



California State Board of Pharmacy
2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833
Phone: (916) 518-3100 Fax: (916) 574-8618
www.pharmacy.ca.gov

Business, Consumer Services and Housing Agency
Department of Consumer Affairs
Gavin Newsom, Governor



Notice of Meeting and Agenda Public Board Meeting

DATES & TIMES: January 29, at 3:00 p.m.
January 30, at 9:00 a.m.

PLACE: Embassy Suites by Hilton Los Angeles - Glendale
800 North Central Avenue
Glendale, CA 91203

WEBCAST: <https://thedcapage.blog/webcasts>
Webcast will be available earliest at 3:00 p.m. on January 29, 2020. See notices below.

NOTE: Pharmacists and pharmacy technicians who attend in person on January 30, 2020, may be awarded 6 hours of CE, in accordance with the Board's CE regulations. 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 Jennifer Niklas at (916) 518-3077 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 24, 2020.

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 Jennifer Niklas at (916) 518-3077, by emailing jennifer.niklas@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

Wednesday, January 29, 2020

Call to Order

3:00 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 Board Meeting Minutes

- a. November 5-6, 2019, Minutes
- b. December 13, 2019, Minutes

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

V. Organizational Development Committee

- a. Budget Update/Report
- b. Board Member Attendance Information
- c. Personnel Update
- d. Board and committee calendar for 2020

VI. Licensing Committee

The board will review a summary of the committee's work at its December 12, 2019, and January 9, 2020, meetings, as well as updates, for discussion and action as necessary.

- a. Discussion and Consideration of Implementation of Recently Enacted Legislation -- SB 159 (Weiner, Chapter 532, Statutes of 2019) Related to HIV Preexposure and Postexposure Prophylaxis, including Possible Adoption of Emergency Regulations and Initiation of Regular Rulemaking Related to Development of Training Program
- b. Discussion and Consideration of Board's Legislative Proposal to Establish New Licensing Programs Related to Advanced Pharmacy Technician Requirements and Functions
- c. Review of Licensing Statistics

VII. Communication and Public Education Committee

The board will convene a meeting prior to the board meeting on January 29, 2020. The board will review a summary of the committee's work, as well as updates, for discussion and action as necessary.

- a. Discussion and Review of Online Registry Being Developed for Pharmacies Providing Health Care Services
- b. Public Education Materials Regarding SB 159 (Weiner, Chapter 3532, Statutes of 2019) Related to HIV Preexposure and Postexposure Prophylaxis
- c. Discussion and Consideration of Proposed Changes to Notice to Consumers Poster
- d. Educating Licensees about Possible Consequences of DUI Conviction
- e. Update on Communication and Public Education Activities by Board Staff

1. The Script
2. Projects
3. News Media
4. Public Outreach

X. Enforcement Committee

The Enforcement Committee will convene a meeting prior to the board meeting on January 29, 2020. The board will receive a summary of the committee's work, as well as updates, for discussion and action as necessary.

- a. Discussion and Consideration of Inventory Reconciliation and Report Requirements for Controlled Substances, Including Discussion and Consideration of Possible Amendments to Title 16, California Code of Regulations Section 1715.65
- b. Discussion and Consideration of Proposed Amendments to Title 16, California Code of Regulations, Section 1715.6 Relating to Reporting Drug Losses
- c. Discussion and Consideration of Legislative Proposal to Establish an Alternative Disciplinary Process
- d. Discussion and Consideration of Policy Regarding Referrals by Pharmacies and Pharmacists to Law Enforcement for Narcotic Diversion by Employees
- e. Discussion and Consideration of DEA Suspicious Orders Report System (CORS) and Mandatory Reporting Requirement
- f. Discussion and Consideration of Board's Enforcement Statistics

XI. Legislation and Regulation Committee

The Legislation and Regulation Committee will convene a meeting prior to the board meeting on January 29, 2020. The board will receive a summary of the committee's work, as well as updates, for discussion and action as necessary.

- a. Discussion and Consideration of Board Sponsored Legislation: 2019 Sunset Review Items Resulting in Possible Legislation
 1. Amend Business and Professions (BPC) Code section 4427.3 and add a new BPC section to Expand the Locations in which Automated Drug Delivery Systems (ADDS) can be Licensed
 2. Amend BPC section 4161 and 4400 to Provide an Alternative Pathway to Licensure as a Nonresident Third-Party Logistics Provider
 3. Amend BPC sections 4127.3, 4129.4, and 4316 Relating to the Cease and Desist Appeal Hearing
 4. Amend BPC 4343 to Expand the Prohibition Against Non Pharmacies Using any Words for Licensed Pharmacy
 5. Amend BPC section 4400 and add a new BPC section to Assess a Fee for an Inspection Resulting from the Remodel of a Sterile Compounding Pharmacy
 6. Amend BPC section 4312 to Expand the Provisions for Cancellation of a Facility License
 7. Amend BPC section 4314 to Clarify that a Citation is not Considered Disciplinary Action
- b. Discussion and Consideration of Board Approved Legislation for Sponsorship
 1. Amend BPC section 4052.11 Regarding Continuing Education Requirement for Pharmacists Prescribing Schedule II Drugs Under a Collaborative Practice Agreement
 2. Amend BPC section 4052 to Allow Pharmacists to Furnish Non-Opioid Medication-Assisted Treatment Pursuant to a Statewide Protocol
 3. Amend BPC sections 4052 and 4052.6 to Expand the Conditions for Pharmacists Operating Under a Collaborative Practice Agreement

4. Amend BPC sections 4022.5, 4022.7, 4053, 4053.1, and 4053.2 to Align Requirements for Designated Representatives Requirements
5. Amend BPC section 4210 to Change the Requirements to Qualify for an Advanced Practice Pharmacist License
6. Amend BPC sections 4119.11 and 4427.7 Relating to Self-Assessment Form Requirements
- c. Board Adopted Regulations Approved by the Office of Administrative Law
 1. Title 16 CCR Section 1749 Related to the Board's Fee Structure
- d. Discussion and Consideration of Board Adopted Regulations Undergoing Final Review by the Office of Administrative Law
 1. Proposed Regulation to Amend Title 16 CCR Section 1746.3 Related to Naloxone Fact Sheet
- e. Discussion and Consideration of Board Adopted Regulations Undergoing Formal Review by the Department of Consumer Affairs or the Business, Consumer Services and Housing Agency
 1. Proposed Regulation to Amend Title 16 CCR Section 1706.2 Related to Abandonment of Applications
 2. Proposed Regulation to Amend Title 16 CCR Section 1707.2 Related to Duty to Consult
- 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 Regulation to Amend Title 16 CCR Section 1707 Related to Offsite Storage
 2. Proposed Regulation to Add Title 16 CCR Section 1717.5 Related to Automatic Refill Programs
 3. Proposed Regulations to Amend Title 16 CCR Sections 1702, 1702.1, 1702.2, and 1702.5 Related to Renewal Requirements
 4. 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
 5. Proposed Regulation to Amend Title 16 CCR Section 1709 Related to Pharmacy Ownership, Management, and Control, Including Through Trusts
 6. Proposed Regulations to Amend Title 16 CCR Sections 1780-1783 et seq., Related to Dangerous Drug Distributors and Third-Party Logistics Providers
 7. Proposed Regulation to Amend Title 16 CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
 8. Proposed Regulation to Amend Title 16 CCR Section 1784 to Update the Wholesaler/3PL Self-Assessment Form 17M-26
 9. Proposed Regulations to Amend Title 16 CCR Section 1711 Related to Quality Assurance Programs for ADDS, Section 1713 Related to Use of Receipt and Delivery of Prescriptions and Prescription Medications, and Add Section 1715.1 Related to ADDS Self-Assessment Form 17M-112
 10. Proposed Regulations to Amend Title 16 CCR Sections 1769 and 1770 Related to Criminal Conviction Substantial Relationship and Rehabilitation Criteria
 11. Proposed Regulation to Add Title 16 CCR Section 1714.3 Related to Community Pharmacy Staffing

XIII. Update from the Department of Consumer Affairs

XV. 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)

XVI. Reconvene Open Session

Adjournment

Upon conclusion of business