



California State Board of Pharmacy

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BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

**STATE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
PUBLIC BOARD MEETING
MINUTES**

DATE: July 1, 2016

LOCATION:

Staff Location

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

Additional Teleconference Locations

4040 Palos Verdes Drive North, Suite 206
Rolling Hills Estates, CA 90274

Redlands Community Hospital, Administration Conference Room
350 Terracina
Redlands, Ca 92373

California Statewide Law Enforcement Association
2029 H Street
Sacramento, CA 95811

Outfront Media
1695 Eastshore Highway
Berkeley, CA 94710

University of Southern California – Orange County Center
Conference Room 138
2300 Michelson Drive
Irvine, CA 92612

388 9th Street, #108
Oakland, CA 94607

First Street Café
440 First Street
Benicia, Ca 94510

STAFF

PRESENT:

Virginia Herold, Executive Officer
Laura Freedman, DCA Staff Counsel
Lori Martinez, Staff Manager
Debbie Damoth, Staff Manager

Bob Davila, Public Information Officer
Laura Hendricks, Staff Analyst

**BOARD MEMBERS
PRESENT:**

Amy Gutierrez, PharmD, President
Deborah Veale, RPh, Vice President
Stanley Weisser, RPh
Ryan Brooks, Public Member
Albert Wong, PharmD
Allen Schaad, RPh
Ricardo Sanchez, Public Member
Ramon Castellblanch, Public Member

**BOARD MEMBERS
NOT PRESENT:**

Lavanza Butler, RPh
Gregory Murphy, Public Member
Gregory Lippe, Public Member
Victor Law, RPh, Treasurer

Friday, July 1, 2016

Call to Order

9:03 a.m.

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

President Gutierrez called the meeting to order at 9:03 a.m. Board members present: Amy Gutierrez, Debbie Veale, Ricardo Sanchez, Ryan Brooks, Albert Wong, Stanley Weisser, Allen Schaad and Albert Wong.

Laura Freedman, staff counsel, asked if there were any members of the public at the teleconference locations. Mr. Weisser announced that there was one member of the public in attendance at the Redlands Community Hospital location.

Note: This meeting was not webcast.

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

President Gutierrez asked if there were any comments from any of the meeting locations. There were no comments from board members or the public at any of the meeting locations.

III. Consideration and Possible Adoption of Proposed Regulations to Add Title 16 California Code of Regulations section 1746.4, Related to Immunizations

President Gutierrez reported that the board was recently asked a question about the board's immunization regulations that are nearing completion of the administration review process. During the June 8, 2016 board meeting, the question was brought to the board to clarify the board's intent.

President Gutierrez explained that the issue was whether the board intended to draft

the regulation to apply to all immunizations provided by pharmacists, or only those provided under the provisions of CA Business and Professions Code section 4052.8. She added that pharmacists have been able to provide immunizations under a protocol with a physician under CA Business and Professions Code section 4052(a)(11). Any requirements on pharmacists providing immunizations under a physician's protocol would be established in the protocol.

President Gutierrez stated that at the June 8, 2016 meeting the board clarified that the protocol should apply to all pharmacist-provided immunizations. The board voted to amend the protocol language for clarity and released the amended text for a 15-day comment period.

President Gutierrez reported that during the 15-day comment period, no comments were received.

President Gutierrez explained that the board will have the opportunity at this meeting to discuss the regulation a final time and adopt the regulation as approved at the June 2016 Board meeting.

Note: The regulation language as approved at the June 2016 Board meeting and noticed for a 15-day comment period on June 10, 2016 is provided immediately following these minutes.

There were no comments from the board or the public on the regulation language.

Motion: Adopt the regulatory language as noticed on June 10, 2016, and delegate to the executive officer the authority to make technical or non-substantive changes as may be required by Office of Administrative Law or the Department of Consumer Affairs to complete the rulemaking file.

M/S: Veale/Sanchez

Support: 8 Oppose: 0 Abstain: 0

Name	Support	Oppose	Abstain	Not Present
Brooks	x			
Butler				x
Castellblanch	x			
Gutierrez	x			
Law				x
Lippe				x
Murphy				x
Sanchez	x			
Schaad	x			
Veale	x			
Weisser	x			
Wong	x			

President Gutierrez adjourned the meeting at 9:10 a.m.

Immunizations –

1746.4

Title 16. BOARD OF PHARMACY

Third Modified Text

Changes made to the originally proposed language are shown by ~~double strikethrough~~ for deleted language and **bold and dashed underline** for added language. (Additionally, the modified text is listed in red for color printers.)

Changes made to the modified proposed language are shown by ~~double strikethrough and bold underline~~ for deleted language and **bold and double underline** for added language. (Additionally, the modified text is listed in blue for color printers.)

Changes made to the modified proposed language are shown by **bold wavy underline** for added language. (Additionally, the modified text is listed in purple for color printers.)

Proposal to add §1746.4 of Article 5 of Division 17 of Title 16 of the California Code of Regulations as follows:

§1746.4 Pharmacists Initiating and Administering Vaccines.

(a) A pharmacist initiating and/or administering vaccines pursuant to sections **4052 or** 4052.8 of the Business and Professions Code shall follow the requirements specified in subdivisions (b) through (f) of this section.

(b) Training: A pharmacist who initiates and/or administers any vaccine shall keep documentation of:

- (1) Completion of an approved immunization training program, and
- (2) Basic life support certification.

This documentation shall be kept on site and available for inspection.

(c) Continuing Education: Pharmacists must complete one hour of ongoing continuing education focused on immunizations and vaccines from an approved provider once every two years.

(d) Notifications: The pharmacist shall notify the patient's primary care provider of any vaccines administered to the patient, or enter the appropriate information in a patient record system shared with the primary care provider, as permitted by the primary care provider. Primary care provider notification must take place within ~~30~~ **14** days of the administration of any vaccine. If the patient does not have a primary care provider, or is unable to provide contact information for his or her primary care provider, the pharmacist shall advise the patient to consult an appropriate health care provider of the patient's choice. ~~If known, notification to the~~

prenatal care provider of immunizations provided to pregnant women must take place within 14 days of the administration of any vaccine.

(e) Immunization Registry: A pharmacist shall fully report the information described in Section 120440(c) of the Health and Safety Code into one or more state and/or local immunization information systems within ~~30~~ 14 days of the administration of any vaccine. The pharmacist shall inform the patient or the patient's guardian of immunization record sharing preferences, detailed in Section 120440(e) of the Health and Safety Code.

(f) Documentation: For each vaccine administered by a pharmacist, a patient vaccine administration medication record shall be maintained in an automated data processing or manual record mode such that the required information under title 42, section 300aa-25 of the United States Code is readily retrievable during the pharmacy or facility's normal operating hours. A pharmacist shall provide the patient with a vaccine administration record, which fully documents the initiation and administration of any vaccine administered by the pharmacist. An example of an appropriate vaccine administration record is available on the Board of Pharmacy's website.

Note: Authority cited: Section 4005, Business and Professions Code. Reference: Sections 4052 and 4052.8, Business and Professions Code.