



**California State Board of Pharmacy
Department of Consumer Affairs
Public Board Meeting Minutes**

Date: June 21, 2023

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

Board Members

Present: Seung Oh, Licensee Member, President
Jessica Crowley, Licensee Member, Vice President
Trevor Chandler, Public Member, Treasurer
Renee Barker, Licensee Member
Indira Cameron-Banks, Public Member
Jose De La Paz, Public Member
Kartikaya "KK" Jha, Licensee Member
Jignesh Patel, Licensee Member
Maria Serpa, Licensee Member
Nicole Thibeau, Licensee Member

Board Members

Not Present: Jason Weisz, Public Member

Staff Present: Anne Sodergren, Executive Officer
Julie Ansel, Assistant Executive Officer
Jane Simon, DCA Staff Counsel

June 21, 2023

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

President Oh called the Board Meeting to order at approximately 9:00 a.m.

President Oh reminded all individuals present that the Board is a consumer protection agency charged with administering and enforcing Pharmacy Law. Where protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

President Oh welcomed the Board's new Assistant Executive Officer Julie Ansel. Dr. Oh has had the pleasure of working with Julie as the Chief of Enforcement over the

Board's Compliance and Compounding Teams. Dr. Oh was excited Julie has accepted this new position within the Board.

President Oh advised Agenda Item 5, regarding the La Vita decision was postponed to avoid a potential conflict with a pending matter and as a precautionary measure to prevent potential ex parte communication. Dr. Oh noted the matter would be discussed at a future meeting.

President Oh advised all individuals the meeting was being conducted via WebEx. Dr. Oh advised participants watching the webcast they could only observe the meeting. Dr. Oh noted anyone interested in participating in the meeting must join the WebEx meeting using the instructions posted on the Board's website. Department of Consumer Affairs' staff provided general instructions for the WebEx Board Meeting.

Roll call was taken. Board Members present included: Jessi Crowley, Licensee Member; Trevor Chandler, Public Member; Renee Barker, Licensee Member; Indira Cameron-Banks, Public Member; KK Jha, Licensee Member; Jig Patel, Licensee Member; Maria Serpa, Licensee Member; Nicole Thibeau, Licensee Member; and Seung Oh, Licensee Member. A quorum was established.

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

Members of the public were provided with an opportunity to provide comment for items not on the agenda or agenda items for a future meeting.

The Board heard a comment that other states have instituted in their licensing departments an automatic email upon renewal with their paper license.

Members were provided the opportunity to comment. Member Chandler asked to have staff research this option. Ms Sodergren indicated an update on BizMod will be provided at the August 2023 Board Meeting.

The Board heard two comments from a specialty pharmacist requesting to add to the next agenda the addition of specialty pharmacy or any non-patient facing pharmacy to AB 1557 to allow for remote work.

Members were provided an opportunity to comment; however, no comments were made.

III. Recognition and Celebration of Pharmacists Licensed in California for 40 Years and other Recognitions

President Oh reminded members several years ago, the Board changed its recognition program for pharmacists and currently recognizes pharmacists that have been

licensed for 40 or more years. Dr. Oh noted the information was posted on the Board's website and pharmacists were provided with a certificate.

President Oh noted prior to transitioning to remote meetings, the Board routinely provided an opportunity for pharmacists licensed for 40 years to attend a Board meeting and be recognized by the Board. Dr. Oh continued although the Board has returned to remote meetings, the Board would like to provide an opportunity for the Board to recognize pharmacists that have been licensed in California for 40 years.

There were no pharmacists identifying themselves to be recognized for 40 years of service as a pharmacist. President Oh thanked and congratulated pharmacists who had been licensed as a pharmacist for over 40-years. Dr. Oh thanked all pharmacy staff who worked in pharmacy serving the consumers of California. Dr. Oh invited pharmacists licensed over 40 years to attend the in-person meetings beginning July 2023 to receive their pin.

IV. Discussion, Consideration and Possible Action Related to Temporary License for Military Spouses, Including Review of Comments Received During 45-Day Comment Period

President Oh recalled in response to enactment of Assembly Bill 107, statutes of 2021, effective July 1, 2023, the Board was required to issue temporary licenses to qualified military spouses and partners under specified conditions. Dr. Oh advised to implement this statutory change, the Board must define more clearly the conditions via the regulation process. Dr. Oh referenced the meeting materials that included the 45-day comment period for this regulation was April 14, 2023, and ended May 30, 2023.

President Oh commented having reviewed the materials including the comments received and staff's recommendations, Dr. Oh agreed with the recommendations offered by staff including further amendment to the regulation text and initiation of a 15-day comment period.

Members were provided an opportunity to comment.

Motion: Accept the Board staff recommended comment responses, approve the staff recommended modified regulation language, and initiate a 15-day public comment period. Additionally, if no adverse comments are received during the 15-day comment period, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1706.6 as noticed. Further, delegate to the executive officer the authority to make technical or non-substantive changes as may be required by the Control agencies to complete the rulemaking file.

M/S: Crowley/Chandler

Members of the public were provided the opportunity to comment; however, no comments were made.

Support: 9 Oppose: 0 Abstain: 0 Not Present: 2

Board Member	Vote
Barker	Support
Cameron-Banks	Support
Chandler	Support
Crowley	Support
De La Paz	Not Present
Jha	Support
Oh	Support
Patel	Support
Serpa	Support
Thibeau	Support
Weisz	Not Present

V. Discussion, Consideration and Possible Action to Adopt as a Board Precedential Decision Under Government Code Section 11425.60 – La Vita Compounding Pharmacy, Agency Case Number 6851

President Oh reminded participants this agenda item was postponed.

VI. Petitions for Reinstatement of Licensure, Early Termination or Other Modification of Penalty.

Administrative Law Judge Sean Gavin presided over the hearings. Petitions heard by members included:

- a. George Adel Malek Ibrahim, RPH 58732
- b. Esther Kim, RPH 81947
- c. Elaine Furlow, TCH 32599
- d. David Madrigal, TCH 112091

VII. Closed Session

Open session concluded at approximately 12:34 p.m. The Board entered closed session at approximately 1:33 p.m. and ended closed session at 3:22 p.m. Member De La Paz joined closed session at approximately 1:44 p.m. The Board Meeting concluded at approximately 3:22 p.m.