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



Communication and Public Education Committee Report

a. Education Materials on Buprenorphine

<u>Background</u>

On February 6, 2025, the Board received a presentation on the challenges patients face when trying to receive addiction medication such as buprenorphine. Patients who display red flag behaviors at pharmacies can be denied access to their medication. Several doctors and healthcare advocates provided explanations for certain patient behaviors, such as why multiple patients may have the same address, why a patient appears nervous and anxious, or the reason a patient may try to obtain an early refill of their medications.

Summary of Committee Discussion

During the meeting members reviewed the educational material on buprenorphine and offered feedback on the messaging. Members suggested removing the term "four corners," clarifying the content to convey information more directly, and including links to relevant guidelines. Members also suggested developing a Continuing Education (CE) course focused on dispensing buprenorphine.

Educational material on buprenorphine is in **Attachment 1**. This material is intended to be provided through the subscriber alert, included in the next newsletter and posted on the website.

b. Update on Communication and Public Education Activities by Staff

1. The Script

The Board has recently released its May 2025 newsletter.

2. Staff Outreach

A list of presentations and trainings by individual staff members is located in **Attachment 2**.

3. News Media Inquires

A list of media inquiries is in Attachment 3.

Summary of Committee Discussion

During the meeting members were informed of the process staff takes to respond to media inquiries.

Attachment 1

Corresponding Responsibility Considerations for Dispensing Buprenorphine

State and Federal law make clear that pharmacists share a corresponding responsibility with prescribers to ensure that controlled substances are dispensed for a legitimate medical purpose and in the usual course of professional practice.

When fulfilling this legal obligation, pharmacists evaluate the four corners of the prescription to verify the legitimacy of the prescriber and the appropriateness of prescription. Buprenorphine is primarily used in the treatment of Opioid Use Disorder (OUD) and as such, the clinical purpose of the prescription must be considered as part of a pharmacist's assessment. While many other opiates pose a high risk of abuse potential for patients, buprenorphine when used to treat OUD, is used to prevent withdrawal, to reduce cravings, and support recovery. Given the clinically significant difference in the use for buprenorphine, it is important for pharmacists to be mindful that red flags typically assessed may not be appropriate for patients receiving prescriptions for buprenorphine. As an example, the distance between the pharmacy and or the prescriber and the patient may not be a red flag if the patient is receiving buprenorphine via telehealth.

Additional resources are available to assist pharmacists in identifying practice considerations, including "The Pharmacy Access to Resources and Medication for Opioid Use Disorder (PhARM-OUD) Guideline, A Joint Consensus Practice Guideline from the National Association of Boards of Pharmacy and the National Community Pharmacists Association."

Attachment 2

Board of Pharmacy (BOP)

Attachment #2 - Staff Outreach Activities

Board staff reported the following outreach activities:

- Presentation on misbranded drugs for the California Veterinary Medical Board on January 28, 2025.
- Presentation on Pharmacy Law Updates for the California Pharmacists Association, October 2024 and April 2025
- Presentation on Board of Pharmacy for the California Society of Health Systems Pharmacists October 2024
- Presentation on Legislative Updates for the California Society of Health Systems Pharmacist April 2024
- Participation on State Regulatory Panel, FDA Intergovernmental Working Meeting on Drug Compounding June 2025
- Presentation on the Board of Pharmacy, Tour University January 2025
- Presentations on the application and examination process were given to pharmacy schools on:

March 2025

- 10 Western University of Health Sciences
- 11 Chapman University
- 13 University of California, San Diego
- 28 California Northstate University
- 28 Loma Linda University
- 31 University of the Pacific

April 2025

- 1 Keck Graduate Institute
- 10 University of California, San Francisco

May 2025

5 - American University of Health Sciences

Attachment 3

Attachment #3 – News Media Inquiries

July 1, 2024 - June 1, 2025

2024

7/17, Austin Murphy, Santa Rosa Press Democrat, requested information on the Board's position of compounded glutathione. On 7/21, Murphey contacted a Board member via private email, requesting an interview. On 7/23, the reporter contacted a second Board member via private email, requesting an interview.

7/25, Emily Baumgaertner, New York Times, requested information on the impact of heat exposure on mail order medications.

7/29 Rachel Bluth, Politico, requested information on compounding. The reporter was looking to understand regulations. The reporter said she heard criticism that proposed regulations would prevent pharmacies from compounding Category 1 drugs that hadn't made it fully to the FDA bulk list.

7/31, Matt Mitchell, Point Reyes Light, requested violation information on the West Marine Pharmacy and its owner.

8/2, Marla Tellez, Fox 11, Los Angeles, asked why the Board is proposing new regulations that would ban Category 1 sterile compounds, why did the Board decide to delay a decision until September, the effects of "Stop the BOP" petition, and how does the BOP respond to firefighters who believe that glutathione reverses heavy metal toxicity.

8/20, Brittany Trang, STAT News, requested the number of complaints BOP received when mail-order CarelonRX mailed out incorrect prescriptions at the beginning of 2024. The reporter requested complaints for Elevance, Anthem, Carelon and CarelonRX. On 8/30, the reporter followed up asking for a breakdown of the complaints.

8/29, Volunteer Laurie, Call Kurtis CBS 13, contacted the BOP on behalf of a viewer who claims she is having trouble receiving her license due to issues with her identification and passport.

9/6, Deanna Robertson, KCRA, requested the number of pharmacists certified to prescribe birth control, the number of retailers/pharmacies where women can request a birth control prescription from a pharmacist, the number and type of prescriptions written by a pharmacist, since 2019.

9/13, Patricia Callahan, ProPublica, contacted BOP regarding laws and regulations on a drug recall BOP posted on 6/24/2024 for manufacturer Glenmark. The reporter wants to know who contacted BOP and when. The reporter is interested in knowing about policies, recall alerts and how quickly BOP makes recall alerts.

9/18, Austin Murphy, Santa Rosa Press Democrat, contacted the BOP to ask what regulations or laws pharmacies are violating with compounding glutathione and methylcobalamin, drugs that firefighters claim can detoxify those exposed to smoke, and what is BOP's response to allegations that BOP is enforcing underground regulations. In addition, the reporter wants to know cases where Administrative Law Judges concurred with BOP.

9/27, Austin Murphy, Santa Rosa Press Democrat, submitted a Public Record Act to the BOP for emails and text messages of several staff and board members from January 2019 to September 2024 in connection with compounding meetings.

10/3, Beki San Martin, San Francisco Standard, requested information on the challenges impacting pharmacists that create long wait times for consumers, specifically naming Walgreens on Polk Street in San Francisco. Reporter is requesting to speak with a representative with the California Pharmacists Association and Walgreen in SF. On 10/16, the reporter asked to speak with someone at BOP for comment.

10/4, Gerri Constant, KCAL, contacted the BOP asking the Board's position on GLP-1 medications, semaglutide and terzepetide.

10/7, Charles Russell Havens, San Deigo Cannabis Times, contacted BOP asking how many licensed pharmacies are in San Diego County.

10/16, Irena Hwang, ProPublica, contacted the BOP to ask how BOP notifies pharmacies and consumers about recalls and how recalls are shared through the subscriber emails.

10/23, Brian Nowosielski, Drug Topics, requested an interview with a Board member to discuss the impacts communities experience that lack access to pharmacies.

10/29, Richard Wieland, *Freedom Magazine*, requested information on Reinhold Mueller Jr., (#RPH 39765) for a story about successful pharmacists.

10/31, Dave Manoucheri, KCRA, requested information on compounding regulations and what lead to the proposed change in regulations.

11/4, Sneha SK, Reuters, and Lauren Gardner, Politico, contacted the BOP to request a contact email and phone number for Fullerton Wellness in Ontario following an <u>FDA alert</u> warning providers not to use compounded GLP-1s, a weight management drug, made at this facility.

11/21, Kasturi Pananjady, Associated Press, contacted the BOP for confirmation that the licensee list downloads provided on the <u>DCA data portal</u> include physical addresses for pharmacies.

11/25, Sydney Lupkin, NPR, contacted the BOP to fact check a story that previously ran on NPR on the investigation of Fullerton Wellness. The reporter also asked if it was accurate that Fullerton is a wellness business and not a pharmacy.

11/27, Ben Lee, Chemist + Druggist, contacted the BOP to get clarification on a press release about the sentencing of a Madera pharmacist.

2025

1/9, Lauren Biscaldi, *Drug Topic*, requested information on medication access for wildfire evacuees.

1/14, Ike Swetlitz, Bloomberg, asked if BOP has issued discipline to pharmacies related to compounded GLP-1 drugs commonly used for weight loss, and if

there are any ongoing investigations related to the drugs.

- 1/27, Lauren Lantry, Nightline, requested an interview on counterfeit Ozempic and other GLP-1 drugs for an episode of "Impact x Nightline" on Hulu.
- 1/27, Emma Croteau, Arizona State University Investigative Journalism Program, requested data on violations, inspections and complaints of compounding pharmacies in California from January 1, 2020, to the present.
- 2/18, Jarret Liotta, Los Angeles Daily News, requested information on the compounding of glutathione in IV hydration treatments. Firefighters claim the drug can detoxify those exposed to smoke.
- 2/28, Alaa Mostafa, KALW Public Media, requested information on operating dates of two Oakland pharmacies.
- 3/4, Carolyn Johnson, NBC Los Angeles, requested an interview regarding BOP's position on glutathione.
- 3/4, Julian Gill, Houston Chronicle, requested copies of all adverse event reports and complaints associated with Empower Pharmacy.
- 3/24, Ed Silverman, *The Boston Globe*, requested information on accusations against Amazon's PillPack.
- 3/24, Shelby Livingston, *Endpoint News*, requested information on a license application denial for Empower Pharmacy in Houston.
- 3/27, Austin Murphy, Santa Rosa Press Democrat, contacted BOP for a follow up article on regulations that were passed for compounding glutathione.
- 4/1, Julian Gill, *Houston Chronicle*, requested email correspondence between BOP and Empower Pharmacy's CEO Shaun Noorian in June 2020.
- 4/9, Shellye Leggett, Spectrum News, requested an interview on Trump's announcement regarding pharmaceutical tariffs.

4/22, Julian Gill, Houston Chronicle, requested information on a 2019 subscriber alert sent by BOP that informed pharmacies of improper sterile compounding practices with dietary supplement grade ingredients and asked if the alert was connected to the investigation into Empower.

5/12, Megan Cassidy, San Francisco Chronicle, asked if hospitals are required to report drug losses.

5/28, Ike Swetlitz, Bloomberg, looking for information on citations issued to pharmacies for vaccine quotas.