

**TITLE 16: BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS**

**FINAL STATEMENT OF REASONS**

**Subject Matter of Proposed Regulations:** Digital Signatures

**Section Affected:** California Code of Regulations (CCR), Title 16, Division 17,  
Article 1, add section 1700

**Updated Information**

The Initial Statement of Reasons is included in this rulemaking file. The information contained therein accurately reflects the position of the Board of Pharmacy (Board) regarding the adoption of the above section. The Initial Statement of Reasons is updated as follows:

The 45-day public comment period began on December 20, 2024, and ended on February 3, 2025. The Board's notice indicated that the Board did not intend to hold a hearing on the matter unless requested. No request for a hearing was received by the Board.

During the 45-day comment period, one comment was received, and that comment was in support of the proposed regulation.

**Local Mandate**

A mandate is not imposed on local agencies or school districts.

**Small Business Impact**

While the Board does not have nor does it maintain data to determine if any of its licensees (pharmacies and clinics) are a "small business", as defined in Government Code section 11342.610, the Board determined that the proposed regulatory action will not have a significant adverse economic impact on small businesses. This proposal establishes the requirements for use of a digital signature, consistent with the provisions established in Government Code section 16.5.

**Anticipated Benefits**

Protection of the public is the Board's highest priority in exercising its licensing, regulatory, and disciplinary functions. This regulatory proposal benefits the health and welfare of California residents by removing a potential barrier to application submissions that could exist by only accepting "wet signatures." The regulation establishes the specific requirements with the Board's regulations in order to provide clarity to the Board's regulated public regarding the exact technology to use and the specific requirements for digital signatures that the Board can access.

### **Consideration of Alternatives**

No reasonable alternative considered by the agency would be more effective in carrying out the purpose for which the regulation is proposed, as effective and less burdensome to affected private persons than the adopted regulation, or more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board considered not adopting the proposed regulation; however, the Board determined that alternative was not reasonable, as specifying the requirements for digital signatures with the Board's regulations ensure clarity to the regulated public about the exact technology to use and the standards for digital signatures, which are established within other areas of state law.

### **Objections or Recommendations/Responses to Comments**

During the public comment period from December 20, 2024 to February 3, 2025, the Board received one comment, and that comment was in support of the proposed regulation.