

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 17.
BOARD OF PHARMACY

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:
Self-Assessments and Standard of Care

NOTICE IS HEREBY GIVEN that the California State Board of Pharmacy (Board) proposes taking the rulemaking action described under the heading Informative Digest/Policy Statement Overview below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person or that person's authorized representative no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under "Contact Persons" in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under "Contact Person" in this Notice, must be **received by the Board at its office no later than Monday, December 7, 2026**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 4005, 4052.01, 4052.02, 4052.03, 4052.3, 4119.11, 4126.8, 4127, and 4427.7 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 733, 4001.1, 4005, 4008, 4017.3, 4019, 4021, 4022, 4022.5, 4022.7, 4029, 4030, 4036, 4037, 4038, 4040, 4043, 4044.5, 4045, 4050, 4051, 4052, 4052.01, 4052.02, 4052.03, 4052.3, 4052.8, 4052.9, 4053, 4053.1, 4059, 4070, 4076, 4081, 4101, 4103, 4105, 4107, 4110, 4113, 4115, 4119, 4119.11, 4120, 4123, 4125, 4126, 4126.8, 4127, 4127.1, 4127.2, 4160, 4161, 4169, 4180, 4186, 4201, 4231, 4232, 4232.5, 4301, 4305, 4305.5, 4306.5, 4330, 4332, 4333, 4400, 4427, 4427.1, 4427.2, 4427.3, 4427.4, and 4427.5, Health and Safety Code sections 120440 and 120972, Title 21 and Title 42 section 300aa-25 of the United States Code, and Part 530 and section 353a, Title 21, Code of Federal Regulations, the Board is considering repealing sections 1715, 1715.1, 1746, 1746.1, 1746.2, 1746.3, 1746.4, 1746.5, 1747, and 1784 and amending sections 1732.5, 1735.1, and 1736.1 of Division 17 of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

The Board is a state agency vested with the authority to license and regulate the pharmacy industry, including pharmacies, pharmacists, and pharmacy technicians (BPC section 4000, et seq.). The Board's mandate and mission are to protect the public (BPC section 4001.1).

Assembly Bill (AB) 1503 (Berman, Chapter 196, Statutes of 2025), which became effective January 1, 2026, established the self-assessment process in statute in Business and Professions Code (BPC) sections 4040.6 and 4102. As a result, the self-assessment regulations are no longer necessary. The Board proposes to repeal and amend the above-mentioned regulation sections related to the self-assessment process which is now clearly established in statute to avoid redundancy and any confusion caused by having the same self-assessment process outlined in multiple locations.

AB 1503 amended BPC sections 4051 and 4052, codifying the Board's move to a standard of care model of pharmacy practice. As part of the transition, some provisions of law that established prescriptive requirements and/or required pharmacists to follow standardized and prescriptive procedures and protocols established in regulation have been replaced with the implementation of the standard of care practice model. These include standardized and prescriptive procedures and protocols for furnishing:

- emergency contraception (CCR section 1746; see BPC section 4052(a)(10)(A)(i)),
- contraception (CCR section 1746.1; see BPC section 4052(a)(10)(A)(ii)),
- smoking cessation (CCR section 1746.2 see BPC section 4052(a)(10)(A)(iii)),
- opioid antagonists (CCR section 1746.3; see BPC section 4052(a)(B)(13)), and
- travel medication (CCR section 1746.5; see BPC section 4052(a)(10)(A)(iv)).

Anticipated Benefits of Proposal

The Board's highest priority in exercising its licensing, regulatory, and disciplinary functions is protecting the public. The Board has determined that this regulatory proposal will benefit the health and welfare of California residents.

This regulatory proposal will ensure the Board's regulations are nonduplicative with statute and provide clarity for pharmacy applicants and readers of these regulations in accordance with the passage of AB 1503. These regulations will also replace some prescriptive requirements with a standard of care practice model, aligning the regulations with recent statutory changes.

The change to a standard of care model for the practice of pharmacy is consistent with pharmacists' education, training, and experience, and removes barriers to care that many patients face. The Board expects that pharmacists will rely on their professional

judgement when providing patient care services, similar to the approach used in many other aspects of pharmacy practice, such as corresponding responsibility. The Board looks forward to closing gaps in patient access through this transition to a more robust standard of care practice model.

Evaluation of Consistency and Compatibility with Existing State Regulations

During the process of developing this regulatory proposal, the Board conducted a search of any similar regulations on this topic and concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

INCORPORATION BY REFERENCE

1. Community Pharmacy Self-Assessment/Hospital Outpatient Pharmacy Self-Assessment, 17M-13 (Rev. 1/22)
2. Hospital Pharmacy Self-Assessment, 17M-14 (Rev. 1/22)
3. Automated Drug Delivery System Self-Assessment, 17M-112 (Rev. 12/18)
4. International Society of Travel Medicine's Body of Knowledge for the Practice of Travel Medicine (2012)
5. Wholesaler/Third Party Logistics Provider Self-Assessment, 17M-26 (Rev. 12/21)

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None. The regulations do not result in a fiscal impact to the state. This proposal will ensure the Board's regulations are nonduplicative with statute and provide clarity for pharmacy applicants and readers of these regulations in accordance with the passage of AB 1503. These regulations will also replace some prescriptive requirements with a standard of care practice model, aligning the regulations with recent statutory changes.

The Board does not anticipate additional workload or costs resulting from the proposed regulations.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500 - 17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This proposal will ensure the Board's regulations are nonduplicative with statute and provide clarity for pharmacy applicants and readers of these regulations in accordance with the passage of AB 1503. These regulations will also replace some prescriptive requirements with a standard of care practice model, aligning the regulations with recent statutory changes.

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses

The Board concludes that this proposal will not:

- (1) Create jobs within California
- (2) Eliminate jobs within California
- (3) Create new businesses within California
- (4) Eliminate existing businesses within California
- (5) Expand businesses currently doing business in California

Benefits of Regulation:

As stated under **Anticipated Benefits of Proposal** above, there will be benefits to the health and welfare of California residents, specifically, pharmacists who will be allowed to rely on their professional judgment when providing patient care services, which will ultimately affect the quality of care that their patients receive. The proposed regulations are not expected to affect worker safety or the state's environment. This proposal will also ensure the Board's regulations are nonduplicative with statute and provide clarity for pharmacy applicants and readers of these regulations in accordance with the passage of AB 1503. These regulations will also replace some prescriptive requirements with a standard of care practice model, aligning the regulations with recent statutory changes.

Business Reporting Requirements

The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business

The Board has determined that the proposed regulations may affect small businesses. This proposal will ensure the Board's regulations are nonduplicative with statute and provide clarity for pharmacy applicants and readers of these regulations in accordance with the passage of AB 1503. These regulations will also replace some prescriptive requirements with a standard of care practice model, aligning the regulations with recent statutory changes.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at the Board of Pharmacy at 2720 Gateway Oaks Drive, Ste. 100, Sacramento, California 95833, during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Pharmacy at 2720 Gateway Oaks Drive, Ste. 100, Sacramento, California 95833, or from the Board of Pharmacy's website at http://www.pharmacy.ca.gov/laws_regs/pending_regs.shtml.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the persons designated in this Notice as the Contact Persons and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Persons named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Brianna Fujimoto
Address: Board of Pharmacy
2720 Gateway Oaks Drive, Ste. 100
Sacramento, CA 95833
Phone No.: (916) 518-3100
Fax No.: (916) 574-8618
E-Mail Address: PharmacyRulemaking@dca.ca.gov

The backup contact person is:

Name: Debbie Damoth
Address: Board of Pharmacy
2720 Gateway Oaks Drive, Ste. 100
Sacramento, CA 95833
Phone No.: (916) 518-3100
Fax No.: (916) 574-8618
E-Mail Address: PharmacyRulemaking@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board of Pharmacy's website at: https://www.pharmacy.ca.gov/laws_regs/pending_regs.shtml