



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: October 25, 2022, 1:30 p.m.
October 26, 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 1:30 p.m. on October 25, 2022, and 9:00 a.m. October 26, 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.:

October 25, 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=m14b2f5fa2ae30f2e6d2b823a4cabf809>

If joining using the link above

Webinar number: 2480 527 9846

Webinar password: CSBP10252022

If joining by phone

+1-415-655-0001 US Toll

Access code: 248 052 79846

Passcode: 27271025

October 26, 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=mb13a31fbbdc628a5afc4264a2d259b03>

If joining using the link above

Webinar number: 2487 462 1583

Webinar password: CSBP10262022

If joining by phone

+1-415-655-0001 US Toll

Access code: 248 746 21583

Passcode: 27271026

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.

October 25, 2022

Call to Order

1:30 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. **Recognition and Celebration of Pharmacists Licensed in California for 40 years and other Recognitions**
- IV. **Approval Board Meeting Minutes**
 - a. July 27-28, 2022, Board Meeting
 - b. August 25, 2022, Board Meeting
 - c. September 14, 2022, Board Meeting
 - d. September 21, 2022, Board Meeting
- V. **Update from the Department of Consumer Affairs**
- VI. **Presentation on Research Underway on Senate Bill 159 (Chapter 532, Statutes of 2019) Related to HIV Preexposure and Postexposure Prophylaxis**
- VII. **Discussion and Consideration of Adoption of Board Approved Regulation, Title 16, California Code of Regulations Section 1735.2 Related to the Compounding Self-Assessment Form**
- VIII. **Discussion and Consideration of Changes to Previously Proposed Text and Reauthorization of a Regular Rulemaking to Adopt a Proposed Regulation Related to Temporary Licenses of Military Spouses and Partners, California Code of Regulations Section 1706.6**
- IX. **Medication Error Reduction and Workforce Ad Hoc Committee Report**

The Board will review a summary of the Committee's work at its September 14, 2022, meeting as well as updates for discussion and action as necessary.

 - a. Discussion and Consideration of Possible Future Changes to Title 16, California Code of Regulations Section 1711 Related to Quality Assurance Programs
 - b. Discussion and Consideration of Medication Errors and Possible Future Development

of Medication Error Reporting Requirements, Including Use of Required Standardized Report

- c. Discussion and Review of Enforcement Actions Taken and Enforcement Authority Exercised by Other Jurisdictions Related to Workplace Conditions
- d. Discussion and Consideration of Just Culture Approach to Managing Patient Medication Errors and Patient Safety
- e. Discussion and Consideration of Pharmacist Well-Being Index State Report

X. Enforcement and Compounding Committee Report

The Board will review a summary of the Committee's work at its August 25, 2022, and October 4, 2022, meetings as well as updates for discussion and action as necessary.

- a. Discussion and Consideration of Regulation of Surgical Clinics Pursuant to Business and Professions Code section 4190
- b. Discussion and Consideration of Potential Draft Regulations related to Outsourcing Facilities, Including a Self-Assessment Form
- c. Discussion and Consideration of Proposed Changes to Board's Citation and Fine Authority Related to Unlicensed Activity
- d. Discussion and Consideration of Recently Signed Legislation Impacting the Practice of Pharmacy
 - i. Assembly Bill 852 (Wood, Chapter 518, Statutes of 2022) Health Care Practitioners: Electronic Prescriptions
 - ii. Assembly Bill 2194 (Ward, Chapter 958, Statutes of 2022) Pharmacists and Technicians; Continuing Education: Cultural Competency
 - iii. Senate Bill 731 (Durazo, Chapter 841, Statutes of 2022) Criminal Records: Relief
 - iv. Senate Bill 872 (Dodd, Chapter 220, Statutes of 2022) Pharmacies: Mobile Units
 - v. Senate Bill 988 (Chapter 988, Statutes of 2022) Compassionate Access to Medical Cannabis Act or Ryan's Law
 - vi. Senate Bill 1346 (Becker, Chapter 886, Statutes of 2022) Surplus Medication Collection and Distribution
- e. Review and Discussion of Enforcement Statistics

XI. 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)
- c. Pursuant to Government Code Section 11126(a)(1), the Board will Convene in Closed Session to Conduct the Annual Performance Evaluation of its Executive Officer

XII. 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.

XIII. Presentation on Implementation of DSCSA Provision provided by the National Association of Boards of Pharmacy

XIV. Presentation on Reports of Fee Audit Report Prepared by Dan Edds, Capital Accounting Partners, LLC

XV. Standard of Care Ad Hoc Committee Report

The Board will review a summary of the Committee's work at its October 25, 2022, meetings as well as updates for discussion and action as necessary.

- a. Discussion and Consideration of Results of Pharmacist Survey Related to Current Practice and Possible Movement to Standard of Care Enforcement Model
- b. Discussion and Consideration of Policy Questions Related to Standard of Care Enforcement Model in the Practice of Pharmacy

XVI. Licensing Committee Report

The Board will review a summary of the Committee's work at its and October 18, 2022, Committee Meeting.

- a. Discussion and Consideration of Statutory Proposal to Expand Current Pharmacy Technician Authorized Duties and Current Pharmacist to Pharmacy Technician Ratio
- b. Discussion and Consideration of Possible State Protocol Consistent with the Provisions of Business and Professions Code Section 4052.01 as amended in Senate Bill 1259 (Chapter 245, Statutes of 2022)
- c. Discussion and Consideration of Proposal to Establish Requirements for a Pharmacist-in-Charge
- d. Discussion and Consideration of Discontinuance of Business by a Pharmacy and Potential Changes to Pharmacy Law to Ensure Continuity of Patient Care
- e. Discussion and Consideration of Legal Requirements for Nonresident Pharmacies Including Possible Change to Require Licensure by the Pharmacist-in-Charge
- f. Licensing Statistics

XVII. 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 Possible Change to Business and Professions Code Section 4400, Related to Fees
- e. Future Meeting Dates

XVIII. Executive Officer Report

- a. Discussion of Board's Response to COVID-19 Pandemic and Actions Taken by Other Agencies
- b. Sunset Review

- c. Biannual Report of the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE) and the North American Pharmacist Licensure Examination (NAPLEX)
- d. Overview of Presentations and Outreach to Licensees and Consumers

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

- a. Stephanie Ann Richards, RPH 82766
- b. Natalya Skye, RPH 55396

XX. 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)

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.