



California State Board of Pharmacy
1625 N. Market Blvd, N219
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Business, Consumer Services and Housing Agency
Department of Consumer Affairs
Gavin Newsom, Governor



Notice of Meeting and Agenda Public Board Meeting January 30-31, 2019

DATES & TIMES: January 30, at 10:00 a.m.
January 31, at 9:00 a.m.

PLACE: Embassy Suites
250 Gateway Blvd.
South San Francisco, CA 94080

WEBCAST: <https://thedcapage.blog/webcasts>
Webcast will be available earliest at 10:00 a.m. on January 30, 2019. See notices below.

NOTE: Pharmacists and pharmacy technicians who attend in person may be awarded 6 hours of CE, in accordance with the Board's CE policy. Sign-in and sign-out on the day of the meeting will be required for the CE credit.

For questions or verification of the meeting, call Laura Hendricks at (916) 574-7918 or access the board's website at www.pharmacy.ca.gov. Meeting materials should be available on the board's website at www.pharmacy.ca.gov by January 25, 2019.

Important Notices to the Public: The meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Laura Hendricks at (916) 574-7917, by emailing laura.hendricks@dca.ca.gov or sending a written request to the Board of Pharmacy, 1625 N. Market Blvd., Suite N-219, Sacramento, CA 95834. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Discussion and action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. In the event a quorum of the board is unable to attend the meeting, or the board is unable to maintain a quorum once the meeting is called to order, the members present may, at the president's discretion, continue to discuss items from the agenda and make recommendations to the full board at a future meeting. The Board plans to webcast this meeting on its website at www.pharmacy.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board or prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issues before the board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

Agenda

Call to Order

10:00 a.m.

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

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

Note: The board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code sections 11125, 11125.7(a)]

III. Approval of the October 23-24, 2018 Board Meeting Minutes

IV. Approval of the December 14, 2018 Board Meeting Minutes

V. Recognition and Celebration of Pharmacists Licensed in California for 50 Years

VI. Enforcement and Compounding Committee Related Items

The board will review a summary of the committee's efforts at the December 20, 2018 meeting, as well as updates, for discussion and action as necessary.

- a. Summary of Discussion of Implementation Strategies for Chaptered Legislation
 1. AB 2086 (Gallagher) (Chapter 274, Statutes of 2018) Controlled Substances: CURES Database
 2. AB 2783 (O'Donnell) (Chapter 589, Statutes of 2018) Controlled Substances: Hydrocodone Combination Products: Schedules
 3. AB 2789 (Wood) (Chapter 438, Statutes of 2018) Health Care Practitioners: Prescriptions: Electronic Data Transmission
 4. SB 1447 (Hernandez) (Chapter 666, Statutes of 2018) Pharmacy: Automated Drug Delivery Systems and AB 2037 (Bonta) (Chapter 647, Statutes of 2018) Pharmacy: Automated Patient Dispensing Systems
 5. AB 1753 (Low) (Chapter 479, Statutes of 2018) Controlled Substances: CURES Database
 6. AB 2138 (Chiu/Low) (Chapter 995, Statutes of 2018) Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction
 7. AB 2859 (Caballero) (Chapter 240, Statutes of 2018) Pharmacy: Safe Storage Products
 8. SB 212 (Jackson) (Chapter 1004, Statutes of 2018) Solid Waste: Pharmaceutical and Sharps Waste Stewardship
 9. SB 1109 (Bates) (Chapter 693, Statutes of 2018) Controlled Substances: Schedule II Drugs: Opioids
 10. SB 1254 (Stone) (Chapter 697, Statutes of 2018) Hospital Pharmacies: Medication Profiles or Lists for High Risk Patients
 11. SB 1442 (Wiener) (Chapter 569, Statutes of 2018) Community Pharmacies: Staffing
 12. Chapters Bills Relating to Health Care Coverage: Prescription Drugs
 - AB 2863 (Nazarian) (Chapter 770, Statutes of 2018)
 - AB 315 (Wood) (Chapter 905, Statutes of 2018)
 - AB 1021 (Wiener) (Chapter 787, Statutes of 2018)
- b. Discussion and Consideration of Amendments to California Code of Regulations, Title 16, Section 1713, Related to Automated Drug Delivery Systems

- c. Discussion and Consideration of CURES Reporting Requirement Related to the Dispensing Date
- d. Review of Board's Enforcement Statistics
- e. Future Committee Meeting Dates

VII. Licensing Committee

The board will review a summary of the committee's efforts at the December 19, 2018 meeting, as well as updates, for discussion and action as necessary.

- a. Pharmacy Services During a Declared State of Emergency
 - 1. Summary of Presentation by the California Department of Public Health Regarding Provisions
 - 2. Recommended Statutory Change Related to Controlled Substances Prescriptions
- b. Summary of Discussion of Inspections of Sterile Compounding Pharmacies Required as a Result of Remodeling of the Facility
- c. Discussion and Consideration of Proposed Regulation Regarding the Self-Assessment Requirement for Automated Drug Delivery Systems
- d. Discussion and Consideration of a Policy Statement and Strategic Steps to Authorize a Pharmacist to Provide Medication-Assisted Treatment
- e. Review of Licensing Statistics
- f. Future Committee Meeting Dates

VIII. Communication and Public Education Committee

The board will review a summary of the committee's efforts at the January 8, 2019 meeting, as well as updates, for discussion and action as necessary.

- a. Discussion and Consideration of Proposed Language for a Policy Statement by the Board Regarding Warning Labels on Prescription Labels for Oral Chemotherapy Medications
- b. Summary of Staff Report on the "Ask and Inspector" Program
- c. Summary of Staff Report on Surveys Performed after Pharmacy Inspections
- d. Discussion and Consideration of Steps to Improve Emergency Response during Declared Emergencies
- e. Update on Communication and Public Education Activities by Board Staff
 - 1. The Script
 - 2. Projects Update
 - 3. News Media
 - 4. Public Outreach
- f. Summary of Discussion of News or Journal Articles
- g. Future Committee Meeting Dates

IX. Organizational Development Committee

- a. Budget Update/Report
- b. Board Member Reimbursement and Attendance Information
- c. Discussion and Consideration of Change to Board's Current Policy Related to Recognition of Pharmacists with 50 years of Licensure

X. Interim Executive Officer's Report

- a. Update on Implementation of the Acceptance of Credit Cards for Renewal Payments
- b. Personnel Update
- c. Update on the Relocation of Board Office

- d. Update on the Controlled Substance Utilization Review and Evaluation System (CURES)
- e. Update on Legal Status of Products Containing Cannabidiol (CBD)

XI. Legislation and Regulation Committee

The Legislation and Regulation Committee will convene a meeting immediately prior to the board meeting on January 30, 2019. The board will receive a summary of the committee's efforts, as well as updates, for discussion and action as necessary.

Part 1: Legislation for Discussion and Consideration

- a. Board Proposed Legislation
 - 1. Amend Health and Safety Code Section 11165 to Include Schedule V Controlled Substances in CURES Database and Reduce Reporting Requirement Timeframe to One Day
 - 2. Amend Business and Professions Code Section 4200 Relating to the Examination Score Validity Period for the North American Pharmacist Licensure Examination (NAPLEX) and the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE)
 - 3. Establish an Advanced Pharmacy Technician (APT) Licensure Program
 - 4. Establish an Advanced Hospital Pharmacy Technician (AHT) Licensure Program
 - 5. Amend Business and Professions Code Section 4163 to Allow a Reverse Distributor to Accept Medications for Destruction in Limited Circumstances from a Previously Licensed Source
 - 6. Amend Business and Professions Code Section 4400 Relating to Fees for Government Owned Facilities
 - 7. Add Business and Professions Code Section 4112.5 Related to USP Compounding Chapters
 - 8. Amend Business and Professions Code Section 4115.5 Related to Pharmacy Technician Trainee Requirements
 - 9. Add Business and Professions Code Section 4233.5 Related to Continuing Education Requirements for Advanced Practice Pharmacists
- b. Proposed Legislation Impacting the Practice of Pharmacy or the Board's Jurisdiction
 - 1. Assembly Bill 193 (Patterson) Professions and Vocations

Part 2: Regulations for Discussion and Consideration

- c. Board Adopted - Submitted for Administrative Review to the Office of Administrative Law
 - 1. Proposed Regulations to Amend Title 16, California Code of Regulations (CCR), Sections 1735.1, 1735.2, 1735.6, 1751.1, & 1751.4 Related to Compounded Drug Preparations
- d. Board Approved to Initiate Rulemaking - Undergoing Pre-Notice Review by the Department of Consumer Affairs or the Business, Consumer Services and Housing Agency
 - 1. Proposed Regulations to Amend Title 16 CCR Section 1793.5 Related to the Pharmacy Technician Application, Section 1793.6 Related to the Pharmacy Technician Training Requirements and Section 1793.65 Related to the Pharmacy Technician Certification Programs
 - 2. Proposed Regulations to Amend Title 16 CCR Section 1709 Related to Pharmacy Ownership, Management, and Control, Including Through Trusts
 - 3. Proposed Regulations to Amend Title 16 CCR Sections 1780-1783 et seq., Related to Dangerous Drug Distributors and Third-Party Logistics Providers
 - 4. Proposed Regulations to Amend Title 16 CCR Section 1707 Related to Offsite Storage
 - 5. Proposed Regulations to Add Title 16 CCR Sections 1717.5 Related to Automatic Refill Programs
 - 6. Proposed Regulations to Amend Title 16 CCR Section 1746.3 Related to the Naloxone Fact Sheet

7. Proposed Regulations to Amend Title 16 CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
8. Proposed Regulations to Amend Title 16 CCR Section 1784 to Update the Wholesaler/3PL Self-Assessment Form 17M-26
9. Proposed Regulations to Add Title 16 CCR Section 1793.9 Related to Remote Dispensing Technicians
10. Proposed Regulations to Amend Title 16 CCR Section 1706.2 Related to Abandonment of Applications
11. Proposed Regulations to Amend Title 16 CCR Sections 1702, 1702.1, 1702.2, and 1702.5 Related to Renewal Requirements
12. Proposed Regulations to Amend Title 16 CCR Section 1707.2 Related to Mail-Order Pharmacy Consultation
13. Proposed Regulations to Amend Title 16 CCR Section 1749 Related to the Board's Fee Schedule

Part 3: General Committee Matters

- e. Future Committee Meeting Dates

XII. Executive Officer Recruitment – Update on Recruitment Efforts

XIII. Update from the Department of Consumer Affairs

XIV. Closed Session Matters

- a. Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on Disciplinary Matters, Including Proposed Decisions, Stipulated Decisions, Defaults, Petitions for Reductions in Penalty, and Any Other Disciplinary Matters.
- b. Pursuant to Government Code Section 11126(e), the Board Will Convene in Closed Session to Discuss Pending Litigation
 1. State Personnel Board Case Number 18-1496
 2. Los Angeles Superior Court Case Number 19STCP00129
- c. Pursuant to Government Code Section 11126(c)(1), the Board Will Convene in Closed Session to Consider the Preparation, Approval, Grading or Administration of One or More Licensing Examination(s)
- d. Pursuant to Government Code Section 11126(a)(1), the Board May Convene in Closed Session Consider the Employment of an Executive Officer, Including Updates on Actions by the Search Committee

XV. Reconvene Open Session

Adjournment

Upon conclusion of business