



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



## **Notice of Meeting and Agenda Teleconference Public Board Meeting**

**DATES & TIMES:** October 27, 2021, 12:30 p.m.  
October 28, 2021, 9:00 a.m.

**NOTE:** Pursuant to the provisions Government Code section 11133, neither a public location nor teleconference locations are provided.

### **INSTRUCTIONS FOR OBSERVATION:**

WEBCAST: <https://thedcapage.blog/webcasts> Webcast will be available at 12:30 p.m. on October 27, 2021, and 9:00 a.m. October 28, 2021.

### **FOR PUBLIC COMMENT, PLEASE LOG ON TO THIS WEBSITE**

October 27, 2021 - <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mb499040aad0b416ce27f56c1d15f5248>

#### *If joining using the link above*

Event number: 2485 693 4743  
Event password: CSBP10272021

#### *If joining by phone*

+1-415-655-0001 US Toll  
Access code: 248 569 34743  
Passcode: 27271027

October 28, 2021 - <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m6792bd913c13dfabe618737226860b0d>

#### *If joining using the link above*

Event number: 2495 031 5808  
Event password: CSBP10282021

#### *If joining by phone*

+1-415-655-0001 US Toll  
Access code: 249 503 15808  
Passcode: 27271028

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.

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**Important Notices to the Public:** The Board of Pharmacy will hold a meeting via WebEx – access information is 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. 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 like in the following sample format: [XXXXX@mailinator.com](mailto:XXXXX@mailinator.com). 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](mailto: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 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)). The Board plans to webcast this meeting on its website at [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov). Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. The meeting will not be cancelled if webcast is not available. Using the WebEx link will allow for participation and observation. Using the Webcast link will allow for observation with closed captioning. 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.**

**Wednesday, October 27, 2021**

**Call to Order**

**12:30 p.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. July 28-29, 2021, Board Meeting
- b. September 3, 2021, Emergency Board Meeting
- c. September 23, 2021 Board Meeting

#### **IV. Update from the Department of Consumer Affairs**

#### **V. Enforcement and Compounding Committee Report**

The Board will review a summary of the Committee's work at its October 20, 2021, meetings as well as updates for discussion and action as necessary.

- a. Discussion and Consideration of Recently Signed Legislation Impacting the Practice of Pharmacy.
  1. Assembly Bill 107 (Salas, Chapter 693, Statutes of 2021) Licensure: Veterans and Military Spouses
  2. Assembly Bill 527 (Wood, Chapter 618, Statutes of 2021) Controlled Substances
  3. Assembly Bill 1064 (Fong, Chapter 655, Statutes of 2021) Pharmacy Practice: Vaccines: Independent Initiation and Administration
  4. Assembly Bill 1533 (Assembly Committee on Business and Professions, Chapter 629, Statutes of 2021) Pharmacy
  5. Senate Bill 306 (Pan, Chapter 486, Statutes of 2021) Sexually Transmitted Disease: Testing
  6. Senate Bill 310 (Rubio, Chapter 541, Statutes of 2021) Unused Medications: Cancer Medication Recycling
  7. Senate Bill 311 (Hueso, Chapter 384, Statutes of 2021) Compassionate Access to Medical Cannabis Act or Ryan's Law
  8. Senate Bill 362 (Newman, Chapter 334, Statutes of 2021) Chain Community Pharmacies: Quotas
  9. Senate Bill 409 (Caballero, Chapter 604, Statutes of 2021) Pharmacy Practice: Testing
- b. Discussion and Consideration of Released Revised Proposed Changes to USP Chapters 795 and 797 and the Board's Current Policy Statement
- c. Updates on FDA Actions Related to Human Compounding
  1. FDA's Final MOU on Interstate Distribution of Compounded Drug Products (For information only)
  2. Guidance for Industry Hospital and Health System Compounding (For information only)
- d. Review and Discussion of Enforcement Statistics

#### **VI. Licensing Committee Report**

The Board will review a summary of the Committee's work at its October 20, 2021, meeting, as well as updates for discussion and action as necessary.

- a. Discussion and Consideration of Business and Professions Code Section 4071.1, Board's Waiver to Facilitate Provisions for Remote Processing and Consideration of Possible Changes in Statute or Regulation to Establish Permanent Authority Under Specified Conditions
- b. Discussion and Consideration of Requirements to Serve as a Pharmacist-in-Charge
- c. Discussion and Consideration of Implementation Plan for Listening Sessions and Pharmacy Technician Summit
- d. Review and Discussion of Licensing Statistics

#### **VII. Communication and Public Education Committee Report**

The Board will review a summary of the Committee's work at its October 27, 2021, meeting, as well as updates for discussion and action as necessary.

- a. Discussion and Consideration of Recommended Changes to the Notice to Consumers Poster/Display and Suggested Revisions to California Code of Regulations, Division 17, Title 16, Section 1707.6
- b. Update on Communication and Public Education Activities by Staff

1. The Script
2. Staff Outreach
3. News Media
4. Conversion of Self-Assessment Process to Online

**VIII. Legislation and Regulation Committee Update**

The President will provide an update for discussion and action as necessary.

- a. Board Adopted Regulations Under Final Review by the Office of Administrative Law
  1. Proposed Regulation to Amend Title 16 CCR Section 1715.6 Related to Reporting Drug Losses
- b. Board Adopted Regulations Under Final Review by the Department of Consumer Affairs or the Business, Consumer Services and Housing Agency
  1. Proposed Regulation to Amend Title 16 CCR Section 1709 Related to Pharmacy Ownership, Management, and Control, Including Through Trusts
- c. Discussion and Consideration of Board Approved Regulations Undergoing Pre-Notice Review by the Department of Consumer Affairs or the Business, Consumer Services and Housing Agency
  1. Proposed Regulation to Amend Title 16, CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
  2. Proposed Regulation to Add Title 16, CCR Section 1708.1 Related to the Temporary Closure of Facilities
  3. Proposed Regulation to Amend Title 16, CCR Section 1735.2 to Update the Compounding Self-Assessment Form 17M-39

**IX. Organizational Development Committee Report**

- a. Budget Update and Report
- b. Board Member Attendance Information and Mail Vote Information
- c. Personnel Update
- d. Strategic Plan Update
- e. Future Meeting Dates

**X. Discussion and Consideration of Adoption of Board Approved Regulation, Title 16, California Code of Regulations Section 1704, Address Change Notification**

**XI. Executive Officer Report**

- a. Discussion of Board's Response to COVID-19 Pandemic and Actions Taken by Other Agencies
- b. Increase in NAPLEX Fees
- c. ACPE Standards Revision Feedback Survey
- d. Biannual Report of the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE) and the North American Pharmacist Licensure Examination (NAPLEX)
- e. Release of New Detailed Content Outline for the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE)

**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(e), the Board Will Convene in Closed Session to Discuss Pending Litigation
- c. 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)
- d. Pursuant to Government Code Section 11126(a)(1), the Board will Meet in Closed Session to Conduct the Annual Performance Evaluation of its Executive Officer

**XIII. Reconvene Open Session, to Adjourn for the day**

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

**XIV. Presentation by Dr. Steve Chen, Associate Dean for Clinical Affairs, University of Southern California on California Right to Meds Collaborative**

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

- a. Jurupa Valley Pharmacy, PHY 57522
- b. Ekta M. Patel, RPH 63609
- c. Toni G. Walker, RPH 33235

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**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.**