

Department of Consumer Affairs
Title 16. Pharmacy

EMERGENCY REGULATORY LANGUAGE
Order of Adoption
Independent HIV Preexposure Prophylaxis Furnishing

Legend: Added text is indicated with an underline.
Deleted text is indicated by ~~strikeout~~.

Amend section 1747 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

§ 1747. Independent HIV Preexposure and Postexposure Prophylaxis Furnishing.

- (a) Prior to independently initiating and furnishing HIV preexposure and/or postexposure prophylaxis to a patient pursuant to Business and Professions Code sections 4052.02 and 4052.03, a pharmacist shall successfully complete a training program approved by the board, provided by a provider accredited by an approved accreditation agency, or as part of an equivalent curriculum-based training program completed from a recognized school of pharmacy. The training program shall satisfy the following criteria:
- (1) Each training program shall be specific to the use of HIV preexposure and postexposure prophylaxis, and include at least 1.5 hours of instruction covering, at a minimum, the following areas:
 - (A) HIV preexposure and postexposure prophylaxis pharmacology.
 - (B) Requirements for independently initiating and furnishing HIV preexposure and postexposure prophylaxis contained in Business and Professions Code sections 4052.02 and 4052.03.
 - (C) Patient counseling information and appropriate counseling techniques, including at least, counseling on sexually transmitted diseases and sexual health.
 - (D) Patient referral resources and supplemental resources for pharmacists.
 - (E) Financial assistance programs for preexposure and postexposure prophylaxis, including the Office of AIDS' PrEP Assistance Program (PrEP-AP).
 - (F) Clinical eligibility recommendations provided in the federal Centers for Disease Control and Prevention (CDC) guidelines defined in Business and Professions Code sections 4052.02(c) and 4052.03(c).
 - (2) The training program shall require the passing of an assessment based on the criteria of (a)(1) with a score of 70% or higher to receive documentation of successful completion of the training program.
- (b) A pharmacist who independently initiates or furnishes HIV preexposure and/or postexposure prophylaxis pursuant to Business and Professions Code sections 4052.02 and 4052.03 shall maintain documentation of their successful completion of the training program for a period of four (4) years. Training obtained as part of an equivalent curriculum-based training program, as identified in (a), can be

documented by written certification from the registrar or training director of the educational institution or program from which the licensee graduated stating that the training is included within the institution's curriculum required for graduation at the time the pharmacist graduated, or within the coursework that was completed by the pharmacist. Documentation of training maintained pursuant to this subdivision must be made available upon request of the board.

(c) For the purposes of this section, documentation of preexposure prophylaxis furnished and services provided shall be maintained in patient records, in the record system maintained by the pharmacy, for a minimum of three years from the date when the preexposure prophylaxis was furnished. Such records shall be made available upon request of the Board, consistent with the provisions of Business and Professions Code sections 4081 and 4105.

NOTE: Authority cited: Sections 4005, 4052.02 and 4052.03, Business and Professions Code. Reference: Sections 4052, 4052.02, ~~and~~ 4052.03, 4081 and 4105, Business and Professions Code; and Section 120972, Health and Safety Code.