

**California State Board of Pharmacy**

**Enforcement Committee Meeting**

**Citation Presentation**

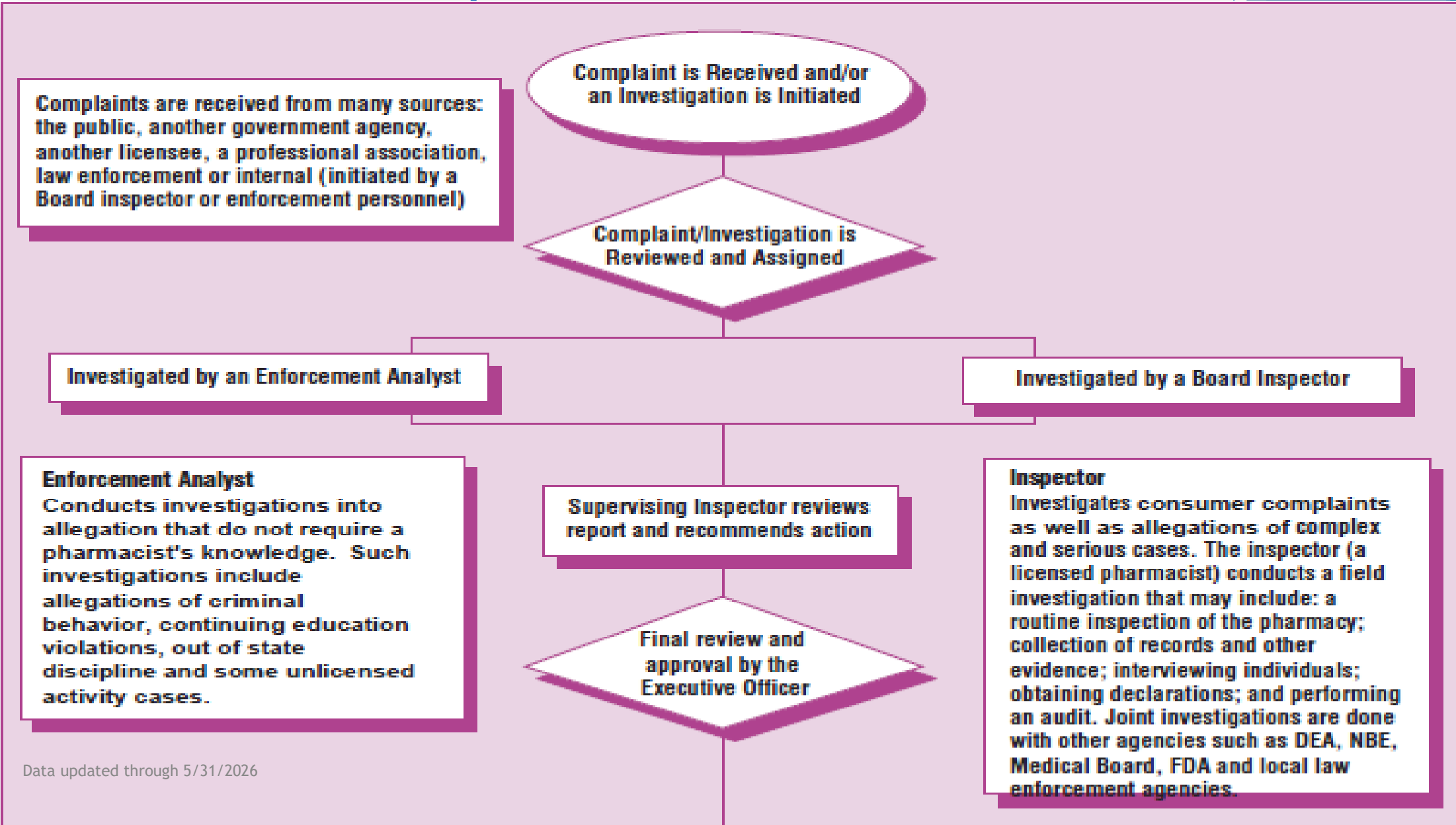
**June 2026**



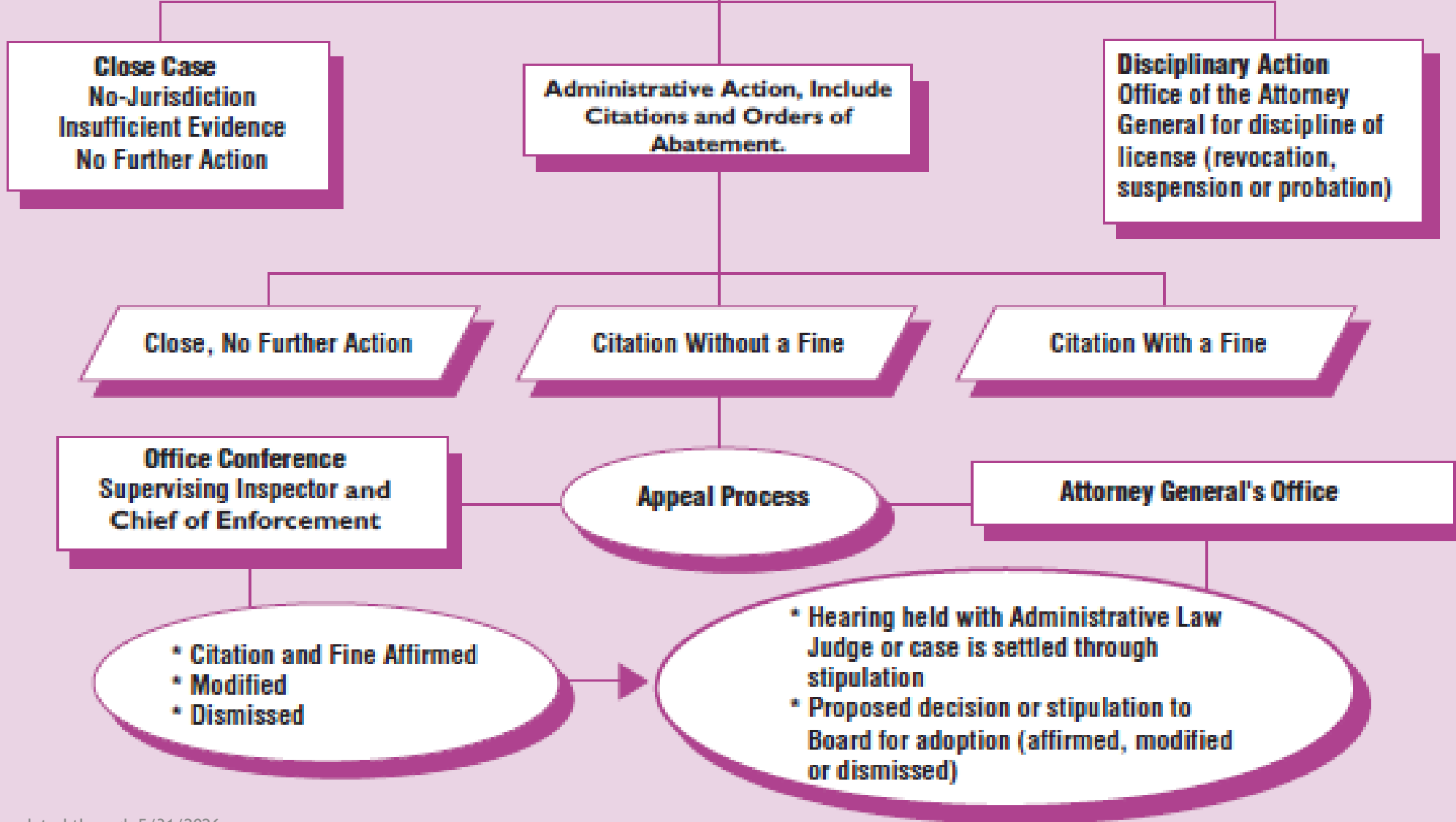
CALIFORNIA STATE BOARD OF PHARMACY  
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# Complaint/Citation Process



# Complaint/Citation Process



Data updated through 5/31/2026



# Relevant Law

Business and Professions Code (BPC) Section 4314 establishes the authority for the board to issue citations

BPC Section 4317.5(a) establishes the authority for the board to issue citations for similar repeat violations occurring within five years by three or more pharmacies within a chain pharmacy.

BPC Section 4317.5(b) establishes the authority for the board to issue citations for violations demonstrated to be the result of a written policy or which was expressly encouraged by a common owner or manager of a chain pharmacy.

Title 16, California Code of Regulations (CCR) Sections 1775-1775.4, provide the board's regulations governing its citation and fine program.

CCR Section 1775 includes the authority of the executive officer or designee to issue citations



# Fine Authority



- ▶ **BPC 125.9** Fine of up to \$5,000 per investigation
- ▶ **BPC 4067** Fine of \$25,000 per prescription for internet sales of drugs where no underlying appropriate examination occurred
- ▶ **BPC 4126.5** Fine of up to \$5,000 per occurrence
- ▶ **BPC 4317.5 (a)** Fine of up to \$100,000 for repeated violations for pharmacies operating under common ownership or management within a chain community pharmacy
- ▶ **BPC 4317.5(b)** Fine of up to \$150,000 for violations that are a result of a written policy or which was expressly encouraged by a common manager or owner
- ▶ **BPC 4317.6** Fine of up to \$100,000 for repeated violations within five years for a single mail order pharmacy or multiple mail order pharmacies under common ownership



# Factors Considered in Assessing Administrative Fines

Gravity of the violation

Good or bad faith of the cited person or entity

History of previous violations

Evidence that the violation was or was not willful

Extent to which the cited person or entity has cooperated with the board's investigation

Extent to which they have mitigated or attempted to mitigate any damage or injury caused by the violations

Other matters as may be appropriate

Number of violations found in the investigation



# Investigation Outcomes

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26*
Investigations Closed	2,205	2,292	2,439	2,260	2,177**
Subject Educated	84	171	188	228	284
Insufficient Evidence	626	780	1,011	1,183	1,292
No Violation	128	113	95	113	149
Non-Jurisdictional	10	13	15	13	53
No Further Action	389	377	295	340	249
Other / Non-substantiated	73	75	59	58	52
Letter of Admonishment	228	172	187	130	78
<b>Citations Issued</b>	<b>1,274</b>	<b>1,053</b>	<b>843</b>	<b>642</b>	<b>460</b>
Referred to AG	202	293	327	194	221

\*Data updated through 5/31/2026

\*\*A case may have more than one outcome depending on the number of respondents.



# Overall Citation Data

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26
Citations Issued	1,274	1,053	843	642	460
Average Time from Complaint Receipt to Citation Issuance	341	325	359	430	484
Citations Issued <u>without</u> a Fine	451	390	305	257	241
Citations Issued <u>with</u> a Fine	823	663	538	385	219
Fines Assessed	\$2,029,012	\$3,418,500	\$3,363,265	\$1,976,050	\$1,076,650
Total Fines after Modification	\$1,313,075	\$2,516,750	\$3,141,515	\$1,086,909	\$1,018,400
Fines Collected	\$1,093,911	\$1,713,100	\$1,813,951	\$1,738,289	\$1,880,342

Data updated through 5/31/2026



License Type	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26
Pharmacy	524	464	354	236
Hospital Pharmacy	23	10	9	7
Nonresident Pharmacy	13	14	31	9
Resident Sterile Compounder	19	12	4	7
Non-Resident Sterile Compounder	0	0	4	0
Wholesaler	12	5	3	6
Out of State Distributor	13	9	13	7
Nonresident Outsourcer	11	6	2	5
Pharmacist	378	248	151	124
Pharmacy Technician	33	53	36	26
Miscellaneous	19	14	9	16
Unlicensed	8	8	26	17

# Citations Issued by License Type



# Citations Issued - BPC 4314

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26
Citations Issued	1,273	974	721	601	433
Citations Issued without a Fine	451	390	305	257	241
Citations Issued with a Fine	822	584	372	344	192
Fines Assessed	\$1,954,012	\$1,790,500	\$1,705,015	\$1,289,050	\$665,150
Fines Collected	\$1,093,911	\$1,643,100	\$1,154,951	\$1,128,039	\$674,092

Data updated through 5/31/2026



# Citations Issued - High Fine Authority

## BPC 4317.5(a), BPC 4317.5 and BPC 4316.5

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26
Citations Issued	2	78	132	41	27
Fines Assessed	\$225,000	\$1,627,500	\$2,145,750	\$681,500	\$411,500
Fines Collected	\$0	\$81,500	\$659,000	\$610,250	\$1,206,250

Data updated through 5/31/2026



# Citations Issued - High Fine Authority

## BPC 4317.5(a), BPC 4317.5 and BPC 4316.5

Fine Amounts	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26
\$1 - \$10,000	42	77	20	12
\$10,001 - \$15,000	14	31	11	8
\$15,001 - \$25,000	11	16	5	4
\$25,001 - \$50,000	3	1	5	2
\$50,001 - \$75,000	5	3	0	1
\$75,001 - \$100,000	2	3	0	0
\$100,001 - \$125,000	0	1	0	0
\$125,001 - \$150,000	1	0	0	0

Data updated through 5/31/2026



# Nonresident Pharmacy (NRP) Top Violations

Violation	Description
BPC 4301	Unprofessional Conduct
CCR 1761	Erroneous or Uncertain Rx
BPC 733	Unlawful Dispensing of Dangerous Drugs and Devices/Obstruction
BPC 4059(a)	Rx Requirements For Dangerous Drugs & Devices

Data updated through 5/31/2026



# Hospital Pharmacy (HSP/HPE) Violations

Violation	Description
CCR 1714	Operational Standards and Security
CCR 1711	Quality Assurance
CCR 1715.65	Controlled Substances Reconciliation Report
CCR 1716	Medication Error
BPC 4427	ADDS Personnel Training

Data updated through 5/31/2026



# Pharmacist (RPH) Top Violations

Violation	Description
BPC 4301	Unprofessional Conduct
CCR 1714	Operational Standards and Security
BPC 4169	Prohibited Acts: Drugs and Devices
CCR 1715.65	Controlled Substances Reconciliation Report
BPC 4126.5	Furnishing Dangerous Drugs/Devices
BPC 4059.5(e)	CA Export Requirements
BPC 4115	Supervision of PHY TCH
BPC 4306.5(a)	Misuse of Education
CCR 1716	Medication Error
CCR 1793.7	RPH Verification/Documentation

Data updated through 5/31/2026



# Pharmacy Technician (TCH) Top Violations

Violation	Description
BPC 4301(l)	Conviction of a Crime Substantially Related to Pharmacy
BPC 4301(h)	Self Administer Drugs or Alcohol
BPC 4301(f)	Moral Turpitude, Dishonesty, Fraud, Deceit or Corruption
BPC 4301(g)	False Statements/Certs
BPC 4301(k)	Convicted of Drug/Alcohol Violation



# Violations Issued Under BPC 4317.5(a) Fine Authority

Violation	Description	Count	Average Fine Amount
CCR 1707.2	Duty to Consult	12	\$13,125
CCR 1714	Operational Standards and Security	4	\$9,375
CCR 1707/CCC 56.10/CCR 1714	Security of Records Storage	2	\$17,500
BPC 4113	Notify Board Regarding PIC	2	\$5,000
CCR 1711	Quality Assurance	1	\$25,000
BPC 4115(f)	Pharmacist Supervision/Responsible for Technician	1	\$15,000
BPC 733	Unlawful Dispensing of Dangerous Drugs and Devices	1	\$10,000
CCR 1716	Medication Error	2	\$8,500
BPC 4305	Operate More Than 30 Days Without PIC	1	\$7,500
CCR 1707.3	Duty to Review Patient Record	1	\$5,000



# Violations Issued Under BPC 4317.5(b) Fine Authority

Violation	Description	Count	Average Fine Amount
CCR 1707/CCC 56.10/CCR 1714	Security of Records Storage	1	\$10,000
BPC 4301/BPC 4115/CCR 1793.7	Compliance with Pharmacy Laws	1	\$7,500
CCR 1716	Variation from Prescription	1	\$5,000

Data updated through 5/31/2026



# Violations Issued Under BPC 4316.5

## Fine Authority

Violation	Description	Count	Average Fine Amount
BPC 4112	Application Requirements for NRP	1	\$25,000
BPC 4127.2	Sterile Compounding License Required for NRP	1	\$5,000
BPC 4110	Pharmacy License Required	1	\$5,000

Data updated through 5/31/2026



# Duty to Consult CCR 1707.2 - BPC 4314

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26
<b>Total Duty to Consult Violations (Pharmacists and Pharmacies)</b>	49	58	30	27	15
<b>Pharmacy Violations</b>	<b>21 Total</b> 18 with fine 3 no fine	<b>26 Total</b> 23 with fine 3 no fine	<b>15 Total</b> 13 with fine 2 no fine	<b>21 Total</b> 18 with fine 0 no fine	<b>8 Total</b> 4 with fine 4 no fine
<b>Average Violation Amount (PHY)</b>	\$3,416	\$3,462	\$3,025	\$4,253	\$5,000
<b>Pharmacist Violations</b>	<b>28 Total</b> 11 with fine 17 no fine	<b>32 Total</b> 8 with fine 24 no fine	<b>15 Total</b> 2 with fine 13 no fine	<b>6 Total</b> 0 with fine 6 no fine	<b>7 Total</b> 0 with fine 7 no fine
<b>Average Violation Amount (RPH)</b>	\$1,272	\$844	\$1,000	\$0	\$0

Data updated through 5/31/2026



# Duty to Consult CCR 1707.2 - BPC 4317.5(a) Fine Authority

	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26
Total Duty to Consult Pharmacy Violations	7	22	12	12
Average Violation Amount	\$7,500	\$9,205	\$8,750	\$13,125

Data updated through 5/31/2026



# Orders of Abatement

- The board may issue citations with orders of abatement
- The board has been using orders of abatement routinely since 2018
- The abatement order may require:
  - The licensee to take continuing education courses/training
  - The licensee to provide specific documentation
  - The licensee to detail a plan to comply with Pharmacy Law
  - Pharmacists to contact Pharmacist Recovery Program (PRP) for assessment when they have violations involving the use of drugs and alcohol
- May result in either a reduction or forgiveness of the fine

Data updated through 5/31/2026



# Abatement Types

Requested Continuing Education (CE) to be Completed by Licensee  
(Typically 2-6 hours)

- Board Provided Rx Drug Abuse Course
- Ethics Course (Pursuant to CCR §1773.5)
- Immunization Training
- Compounding Training
- Pharmacy Operations
- Pharmacy Law & Ethics
- Role of the Pharmacist in Charge (PIC)
- Medication Error Reduction Strategies



# Abatement Types

Other Abatements that may be requested by the Board:

- Internal policy training for pharmacy staff
- In service trainings for staff
- Updated self assessment
- Updated policies and procedures



# Abatement Examples

- CCR 1714(c): Pharmacy shall be clean and orderly - Abate with photos of cleanliness and order.
- CCR 1714(d): Pharmacy Security - Abate with CE in pharmacy law and operations.
- CC1716: Medication Error - Abate with CE in medication error reduction strategies.
- CCR 1746.4: Vaccines and Immunizations - Abate with CE in immunization training.
- CCR 1735.1 TO 1735.8: Compounding Violations - Abate with CE in compounding training.



# Orders of Abatement

Total Orders of Abatement: 62

Abatements Satisfied: 47

For Comparison:

	FY 22/23	FY 23/24	FY 24/25
Total Orders of Abatement	196	97	55
Abatements Satisfied	161	86	59

Data updated through 5/31/2026



# Citations Contested at Office Conference

**Office Conference (OC)** allows the licensee the opportunity to present additional or mitigating information.

**Total OC Requested in FY 25/26: 104**

**Total OC Request Withdrawn:  
(by licensee) 42\***

**\*Includes OC requested from prior and current FY.**

Data updated through 5/31/2026



# Outcomes of Citations Contested at Office Conference

**Total Office Conferences Held: 65\***

**Office Conference Outcomes:**

➤ Affirmed	31
➤ Dismissed	3
➤ Modified	30
➤ Reduced to Letter of Admonishment	1

**\*Includes OC requested from prior and current FY.**

Data updated through 5/31/2026



# Formal Citation Appeals

**Formal Citation Appeals** are either settled by the Board, or the appeal is conducted pursuant to the Administrative Procedures Act and heard by an administrative law judge who renders a decision for the Board to adopt or reject.

<b>Total Citation Appeals Referred to AG in FYTD 25/26:</b>	<b>28</b>
➤ <b>Total Pending</b>	<b>56*</b>
➤ <b>High Fine Authority Pending</b>	<b>30*</b>

\*Includes appeals referred to the AG from prior and current FY.



# FY Comparison - Citations Under BPC 4314 Fine Authority

Status	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26
Citations Closed	1,088	954	666	741	429
Office Conferences Held	229	192	120	87	62
Citations Referred to the Attorney General's Office for Appeal	34	40	62	35	13

Data updated through 5/31/2026



# FY Comparison - Citations Under BPC 4317.5(a) and (b) Fine Authority

Status	FY 22/23	FY 23/24	FY 24/25	FYTD 25/26
Citations Closed	8	59	66	89
Office Conferences Held	58	75	27	3
Citations Referred to the Attorney General's Office for Appeal	9	74	86	15

Data updated through 5/31/2026



# Questions?

Data updated through 5/31/2026

