



**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 Teleconference Public Board Meeting**

**Date & Time:** August 1, 2023, 1:00 p.m.  
August 2, 2023, 9:00 a.m.

**Place:** Department of Consumer Affairs  
1625 N. Market Blvd, First Floor Hearing Room  
Sacramento, CA 95834

The Board is providing members of the public with different options to observe or participate in the meeting.

### **FOR OBSERVATION AND PUBLIC COMMENT IN PERSON:**

Department of Consumer Affairs  
1625 N. Market Blvd, First Floor Hearing Room  
Sacramento, CA 95834

**FOR PUBLIC PARTICIPATION AND COMMENT FROM A REMOTE LOCATION, PLEASE LOG ON TO WEBEX:** To access the WebEx event, attendees will need to click the following link and enter a first name, last name, email, and the event password listed below:

**WebEx for August 1, 2023:** <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mb5c61ca0df5057b7ef072cb815677bc7>

*If joining using the link above:*

Webinar number: 2490 204 2578  
Webinar password: CSBP08012023

*If joining by phone*

+1-415-655-0001 US Toll  
Access code: 249 020 42578  
Passcode: 27270801

**WebEx for August 2, 2023:** <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=ma38aa85ee4069de2a91146e787b8f480>

*If joining using the link above*

Webinar number: 2498 856 6451  
Webinar password: CSBP08022023

*If joining by phone*

+1-415-655-0001 US Toll  
Access code: 249 885 66451  
Passcode: 27270802

Members of the public participating via WebEx will be able to hear the meeting and provide public comment but may not be able to observe the meeting. The preferred audio connection is via phone bridge. The phone number and access code will be provided as part of your connection to the meeting.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will need to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: [XXXXX@mailinator.com](mailto:XXXXX@mailinator.com).

**FOR OBSERVATION ONLY:** Livestream: The Board plans to webcast this meeting on the Department of Consumer Affairs' website at <https://thedcapage.blog/webcasts>. Livestream will be available at the earliest at 1:00 p.m. on August 1, 2023, and 9:00 am on August 2, 2023. Using the Livestream link will allow only for observation with closed captioning. Livestream availability cannot, however, be guaranteed due to resource limitations or technical difficulties. The meeting will not be cancelled if webcast is unavailable. If you wish to participate, please plan to participate via the WebEx option listed above.

**IMPORTANT NOTICES TO THE PUBLIC:** The Board will hold a meeting in person that also includes participation by the public either in person at the public location identified on the first page of this agenda or via WebEx – access information is provided above. 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) 518-3090, emailing [Debbie.Damoth@dca.ca.gov](mailto: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.

The time and order of agenda items are subject to change at the discretion of the Board President. 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 Board President's discretion, continue to discuss items from the agenda.

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 their discretion, apportion available time among those who wish to speak. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. 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

Discussion and action make be taken on any agenda item.

August 1, 2023

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. Recognition and Celebration of Pharmacists Licensed in California for 40 years and other Recognitions**

**IV. Approval of Board and Ad Hoc Committee Meeting Minutes**

- a. April 19-20, 2023, Board Meeting
- b. May 3, 2023, Standard of Care Ad Hoc Committee Meeting
- c. May 17, 2023, Board Meeting
- d. June 7, 2023, Medication Error Reduction and Workforce Ad Hoc Committee Meeting
- e. June 21, 2023, Board Meeting

**V. Discussion and Consideration on the Board's Strategic Plan**

**VI. Legislation and Regulation Committee Report**

The Board will review a summary of the Committee's work at its July 18, 2023, meeting as well as updates for discussion and action as necessary.

- a. Discussion and Consideration of Pending Legislation Impacting the Practice of Pharmacy, the Board's Jurisdiction, or Board Operations
  1. Assembly Bill 317 (Weber) Pharmacist Service Coverage
  2. Assembly Bill 663 (Haney) Pharmacy: Mobile Units
  3. Assembly Bill 782 (Lackey) Pharmacies: Compounding
  4. Assembly Bill 913 (Petrie-Norris) Pharmacy Benefit Managers
  5. Assembly Bill 1060 (Ortega) Health Care Coverage: Naloxone Hydrochloride
  6. Assembly Bill 1286 (Haney) Pharmacy
  7. Assembly Bill 1341 (Berman) Public Health: COVID-19 Testing and Dispensing Sites: Oral Therapeutics
  8. Assembly Bill 1557 (Flora) Pharmacy: Electronic Prescriptions

9. Senate Bill 339 (Weiner) HIV Preexposure Prophylaxis and Postexposure Prophylaxis
  10. Senate Bill 345 (Skinner) Health Care Services: Legally Protected Health Care Services
  11. Senate Bill 427 (Portantino) Health Care Coverage: Antiretroviral Drugs, Devices, and Products
  12. Senate Bill 544 (Laird) Bagley-Keene Open Meetings Act: Teleconferencing
  13. Senate Bill 816 (Roth) Professions and Vocations
  14. Senate Bill 873 (Bradford) Prescription Drugs: Cost Sharing
  15. Senate Bill 887 (Senate Business, Professions, and Economic Development Committee) Consumer Affairs
- b. Discussion and Consideration of Board Adopted Regulations – Board Staff Drafting Final Rulemaking Documents
    1. Proposed Regulation to Amend Title 16 CCR section 1707.6 Related to the Notice to Consumer
    2. Proposed Regulation to Add Title 16 CCR section 1715.1 Related to the ADDS Self-Assessment
  - c. Discussion and Consideration of Board Approved Regulations Undergoing Pre-Notice Review by the Department of Consumer Affairs, or Business, Consumer Services and Housing Agency
    1. Proposed Regulation to Amend Title 16 CCR section 1709.1 Related to the Designation of Pharmacist-in-Charge
    2. Proposed Regulation to Add Title 16 CCR sections 1750 and 1750.1 Related to Outsourcing Facilities
    3. Proposed Regulation to Amend Title 16 CCR section 1746.3 Related to Opioid Antagonist
    4. Proposed Regulation to Add Title 16 CCR section 1746.6 Related to Medication Assisted Treatment Protocol
    5. Proposed Regulation to Amend Title 16 CCR section 1760 Related to Disciplinary Guidelines
    6. Proposed Regulation to Amend Title 16 CCR section 1732.5 and Add section 1732.8 Related to Continuing Education
  - d. Discussion and Consideration of Board Approved Regulations – Board Staff Drafting Initial Rulemaking Documents
    1. Proposed Regulation to Amend Title 16 CCR section 1708.2 Related to Discontinuance of Business
    2. Proposed Regulation to Amend Title 16 CCR section 1711 Related to Quality Assurance
    3. Proposed Regulation to Amend Title 16 CCR sections 1735 and 1751 Related to Compounding
  - e. Discussion and Consideration of Board Authorized Section 100 – Board Staff Drafting Section 100 Documents

1. Proposed Regulation to Amend Title 16 CCR sections 1715 and 1784 Related to the Community Pharmacy, Hospital Pharmacy, and Dangerous Drug Distributor Self-Assessment Forms

## **VII. Enforcement and Compounding Committee Report**

The Board will review a summary of the Committee's work at its July 18, 2023, meeting as well as updates for discussion and action as necessary.

- a. Presentation on the Disciplinary Case Process by the Office of the Attorney General
- b. Presentation and Discussion on the Board's Inspection Program
- c. Presentation and Discussion on the Board's Citation and Fine Program
- d. Presentation and Discussion on Quality Assurance Reports Received Pursuant to California Code of Regulations section 1711(f) related to the Use of Automated Drug Delivery Systems
- e. Discussion and Consideration of Draft Proposed Policy Statement Related to Implementation of USP General Chapters 795 Pharmaceutical Compounding – Nonsterile Preparations; 797 Pharmaceutical Compounding – Sterile Preparations; 800 Hazardous Drugs – Handling in Healthcare Settings; and 825 Radiopharmaceuticals – Preparation, Compounding, Dispensing, and Repackaging
- f. Discussion and Consideration of Enforcement Statistics

## **VIII. 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 Settlements, Default Decisions, Petitions for Reductions in Penalty, and Any Other Disciplinary Matters
- b. 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)
- c. Pursuant to Government Code Section 11126(e)(1), the Board Will Convene in Closed Session to Confer with its Legal Counsel Regarding Pending Litigation
  - i. Absolute Pharmacy LLC dba Absolute Pharmacy LLC; Andreas Dieter Dettlaff v. California Board of Pharmacy, et al., Los Angeles Superior Court, (Case No. 22STCP04253).

## **IX. Reconvene in Open Session, to adjourn for the Day**

Due to technological limitations, adjournment for the day may not be broadcast. Adjournment will immediately follow closed session, and there will be no other items of business discussed.

## **X. Update from the Department of Consumer Affairs**

## **XI. Organizational Development Committee Meeting Report**

- a. Budget Report
- b. Board Member Attendance and Mail Vote Information

- c. Personnel Update
- d. Future Meeting Dates

**XII. Medication Error Reduction and Workforce Ad Hoc Committee Report**

The Board will review a summary of the Committee's work at its June 7, 2023, meeting as well as updates for discussion and action as necessary.

- a. Discussion on Just Culture
- b. Discussion and Consideration of Pharmacist Well-Being Index State Report

**XIII. Licensing Committee Report**

The Board will review a summary of the Committee's work at its July 19, 2023 meeting as well as updates for discussion and action as necessary.

- a. Discussion and Consideration of Provisions for Remote Processing
- b. Discussion and Consideration of Licensing Statistics

**XIV. Communication and Public Education Committee Report**

The Board will review a summary of the Committee's work at its July 19, 2023, meeting as well as updates for discussion and action as necessary.

- a. Discussion and Consideration of Update to the Website
- b. Discussion and Consideration of Proposed Notice to Consumers Poster, consistent with the Proposed Changes to California Code of Regulations section 1707.6
- c. Update on Communication and Public Education Activities by Staff
  - 1. The Script
  - 2. Staff Outreach
    - A. Naloxone Education Materials
    - B. Public Awareness Campaign on Treating Pharmacy Staff with Courtesy
    - C. Education Campaign Regarding ISMP
    - D. Presentations and Trainings

**XV. Executive Officer Report**

**XVI. Adjournment**

**Upon conclusion of business**