From:	PharmacyMeetings@DCA
To:	PharmacyMeetings@DCA
Subject:	CVS Health Comments - 1707.2 Duty to Consult
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From: Ottoson, Dani Lee <Danielle.Ottoson@CVSHealth.com>
Sent: Tuesday, October 27, 2026 9:46 AM
To: Sodergren, Anne@DCA <Anne.Sodergren@dca.ca.gov>
Cc: Geddes, Rob <Robert.Geddes@CVSHealth.com>
Subject: CVS Health Comments - 1707.2 Duty to Consult

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Hi Anne,

CVS Health appreciates the opportunity to provide feedback on the proposed revisions to 16 CCR § 1707.2, Duty to Consult. We support the Board's efforts to ensure patients have meaningful access to pharmacist consultation and respectfully request two targeted revisions to subsections (e) and (f) to reduce duplicative requirements while preserving the intent of the proposed rule.

Subsection (e) – Declining Consultation
CVS Health recommends retaining the first sentence of subsection (e) and striking the remainder. The additional requirements are duplicative of the written information requirements in subsection (f) and would require pharmacy personnel to separately review substantially the same information when consultation is declined. In addition, prohibiting a patient from declining consultation when a pharmacist determines, in their professional judgment, that it is necessary is impractical. A patient or thepatient's agent may simply refuse to speak with the pharmacist. Pharmacy personnel manage these situations as effectively as possible, but the proposed language could require the pharmacy to withhold the prescription despite the patient's refusal.

Proposed Revision:

(e) Declining Consultation: a pharmacist is not required to provide oral consultation when a patient or the patient's agent declines such consultation~~, unless pharmacist determines, based on their professional judgement, that consultation is required~~. ~~In the event a patient's agent declines consultation, licensed pharmacy personnel shall review the following information with the patient or patient's agent:~~

~~(1) the patient's right to consultation;~~

~~(2) the value of pharmacist consultation; and~~

~~(3) the pharmacy's hours of operation and how to contact a pharmacist, including a telephone number or means of electronic communication, if available, at which the patient or patient's agent may obtain future consultation from a pharmacist.~~

Subsection (f) – Written Information Requirements
CVS Health recommends limiting the written information requirement to prescriptions for medications that

have not been previously dispensed rather than requiring the information with every prescription. Providing this information under these circumstances will ensure patients receive it when most relevant while avoiding repetitive materials with routine refill prescriptions or continuations of therapy.

Proposed Revision:

(f) Written Information Requirements: each prescription for a medication not previously dispensed shall include the following written information, at a minimum, in addition to all federally required patient package inserts or medication guides, as applicable. This information shall be provided in writing, or electronically, if patient agrees, ~~with each prescription dispensed~~ regardless of whether a consultation was provided or declined.

(1) a statement regarding the patient's right to consultation with a pharmacist;

(2) a statement describing the value of pharmacist consultation;

(3) a statement on information that should be checked prior to using the medication, including:

(A) patient name on the prescription label is correct;

(B) medication matches the description on the prescription label;

(4) information on how to contact the pharmacy to speak to a pharmacist, including hours of operation, telephone number and means of electronic communication, if available.

CVS Health believes these targeted revisions would maintain the Board's patient-centered objectives while avoiding unnecessary duplication and supporting practical pharmacy operations.

Thank you for considering our comments. I plan to attend the October 28–29 meeting virtually and am happy to answer any questions.

Sincerely,

Dani

Dani Ottoson, PharmD
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Remote, Mountain Time

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CVS Health
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