the-Counter Diet Pills
 - 2. Assembly Bill 1842 (Reyes, 2024) Health Care Coverage: Medication-Assisted Treatment
 - 3. Assembly Bill 1902 (Alanis, 2024) Prescription Drug Labels: Accessibility
 - 4. Assembly Bill 2115 (Haney, 2024) Controlled Substances
 - 5. Assembly Bill 2169 (Bauer-Kahan, 2024) Prescription Drug Coverage: Dose Adjustments
 - 6. Assembly Bill 2269 (Flora, 2024) Board Membership Qualifications: Public Members
 - 7. Assembly Bill 2271 (Ortega, 2024) Coverage for Naloxone Hydrochloride
 - 8. Assembly Bill 2445 (Wallis, 2024) Prescriptions: Personal Use Pharmaceutical Disposal System
 - 9. Assembly Bill 3063 (McKinnor, 2024) Pharmacies: Compounding
 - 10. Assembly Bill 3146 (Essayli, 2024) Healing Arts: Sex-Reassignment
 - 11. Senate Bill 966 (Wiener, 2024) Pharmacy Benefits
 - 12. Senate Bill 1067 (Smallwood-Cuevas, 2024) Healing Arts: Expedited Licensure Process: Medically Underserved Area or Population
 - 13. Senate Bill 1365 (Glazer, 2024) Pharmacy Technicians: Supervision
 - 14. Senate Bill 1468 (Ochoa Bogh and Roth, 2024) Department of Consumer Affairs
- b. Proposed Regulation Related to the Use of Digital Signatures
- c. Draft Frequently Asked Questions Related to Cultural Competency Continuing Education

- d. Board-Adopted Regulations Approved by the Office of Administrative Law
 - 1. Proposed Regulation to Amend Title 16 CCR section 1706.6 Related to the Military Spouse Temporary License
 - 2. Proposed Regulation to Amend Title 16 CCR section 1707.6 Related to the Notice to Consumer
- e. Board-Adopted Regulations Undergoing Final Review by the Department of Consumer Affairs, or Business, Consumer Services and Housing Agency
 - 1. Proposed Regulation to Amend Title 16 CCR section 1732.5 and Add section 1732.8 Related to Continuing Education
- f. Board-Adopted Regulations Staff Drafting Final Rulemaking Documents
 - 1. Proposed Regulation to Amend Title 16 CCR section 1746.3 Related to Opioid Antagonist
- g. Board-Approved Regulations Undergoing Pre-Notice Review by the Department of Consumer Affairs, or Business, Consumer Services and Housing Agency
 - 1. Proposed Regulation to Add Title 16 CCR sections 1750 and 1750.1 Related to Outsourcing Facilities
 - 2. Proposed Regulation to Add Title 16 CCR section 1746.6 Related to Medication Assisted Treatment Protocol
 - 3. Proposed Regulation to Amend Title 16 CCR sections 1735 *et seq*, Add sections 1736 *et seq*, 1737 *et seq*, and 1738 *et seq*, and Repeal sections 1751 *et seq* Related to Compounded Drug Preparations
 - 4. Proposed Regulation to Amend Title 16 CCR section 1708.2 Related to Discontinuance of Business
 - 5. Proposed Regulation to Amend Title 16 CCR section 1749 Related to the Fee Schedule
 - 6. Proposed Regulation to Amend Title 16 CCR section 1711 Related to Quality Assurance
 - 7. Proposed Regulation to Amend Title 16 CCR section 1793.65 Related to Pharmacy Technicians
- h. Board-Approved Regulations – Board Staff Drafting Initial Rulemaking Documents
 - 1. Proposed Regulation to Amend Title 16 CCR sections 1715 and 1784 Related to the Community Pharmacy, Hospital Pharmacy, and Dangerous Drug Distributor Self-Assessment Forms

XV. Organizational Development Committee

- a. Budget Report
- b. Board Member Attendance and Mail Vote Information
- c. Personnel Update
- d. Review of Proposed Changes to Board Procedure Manual
- e. Future Meeting Dates

XVI. Executive Officer Report

- a. Biannual Report of the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE) and the North American Pharmacist Licensure Examination (NAPLEX)
- b. Release of Special Edition of *The Script*
- c. August 1, 2024 CURES System Update

XVII. 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 Settlements, Default Decisions, Petitions for Reinstatement or Modification of Penalty, and Any Other Disciplinary Matters
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XVIII. Reconvene in Open Session to Adjourn for the Day

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XIX. Adjournment

Upon conclusion of business