



California State Board of Pharmacy
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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

July 24-25, 2019

DATES & TIMES: July 24, at 1:00 p.m.
July 25, at 9:00 a.m.

PLACE: Embassy Suites Anaheim North, Grand Ballroom
3100 E. Frontera St.
Anaheim, CA 92806

WEBCAST: <https://thedcapage.blog/webcasts>
Webcast will be available earliest at 2:30 p.m. on July 24, 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 Debbie Damoth at (916) 518-3100 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 July 22, 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 Debbie Damoth at (916) 518-3100, by emailing debbie.damoth@dca.ca.gov or sending a written request to the Board of Pharmacy, 2720 Gateway Oaks Drive, Suite 100, Sacramento CA 95833. 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

1:00 p.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 May 7-8, 2019 Board Meeting Minutes

IV. Approval of the June 21, 2019 Board Meeting Minutes

V. Recognition and Celebration of Pharmacists Licensed in California for 40 Years and other Recognitions

VI. Enforcement Committee

The board will review a summary of the committee's efforts at the July 10, 2019 meeting, as well as updates, for discussion and action as necessary.

- a. Discussion and Consideration of Citation and Fine Program including Summary of Presentation
- b. Discussion and Consideration of Post Implementation Review of Inventory Reconciliation Requirements for Controlled Substances, Including Discussion and Consideration of Title 16, California Code of Regulations, Section 1715.65
- c. Discussion and Consideration of Reporting Drug Losses to the Board Pursuant to Title 16, California Code of Regulations, Section 1715.6
- d. Discussion and Consideration of Proposal to Establish an Alternative Disciplinary Process
- e. Discussion and Consideration of Draft Frequently Asked Questions Resulting from the Board's Ask An Inspector Program
- f. Discussion and Consideration of Posting of an Individual Licensee's Address of Records on the Board's Website
- g. Summary of Presentation on Board's Jurisdiction in Enforcement Matters Regarding Pharmacies Operating Under Common Ownership or Management
- h. Discussion and Consideration of Citations as Non-Disciplinary Actions and Proposal to Amend Business and Professions Code Section 4314 to Include Provisions to that Effect
- i. Discussion and Consideration of Committee's Strategic Goals
- j. Discussion and Consideration of Board's Enforcement Statistics
- k. Future Committee Meeting Dates

VII. Compounding Committee

The board will review a summary of the committee's efforts at the June 4, 2019 and July 11, 2019 meetings, as well as updates, for discussion and action as necessary.

- a. Summary of a Presentation on the Proposed USP Chapter 825, Radiopharmaceuticals – Preparation, Compounding, Dispensing, and Repackaging
- b. Discussion and Consideration of Proposed Amendments to Regulations Related to Pharmaceutical Compounding of Nonsterile Preparations

- c. Future Committee Meeting Dates

VIII. Organizational Development Committee

- a. Budget Update/Report
- b. Board Member Attendance Information
- c. Discussion and Consideration of Committee Meetings and Board Meeting Dates and Locations for Fiscal Year 2019/20
- d. Discussion and Consideration of designating all or portions of the decision, *In the matter of the Citation Against: Omnicare, Inc., Omnicare Holding Co., dba Omnicare of Cerritos, Case No. CI 2014 63230; OAH Case No. 2017070407* as Precedential pursuant to Government Code Section 11425.60
- e. Update on Implementation of the Acceptance of Credit Cards for Renewal Payments
- f. Sunset Report Update
- g. Personnel Update
- h. Update on the Relocation of Board Office
- i. Update on Implementation of SB 1447 (Chapter 666, Statutes of 2018) Pharmacy: automated drug delivery systems
- j. Report of Multi-Year Comparisons of Licensing and Enforcement Statistics

IX. Communication and Public Education Committee

The Communication and Public Education Committee will convene a meeting immediately prior to the Board meeting on July 24, 2019. The Board will review a summary of the Committee's efforts at the July 24, 2019 meeting, as well as updates, for discussion and action as necessary.

- a. Discussion and Consideration of Policy on Subscriber Alerts
- b. Discussion and Consideration of Proposal to Create Online Search Tool for Pharmacies Providing Health Care Services
- c. Discussion and Consideration of Proposed Brochure About Pharmacy Inspections
- d. Discussion and Consideration of the Committee's Strategic Goals
- e. Update on Communication and Public Education Activities by Board Staff
 - 1. The Script
 - 2. Projects
 - 3. News Media
 - 4. Public Outreach
- f. Future Meeting Dates

X. Legislation and Regulation Committee

The Legislation and Regulation Committee will convene a meeting prior to the Board meeting on July 24, 2019. The Board will receive a summary of the Committee's efforts, as well as updates, for discussion and action as necessary.

- a. Discussion and Consideration of Implementation of Business and Professions Code Section 4113.5 (SB 1442, Statutes of 2018) Regarding Pharmacist Assistance and Possible Regulations to Clarify Statutory Language
- b. Discussion and Consideration of Board Sponsored Legislation
 - 1. AB 690 (Aguiar-Curry) Pharmacies: Relocation: Remote Dispensing Site Pharmacy: Pharmacy Technician: Qualifications
 - 2. AB 973 (Irwin) Pharmacies: Compounding

3. SB 569 (Stone) Controlled Substances: Prescriptions: Declared Local, State, or Federal Emergency
 4. SB 655 (Roth) Pharmacy
- c. Discussion and Consideration of Legislation Impacting the Practice of Pharmacy, the Board's Jurisdiction or Board Operations
1. AB 387 (Gabriel) Task Force: Adverse Drug Events: Prescriptions
 2. AB 528 (Low) Controlled Substances: CURES Database
 3. AB 690 (Aguiar-Curry) Remote Dispensing Site Pharmacy: Pharmacy Technician: Qualifications
 4. AB 1076 (Ting) Criminal Records: Automatic Relief
 5. AB 1131 (Gloria) Medi-Cal: Comprehensive Medication Management
 6. AB 1264 (Petrie-Norris) Medical Practice Act: Dangerous Drugs: Appropriate Prior Examination
 7. SB 159 (Wiener) HIV Preexposure and Postexposure Prophylaxis
 8. SB 601 (Morrell) State Agencies: Licenses: Fee Waiver
 9. SB 650 (Rubio) Unused Medications: Cancer Medication Recycling
- d. Discussion and Consideration of Board Approved Regulations Undergoing Formal Review by the Department of Consumer Affairs or the Business, Consumer Services and Housing Agency
1. Proposed Regulations to Amend Title 16 CCR Section 1749 Related to the Board's Fee Schedule
- e. Discussion and Consideration of Board Approved Regulations Undergoing Preparation of Post Adoption Documents for Final Review by the Department of Consumer Affairs or the Business, Consumer Services and Housing Agency
1. Proposed Regulations to Amend Title 16 CCR Section 1746.3 Related to the Naloxone Fact Sheet
- f. Discussion and Consideration of Board Approved Regulations 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 1707.2 Related to Mail-Order Pharmacy Consultation
 2. Proposed Regulations to Amend Title 16 CCR Sections 1702, 1702.1, 1702.2, and 1702.5 Related to Renewal Requirements
 3. Proposed Regulations to Amend Title 16 CCR Section 1707 Related to Offsite Storage
 4. Proposed Regulations to Add Title 16 CCR Section 1717.5 Related to Automatic Refill Programs
 5. Proposed Regulations to Amend Title 16 CCR Section 1706.2 Related to Abandonment of Applications
 6. 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
 7. Proposed Regulations to Amend Title 16 CCR Section 1709 Related to Pharmacy Ownership, Management, and Control, Including Through Trusts
 8. Proposed Regulations to Amend Title 16 CCR Sections 1780-1783 et seq., Related to Dangerous Drug Distributors and Third-Party Logistics Providers
 9. Proposed Regulations to Amend Title 16 CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
 10. Proposed Regulations to Amend Title 16 CCR Section 1784 to Update the Wholesaler/3PL Self-Assessment Form 17M-26

11. Proposed Regulation to Amend Title 16 CCR Section 1711 Related to Quality Assurance Programs for ADDS, Section 1813 Related to Use of an APDS, and Add Section 1715.1 Related to ADDS Self-Assessment Form 17M-112
12. Proposed Regulations to Amend Title 16 CCR Sections 1769 and 1770 Related to Criminal Conviction Substantial Relationship and Rehabilitation Criteria

g. Discussion and Consideration of Committee's Strategic Goals

h. Future Committee Meeting Dates

XI. Update from the Department of Consumer Affairs

XII. 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
- 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)

Reconvene Open Session

Adjournment

Upon conclusion of business