



**California State Board of Pharmacy**  
 2720 Gateway Oaks Drive, Suite 100  
 Sacramento, CA 95833  
 Phone: (916) 518-3100 Fax: (916) 574-8618  
 www.pharmacy.ca.gov

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



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

**Date:** May 17, 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  
 Maria Serpa, Licensee Member, Vice President  
 Jignesh Patel, Licensee Member, Treasurer  
 Renee Barker, Licensee Member  
 Indira Cameron-Banks, Public Member  
 Trevor Chandler, Public Member  
 Jose De La Paz, Public Member  
 Kartikeya "KK" Jha, Licensee Member  
 Ricardo Sanchez, Public Member  
 Nicole Thibeau, Licensee Member  
 Jason Weisz, Public Member

**Board Members**

**Not Present:** Jessica Crowley, Licensee Member

**Staff Present:**

Anne Sodergren, Executive Officer  
 Norine Marks, DCA Staff Counsel  
 Jane Simon, DCA Staff Counsel  
 Debbie Damoth, Executive Specialist Manger

**May 17, 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 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: Maria Serpa, Licensee Member; Jig Patel, Licensee Member; Renee Barker, Licensee Member; Trevor Chandler, Public Member; KK Jha, Licensee Member; Ricardo Sanchez, Public Member; Nicole Thibeau, Licensee Member; Jason Weisz, Public 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; however, there no comments 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.

## **IV. Discussion, Consideration and Possible Action related to Proposed Regulations to Amend Title 16, California Code of Regulations Section 1715.1 and Automated Drug Delivery System Self-Assessment (Form 17M-112) Including Comments Received During the Second 15-day Comment Period.**

President Oh advised the history of the regulation was included in the meeting materials. Dr. Oh reminded participants that as part of the February 2023 Board Meeting, in response to comments received during the 45-day comment period, the Board voted to make additional changes to the proposed regulation and release the matter for an additional 15-day comment period. During the April 2023 Board Meeting, again in response to public comments, the Board initiated a second 15-day comment period. Dr. Oh reported the Board again received comments during this second 15-day comment period for consideration and discussion.

President Oh reviewed the materials including the new comments received and staff's recommendations and agreed with the recommendations offered by staff. Members were provided the opportunity to comment; however, no comments were made. Member Serpa read the motion for the record.

**Motion:** Accept the Board staff recommended comment responses and adopt and adopt the regulation text as noticed on April 21, 2023. Additionally, 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:** Serpa/Patel

Member De La Paz joined the meeting at 9:11 a.m.

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

**Support: 9 Oppose: 0 Abstain: 1 Not Present: 2**

<b>Board Member</b>	<b>Vote</b>
Barker	Support
Cameron-Banks	Not Present
Chandler	Support
Crowley	Not Present
De La Paz	Abstain
Jha	Support
Oh	Support
Patel	Support
Sanchez	Support
Serpa	Support
Thibeau	Support
Weisz	Support

**V. Discussion and Consideration of Draft Legislative Report Regarding Assessment of Standard of Care Enforcement Model in the Practice of Pharmacy**

President Oh reported since March of 2022 the Standard of Care Ad Hoc Committee received presentations, learned about actions taken in other jurisdictions, reviewed research, surveyed pharmacists, and considered policy questions with tremendous engagement by both members of the committee and stakeholders over the past year. Dr. Oh thanked everyone who participated in this process.

President Oh advised although the report was not due to the Legislature until July 1, 2023, the report was included on the agenda to ensure Members had sufficient time to consider the report. If changes were needed, the report could be brought to the June Board Meeting for final approval.

President Oh highlighted meeting materials included the draft report, written comments received for the draft meeting, and written comments received and considered by committee members as part of the May 3, 2023, Standard of Care Ad Hoc Committee. Dr. Oh thanked Vice Chairperson Serpa for chairing the May 3, 2023 Standard of care Ad Hoc Committee meeting in Dr. Oh's absence where the Committee and stakeholders were again provided with significant opportunity to provide comments on the draft report.

President Oh indicated having reviewed the draft report and believed it accurately reflects all of the information learned through this process and the recommendations and next steps identified.

Members of the Standard of Care Ad Hoc Committee were provided an opportunity to comment on the draft report; however, no comments were made.

Members were provided an opportunity to comment on the draft report; however, no comments were made.

**Motion:** Approve the proposed version as final version of report to the Legislature.

**M/S:** Thibeau/Barker

Members of the public provided an opportunity to comment on the draft report.

The Board heard comments in support of the draft report and collaborative approach used by the Standard of Care Ad Hoc Committee by representatives of the UC Health Care System including five hospitals, CPhA, and CSHP as well as an Emeritus Dean.

The Board heard a comment from CVS Health requesting reconsideration of the Board's position on SB 524.

**Support: 9    Oppose: 0    Abstain: 1    Not Present: 2**

<b>Board Member</b>	<b>Vote</b>
Barker	Support
Cameron-Banks	Not Present
Chandler	Support
Crowley	Not Present
De La Paz	Support
Jha	Support
Oh	Support
Patel	Support
Sanchez	Support
Serpa	Support
Thibeau	Support
Weisz	Abstain

The Board took a break from 9:30 a.m. to 9:35 a.m. Roll call was taken. Board Members present included: Maria Serpa, Licensee Member; Jig Patel, Licensee Member; Renee Barker, Licensee Member; Trevor Chandler, Public Member; Jose De La Paz, Public Member; KK Jha, Licensee Member; Ricardo Sanchez, Public Member; Nicole Thibeau, Licensee Member; Jason Weisz, Public Member; and Seung Oh, Licensee Member. A quorum was established.

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

Administrative Law Judge Danette Brown presided over the hearings. Petitions heard by members as a Board were taken out of order and included:

b. Vittoria Marie I. Ledesma, RPH 70954

The Board took a break from 10:20 a.m. to 10:30 a.m. Roll call was taken. Board Members present included: Maria Serpa, Licensee Member; Jig Patel, Licensee Member; Renee Barker, Licensee Member; Trevor Chandler, Public Member; KK Jha, Licensee Member; Ricardo Sanchez, Public Member; Nicole Thibeau, Licensee

Member; Jason Weisz, Public Member; and Seung Oh, Licensee Member. A quorum was established.

Member De La Paz left the meeting at 10:32 a.m.

a. Vern Raymond Verling, RPH 35360

c. Albert F. Daher, RPH 39189

Member De La Paz returned to the meeting at 11:20 a.m.

d. Champion Health Services Inc, WLS 6040

The Board took a lunch break from 12:09 p.m. to 1:00 p.m. Roll call was taken. Board Members present included: Maria Serpa, Licensee Member; Jig Patel, Licensee Member; Renee Barker, Licensee Member; Trevor Chandler, Public Member; Jose De La Paz, Public Member; KK Jha, Licensee Member; Ricardo Sanchez, Public Member; Nicole Thibeau, Licensee Member; and Seung Oh, Licensee Member. A quorum was established.

Member Cameron-Banks joined the meeting at approximately 1:22 p.m.

e. Zahra Armaghan, RPH 52139

## **VII. Closed Session**

Open session concluded at approximately 2:40 p.m. The Board entered closed session at approximately 2:45 p.m. and ended closed session at 3:45 p.m. The Board Meeting concluded at approximately 3:45 p.m.