



**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  
Emergency Public Board Meeting Minutes**

**Date:** October 28, 2020

**Location:** Teleconference Public Board Meeting  
Note: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-25-20, dated March 17, 2020, neither a public location nor teleconference locations are provided.

**Board Members**

**Present:** Gregory Lippe, Public Member, President  
Debbie Veale, Licensee Member, Vice President  
Maria Serpa, Licensee Member, Treasurer  
Ryan Brooks, Public Member  
Lavanza Butler, Licensee Member  
Seung Oh, Licensee Member  
Jignesh Patel, Licensee Member  
Ricardo Sanchez, Public Member  
Jason Weisz, Public Member  
Albert Wong, Licensee Member

**Board Members**

**Not Present:** Shirley Kim, Public Member

**Staff Present:** Anne Sodergren, Executive Officer  
Lyle Matthews, Assistant Executive Officer  
Norine Marks, DCA Staff Counsel  
Eileen Smiley, DCA Staff Counsel  
Debbie Damoth, Administration Manager

**October 28, 2020**

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

President Lippe called the Emergency Meeting to order as agendized at 3:00 p.m.

Roll call was taken. Board Members present: Albert Wong, Jason Weisz, Debbie Veale, Maria Serpa, Ricardo Sanchez, Jignesh Patel, Seung Oh, Lavanza Butler, Ryan Brooks, and Greg Lippe. A quorum was established.

President Lippe advised all lines are currently on mute. Mr. Lippe advised he will announce when the Board is accepting public comment on the various issues and staff will open the lines as appropriate. He stated he has advised staff to allot two minutes to everyone providing comments.

## **II. Determination that Emergency Exists, Pursuant to Government Code section 11125.3**

President Lippe advised the Board will discuss agenda item II, Determination that Emergency Exists, Pursuant to Government Code section 11125.3. He noted this is on the agenda because subsequent to posting of the Board's agenda for its prior meeting, it came to the attention of the Board that an extension of a waiver granted previously needs consideration by the Board.

President Lippe continued the Board may take action on an item of business via an Emergency Meeting upon a determination by a majority vote of the Board that an emergency situation exists, defined as (1) a work stoppage or other activity that severely impairs public health or safety, or both; or (2) a crippling disaster that severely impairs public health or safety, or both. That determination must be made by a two-thirds vote of the state body.

President Lippe advised the Members that the Board is being asked as a body to determine if the declared disaster resulting from the wildfires in Napa, Sonoma and Shasta counties satisfies either of the conditions he just reviewed. President Lippe believed the impact of the wildfires satisfies both of the conditions.

President Lippe asked for Member comments regarding making such a determination that an emergency exists and to allow the Board to consider a request to waive a provision of Pharmacy Law consistent with the authority established in Business and Professions Code section 4062, and for comments on a motion, if any.

**Motion:** Determine that an emergency exists to allow the Board to consider matter based on a hardship would occur if the Board waited the required 10 days to notice to hold a meeting.

**M/S:** Brooks/Sanchez

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

Members of the public were provided with an opportunity to provide comments; however, no comments were made.

Support: 10

Oppose: 0

Abstain: 0

Not Present: 1

<b>Board Member</b>	<b>Vote</b>
Brooks	Support
Butler	Support
Kim	Not Present
Lippe	Support
Oh	Support
Patel	Support
Sanchez	Support
Serpa	Support
Veale	Support
Weisz	Support
Wong	Support

**III. Discussion and Consideration of Requests to Waiver Provisions of Pharmacy Law Pursuant to Business and Professions code Section 4062**

- a. Extension of Site-Specific Waiver from Business and Professions Code section 4059.5(a) & (b) issued to Adventist Health St. Helena Hospital.

President Lippe advised that the determination of emergency has been made, and the Board must proceed to agenda item III.

President Lippe stated consistent with the Board's policy, as president he granted a waiver from Business and Professions Code section 4059.5(a) & (b) for a period of 30 days. As a result of the wildfires, St. Helena Hospital was evacuated. To allow for continuity of patient care, alternative care sites were necessary. As president, he approved a waiver of BPC 4059.5(a) & (b) to allow Cardinal Health, the drug wholesaler, to deliver medication to this alternate care location to allow oncology patients to continue receiving their treatments. Board staff was recently advised that the hospital will remain closed until as late as December.

President Lippe stated he believed an extension of the waiver is appropriate and would welcome both comments as well as a motion on such an extension.

**Motion:** Motion to extend the waiver 90 days.

**M/S:** Butler/Oh

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

Members of the public were provided with an opportunity to provide comments; however, no comments were made.

Support: 10

Oppose: 0

Abstain: 0

Not Present: 1

<b>Board Member</b>	<b>Vote</b>
Brooks	Support
Butler	Support
Kim	Not Present
Lippe	Support
Oh	Support
Patel	Support
Sanchez	Support
Serpa	Support
Veale	Support
Weisz	Support
Wong	Support

The meeting adjourned at 3:11 p.m.