



**LEGISLATION AND REGULATION COMMITTEE  
 MEETING MINUTES**

**DATE:** July 18, 2023

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

Member of the public also participated from remote locations through WebEx.

**COMMITTEE MEMBERS PRESENT:** Jessi Crowley, PharmD, Licensee Member, Chair  
 Jose De La Paz, Public Member, Vice Chair  
 Trevor Chandler, Public Member  
 Kartikeya "KK" Jha, Licensee Member  
 Maria Serpa, PharmD, Licensee Member

**COMMITTEE MEMBERS NOT PRESENT:** Nicole Thibeau, PharmD, Licensee Member

**STAFF MEMBERS PRESENT:** Anne Sodergren, Executive Officer  
 Corinne Gartner, DCA Staff Counsel

**I. Call to Order, Establishment of Quorum, and General Announcements**

Chairperson Crowley called the meeting to order at 2:01 p.m. Chairperson Crowley reminded all present that the Board is a consumer protection agency charged with administering and enforcing Pharmacy Law. The meeting moderator provided instructions on how to participate during the meeting, including the process to provide public comment.

Chairperson Crowley took roll call. The following members were present: Jose De La Paz, Public Member; Trevor Chandler, Public Member; KK Jha, Licensee Member; Maria Serpa, Licensee Member; and Jessi Crowley; Licensee Member. A quorum was established.

**II. Public Comments on Items Not on the Agenda/Agenda Items for Future Meetings**

Members of the public in Sacramento were provided the opportunity to provide comments on items not on the agenda.

A pharmacist educator was concerned about Business and Professions Code (BPC) section 4052 related to collaborative practice agreements and suggested the Committee consider if BPC section 4040 needed to be amended to clarify that prescribing under BPC section 4052(a)(13) was acceptable. The commenter suggested referencing BPC section 4052 in the definition of a prescription.

Members of the public were provided the opportunity to provide comments on items not on the agenda via WebEx.

A pharmacist representative of Kaiser commented in agreement with the previous commenter and suggested adding the discussion to a future agenda.

Members were surveyed to add agenda items to future agendas. Chairperson Crowley requested the issue mentioned in public comment be added to a future agenda.

**III. Approval of the April 19, 2023, Committee Meeting Minutes**

Members were provided the opportunity to provide comments on the draft minutes; however, no comments were provided.

**Motion:** Approve the April 19, 2023, Legislation and Regulation Committee meeting minutes as presented.

**M/S:** Chandler/De La Paz

Members of the public located in Sacramento or participating via WebEx were provided the opportunity to provide comments; however, no comments were provided.

**Support: 5      Oppose: 0      Abstain: 0      Not Present: 1**

<b>Board Member</b>	<b>Vote</b>
Crowley	Support
De La Paz	Support
Chandler	Support
Jha	Support
Serpa	Support
Thibeau	Not Present

**IV. Discussion and Consideration of Pending Legislation Impacting the Practice of Pharmacy, the Board’s Jurisdiction, or Board Operations**

Chairperson Crowley advised the Legislature was on summer recess and would reconvene August 14, 2023, with July 14, 2023, being the last day for policy committees to meet and report bills. September 1, 2023, was the last day for fiscal committees to meet and report bills. September 5-14, 2023, was limited to floor session only and September 8, 2023, was the last day to amend bills. Interim recess begins upon adjournment on September 14, 2023.

Chairperson Crowley referenced the meeting materials, which contained 15 measures for consideration, including three with Board sponsored provisions. Dr. Crowley noted as legislation is very dynamic, there have been a few changes to some measures since the release of the meeting materials. Dr. Crowley indicated changes would be highlighted and identified for members. Dr. Crowley noted there were a few measures that were not previously considered by the Committee and Board, which would also be highlighted.

Chairperson Crowley noted that there were some measures that were previously considered by the Committee and Board that were no longer included because the measure was either no longer impacting the practice of pharmacy or was not moving. Such measures included Assembly Bill 602, which was amended to address false advertising of pregnancy-related services; Assembly Bill 1619, related to pharmacist disclosures of cannabis interactions; Senate Bill 524, related to pharmacists furnishing specified prescription medications based on CLIA-waived tests; and Senate Bill 826, related to criminal history information.

a) Assembly Bill 317 (Weber) Pharmacist Service Coverage

Assembly Bill 317 would require a health care service plan and specified disability insurers that offer coverage for a service that is within the scope of practice of a pharmacist to pay or reimburse the cost of services performed by a pharmacy at an in-network or out-of-network pharmacy as specified. The Licensing Committee received public comment from pharmacists detailing barriers to patient care stemming from a lack of reimbursement. The measure was sponsored by the California Pharmacy Association and National

Community Pharmacists Association. The Board established a support position. Dr. Crowley reported the measure was back in the Assembly, pending concurrence with Senate amendments.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment.

A pharmacist commented the bill didn't go far enough as it covered pharmacies but not pharmacists.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

b) Assembly Bill 663 (Haney) Pharmacy: Mobile Units

Assembly Bill 663 would allow a mobile unit deployed as an extension of a county-owned pharmacy, to carry controlled substances approved by the FDA for the treatment of opioid use disorder under specified conditions. This measure followed up on last year's provisions that created the initial authority for the use of a mobile unit as an extension of a county-owned pharmacy. Recent amendments would allow for a county to use more than one mobile unit if deemed appropriate by the pharmacist-in-charge (PIC). The Board established a support position. The measure was included on the Senate Third Reading file.

Members were provided the opportunity to comment. Member Chandler reiterated support for this measure especially as San Francisco was trying to deal with the opioid epidemic and this would assist in addressing the crisis.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

c) Assembly Bill 782 (McKinnor) Pharmacies: Compounding

Assembly Bill 782 would amend BPC section 4126.8, which specifies that compounding shall be done consistent with the standards established in the USP compounding chapters. Specifically, the amendment would add to this section that compounding does not include the adding of a flavoring agent to enhance palatability.

Dr. Crowley confirmed that members received the supplemental information received specific to this measure. Dr. Crowley shared the concerns raised in the meeting materials raised by staff. The Board was very familiar with the federal provisions related to compounding, including the requirements a compounding pharmacist must satisfy to meet the exemptions of the federal Food, Drug, and Cosmetic Act. Dr. Crowley agreed with the staff recommendation that an oppose position was appropriate, and stated her belief that the measure placed licensees at risk of inadvertently violating federal law because of the confusion this measure could create. As part of the Board's discussion of proposed changes to the Board's compounding regulations, the Board received comments requesting that the Board exempt from the definition of compounding, the adding of flavor agents, similar to what is being proposed in this measure. Dr. Crowley recalled sharing during that meeting that she has personal experience adding flavoring agents and that the requirements necessary were important for patient protection and were also very easy to comply with. After reading the supplemental materials provided specific to this measure, Dr. Crowley thought it was very important to highlight that neither the Board's prior discussion, nor her comment at this meeting should be construed to indicate that she was opposed to the use of flavoring agents. Dr. Crowley confirmed that, to the contrary, the use of flavoring agents was important for some patients to ensure medication adherence.

Members were provided the opportunity to comment.

Member Serpa agreed with Dr. Crowley and expressed disappointment and concern that a measure was coming forward that would confuse licensees as the bill implies to licensees that documentation was not required.

Member Jha noted that adding flavoring would require a new prescription to add the flavoring. Dr. Crowley noted that this might be something for the Board to bring to the attention of the Medical Board.

**Motion:** Oppose

**M/S:** Serpa/Chandler

Members of the public in Sacramento were provided the opportunity to comment.

Members received comments from FlavoRx, CCPC, and Walgreens in Sacramento and members of the public via WebEx from proponents of the measure suggesting that if the measure wasn't passed, patients would no longer have access to flavoring agents. Public comment also suggested that the measure did not create a conflict between state and federal law, including some stating that provisions of federal law didn't apply to this situation. Members received comment indicating that the Board should remain neutral on the measure.

Counsel Gartner advised members that this was not a prohibition on adding flavoring agents and that was not what was being proposed and noted that members should keep in mind the significant potential conflict of law issue that this bill would present to practitioners in California. Ms. Gartner noted any comparisons to what other states were doing was not relevant to the consideration of the issue as other states didn't have authority and jurisdiction in California.

Members were provided the opportunity to comment after the public comment period closed.

Member Chandler requested staff respond to the concerns that this would eliminate the current status quo as it relates to flavoring in community pharmacies. Ms. Sodergren provided a statement was made that a pharmacist has to be a compounding pharmacist to add flavoring which was not her understanding as any pharmacy could do it but they would need to comply with the USP requirements. Ms. Sodergren noted it was a business decision that would need to be made by the pharmacy. Dr. Serpa added the Enforcement and Compounding Committee had discussions that they didn't want it to become a barrier and wanted to work with pharmacies to help them to follow the national guidelines and document what was being done. Dr. Serpa added special licensure wouldn't be required from the Board. Dr. Serpa added the actions of the pharmacist or technician need to be documented when adding flavoring. Dr. Serpa noted the concern about access but added no one knows what businesses will do. If the businesses choose to not document and then they wouldn't provide the service but that wouldn't be a service to their patients.

Member Jha responded to comments that there was no documentation of harm but if businesses discontinue the service what proof exists that adding documentation outweighs harm that the services won't be offered. Mr. Jha

asked if sampling would need to be provided with compounding or if it would be exempted. Dr. Serpa noted the bill will not change the national requirements and the enforcement of the Board. If the bill passed, there would be confusion. Dr. Crowley noted USP was not an enforcing body but it was a standard so it made sense to be consistent with USP.

**Support: 4      Oppose: 1      Abstain: 0      Not Present: 1**

<b>Board Member</b>	<b>Vote</b>
Crowley	Support
De La Paz	Support
Chandler	Support
Jha	No
Serpa	Support
Thibeau	Not Present

d) Assembly Bill 913 (Petrie-Norris) Pharmacy Benefit Managers

Assembly Bill 913 would require the Board to license and regulate pharmacy benefits managers (PBMs) as specified. It would require the Board to promulgate necessary regulations and prepare a report to the Legislature on or before August 1, 2025, and annually thereafter. Dr. Crowley agreed with the comments from staff that implementation of the measure would be a significant undertaking but has the potential to address significant patient care challenges that currently exist. The measure would also address inequities that currently exist in pharmacy reimbursement models. Dr. Crowley reminded members the measure had become a two-year bill. The Board had a support position on the bill.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento were provided the opportunity to comment.

A pharmacist with PBM experience commented it was a two-year bill and added there were bills pending at the national level to regulate PBMs. The commenter encouraged the Committee to watch the bills at the national level. The commenter encouraged the Board to have the publishers of the pharmacy law book include sections of the law related to PBMs.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed. Member Chandler requested the PBM language be included in the pharmacy law book. Ms. Sodergren noted the pharmacy law book online that the Board maintains does include the language and it was the physical law book maintained by third-party that doesn't but indicated staff could reach out to make the suggestion.

- e) Assembly Bill 1060 (Ortega) Health Care Coverage: Naloxone Hydrochloride  
Assembly Bill 1060 would make legislative findings regarding naloxone hydrochloride as a medicine that can counter overdose effects when administered timely to reduce opioid overdose deaths. The measure would prohibit health care service plans, health insurance plans, and Medi-Cal from imposing a cost-sharing requirement, including a copayment or deductible, for coverage provided and will require the plan to cover the costs of prescription or nonprescription naloxone hydrochloride. Dr. Crowley noted the Board had a support position on the measure. The measure was on the Senate Appropriations suspense file.

Members were provided the opportunity to comment. Member Chandler requested to communicate to Senate Appropriations the importance of the bill and the Board's significant and unanimous support of the bill.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

- f) Assembly Bill 1286 (Haney) Pharmacy  
Assembly Bill 1286 was the Board's patient medication safety bill. The measure was recently referred to the Senate Appropriations Committee. Dr. Crowley noted the measure had been amended several times to address concerns from the opposition. The basic tenets of the measure remained present although some different approaches were now in place. As an example, the measure now included authority for the Board to issue a cease and desist where conditions exist within a pharmacy that pose an immediate risk of death, illness, or irreparable harm to patients or staff. This amendment was to address concerns from the retailers. Originally the measure would have provided authority for the PIC to close the pharmacy. The most recent amendments included clarification that the Board may publish de-identified information



compiled from medication error reports. This was to address an issue raised by Senate Judiciary Committee staff.

Dr. Crowley remained excited about the Board's measure moving forward as the provisions in the measure have the potential to significantly reduce medication errors and improve patient care.

Members were provided the opportunity to comment.

Member Chandler asked if the bill as amended still provided the authority for the PICs to close the pharmacy or just the Board of Pharmacy. Ms. Sodergren provided as amended it was no longer the PIC that could close the pharmacy but the Board. As drafted the PIC needs to notify the management of the pharmacy and if there is no remedy within 24 hours, there is notification to the Board. The language was clear that a pharmacist can reach out to the Board before that but there were provisions to remedy within 24 hours.

Chairperson Crowley asked how the Board would be notified. Ms. Sodergren provided how the Board operationalizes the measure would be publicly done through the Enforcement and Compounding Committee.

Member Jha asked if there was an amendment to the floor of the staffing level. Ms. Sodergren provided it was still being worked on.

Members of the public in Sacramento were provided the opportunity to comment.

A representative from CCPC spoke in opposition of AB 1286 but expressed appreciation to the executive officer for working with the author on amendments. Outstanding concerns included staffing floors without exceptions, restrictions on ratios, and clarification if pharmacy was already reporting to PSOs who in turn reported to the Board's required entity would be considered compliant.

Members of the public participating via WebEx were provided the opportunity to comment.

A representative from the Alliance for Quality Improvement and Patient Safety recommended that the language of the bill be amended to require that

pharmacists or their PSOs report medication errors that have caused serious patient harm to a PSO of the Board's choosing as PSOs create a learning system that is for the benefit of patients. The representative indicated there was a misunderstanding that the Board would not be able see the patient safety work products or seeing the medication error reports submitted to PSOs as that was not true.

Members were provided the opportunity to comment after the public comment period closed. Dr. Crowley highlighted with the extension specific to the pharmacy technician roles, there could be more than one pharmacy technician working in a pharmacy, it just meant that one pharmacy technician could be performing clerk duties which allowed for options if vaccinations were needed throughout the day.

g) Assembly Bill 1341 (Berman) Public Health: COVID-19 Testing and Dispensing Sites: Oral Therapeutics

Assembly Bill 1341 would establish temporary authority for a pharmacist to furnish COVID-19 therapeutics until January 1, 2025, under specified conditions. Pharmacists had been performing these functions under a waiver issued by the Department of Consumer Affairs as well as provisions of the PREP Act. This measure was being considered July 18, 2023, as part of the Assembly Appropriations Committee. Dr. Crowley noted the Board had a support position on this measure that was on the Senate Third Reading File. Dr. Crowley noted as discussed at the April 2023 meeting, pharmacists had been safely providing COVID-19 therapeutics throughout the public health emergency. Dr. Crowley recalled the Board originally established a support if amended position as the Board believed permanent authority was appropriate. Consistent with the Board's policy, President Oh authorized a change in the Board's position to one of straight support because of concerns that the Board's initial request to make provisions permanent could inadvertently create problems for the urgency provisions contained in the measure.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

h) Assembly Bill 1557 (Flora) Pharmacy: Electronic Prescriptions

Assembly Bill 1557 was also a Board-sponsored measure that would make permanent authority for a California licensed pharmacist to perform medication chart order reviews from a remote location within California on behalf of California licensed health care facilities licensed under Health and Safety Code section 1250, under specified conditions. As amended, the measure also included an urgency provision. The measure had support from several organizations. The measure was back in the Assembly pending concurrence with Senate amendments. No action was required for the measure.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

i) Senate Bill 339 (Weiner) HIV Preexposure Prophylaxis and Postexposure Prophylaxis

Senate Bill 339 would authorize a pharmacist to furnish up to a 90-day course of PrEP or beyond, under specified conditions, and would require the Board to adopt emergency regulations by July 1, 2024. It would require health plans and health insurers to cover PrEP and PEP, including medications furnished and tests ordered by pharmacists as specified. The bill addressed some of the challenges discussed during the Licensing Committee's recent post-implementation discussion on pharmacist-provided PrEP and PEP. Further, it updated the law to allow for flexibility in treatment by removing the specified type of PrEP authorized to be furnished. It provided a means by which a pharmacist can continue to provide care beyond the 90-days under specified conditions, including that a patient receives testing and follow-up care consistent with the CDC guidelines. The Board had a support position on the measure. The measure recently passed out of the Assembly Business and Professions Committee and was referred to the Assembly Appropriations Committee.

Members were provided the opportunity to comment. Member Chandler spoke in support of the measure noting the importance of the measure and that HIV was preventable.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

j) Senate Bill 345 (Skinner) Health Care Services: Legally Protected Health Care Services

Senate Bill 345 would prohibit a board from suspending, revoking, or denying a license of a person based solely because the licensee provided legally protected activity as defined. Legally protected activities include the exercise of rights related to reproductive health care services or gender-affirming health care services. The Board had a support position on the measure. This measure recently passed through the Assembly Business and Professions Committee and was referred to the Assembly Appropriations Committee.

Members were provided the opportunity to comment. Member Chandler spoke in support of the measure noting the importance of the measure due to threats across the nation.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

k) Senate Bill 427 (Portantino) Health care coverage: Antiretroviral Drugs, Devices, and Products

Senate Bill 427 would prohibit prior authorization or step therapy for medications approved for the prevention of AIDS/HIV under specified conditions. The measure would allow for prior authorization or step therapy if at least one therapeutically equivalent version is covered without prior authorization or step therapy. This measure passed through Assembly Health Committee and was referred to the Assembly Appropriations Committee. The measure was amended in the Health Committee. Although the amendments were not in print while preparing for the meeting, according to an analysis it appears the amendments were in response to concerns regarding implementation.

The Board originally established a support if amended position, believing the

measure was appropriate, but could go farther to help patients. Based on amendments that strengthened health care coverage protections, approval was given to change the Board's position to support.

Members were provided the opportunity to comment; however, no comments were made.

**Motion:** Change the Board's position to support.

**M/S:** Chandler/De La Paz

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

**Support: 5      Oppose: 0      Abstain: 0      Not Present: 1**

<b>Board Member</b>	<b>Vote</b>
Crowley	Support
De La Paz	Support
Chandler	Support
Jha	Support
Serpa	Support
Thibeau	Not Present

- l) Senate Bill 544 (Laird) Bagley-Keene Open Meetings Act: Teleconferencing  
Senate Bill 544 would create permanent authority for remote board meetings under specified conditions. The measure was recently heard in the Assembly's Governmental Organization Committee and the measure passed out of the committee with amendments. Although the amendments were not in print, Dr. Crowley understood the amendments would require that 50 percent of the board's meetings would require at least a quorum of members to be present in a public location. Dr. Crowley noted the significance of the amendments, but that as amended the bill would still establish a pathway for some members to participate from a remote location. Dr. Crowley believed the Board's support position still remained appropriate.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento were provided the opportunity to

comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

m) Senate Bill 816 (Roth) Professions and Vocations

Senate Bill 816 was amended and now included the Board's fee proposal. The Board's fee proposal sought to recast the Board's fees consistent with the independent fee analysis performed, with some fees being reduced, some raised, and some remaining the same. The measure passed out of Assembly Business and Professions Committee and was referred to Assembly Appropriations Committee.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed. Member Chandler inquired if this would make sure the Board has the necessary reserves required and mitigate the deficit. Ms. Sodergren confirmed it would. Mr. Chandler asked if licensees who would receive a price increase have reached out against the increase. Ms. Sodergren indicated she had reached out to stakeholders who routinely participate and had not received comments.

n) Senate Bill 873 (Bradford) Prescription Drugs: Cost Sharing

Senate Bill 873 would require the cost sharing savings of a prescription drug, based on rebates received, to be calculated at the point of sale as specified, by requiring the health care service plan or insurer to provide the information to the dispensing pharmacy. Dr. Crowley provided the Board had a support position on the measure. The measure was recently referred to the Assembly Appropriations Committee.

Members were provided the opportunity to comment; however, no comments

were made.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

o) Senate Bill 887 (Senate Business, Professions, and Economic Development Committee) Consumer Affairs

Senate Bill 887 was an omnibus measure that included a Board-sponsored provision to change the deadline for the Board to submit its legislative report on the use of automated drug delivery systems to coincide with the Board's sunset process. The measure also included provisions for several other programs within the Department of Consumer Affairs. The measure was referred to the Assembly Appropriations Committee with a recommendation that the matter be placed on the consent calendar.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

**V. Discussion and Consideration of Board-Adopted Regulations – Board Staff Drafting Final Rulemaking Documents**

- a. Proposed Regulation to Amend Title 16 CCR section 1707.6 Related to the Notice to Consumer
- b. Proposed Regulation to Add Title 16 CCR section 1715.1 Related to the ADDS Self-Assessment

**VI. Discussion and Consideration of Board-Approved Regulations Undergoing Pre-Notice Review by the Department of Consumer Affairs, or Business, Consumer Services and Housing Agency**

- a. Proposed Regulation to Amend Title 16 CCR section 1709.1 Related to the Designation of Pharmacist-in-Charge
- b. Proposed Regulation to Add Title 16 CCR section 1750 and 1750.1 Related to Outsourcing Facilities
- c. Proposed Regulation to Amend Title 16 CCR section 1746.3 Related to Opioid Antagonist
- d. Proposed Regulation to Add Title 16 CCR section 1746.6 Related to Medication Assisted Treatment Protocol
- e. Proposed Regulation to Amend Title 16 CCR section 1760 Related to Disciplinary Guidelines
- f. Proposed Regulation to Amend Title 16 CCR section 1732.5 and Add section 1732.8 Related to Continuing Education

**VII. Discussion and Consideration of Board-Approved Regulations – Board Staff Drafting Rulemaking Documents**

- a. Proposed Regulation to Amend Title 16 CCR Section 1708.2 Related to Discontinuance of Business
- b. Proposed Regulation to Amend Title 16 CCR section 1711 Related to Quality Assurance
- c. Proposed Regulation to Amend Title 16 CCR sections 1735 and 1751 Related to Compounding

**VIII. Discussion and Consideration of Board-Authorized Section 100 – Board Staff Drafting Section 100 Documents**

- a. 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

Chairperson Crowley advised the regulation agenda items were for information only. As detailed in the meeting materials, Board staff were drafting the post-adoption final rulemaking documents for two rulemakings for submission and reviews by several agencies including the Department of Consumer Affairs before submission and review by the Office of Administrative Law. The Board had six regulations undergoing pre-notice review by the Department of Consumer Affairs



or Business, Consumer Services and Housing Agency. Additionally, staff were preparing the initial rulemaking documents for three rulemakings for pre-notice review and working on a Section 100 rulemaking related to self-assessments.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed. Member Serpa asked about timelines for agenda item VIII. Ms. Sodergren noted timelines would be confirmed and provided.

## **IX. Discussion and Consideration of Committee's Strategic Goals**

Chairperson Crowley referenced the Legislation and Regulation Committee's six strategic objectives included in the meeting materials. The meeting materials also included updates to the respective objectives over the past year. The updates highlighted the work of the Board in its policymaking efforts to protect California consumers. Chairperson Crowley noted there were two objectives for which there were no status updates, including 3.1 related to advocating for provider status and 3.4 related to identifying opportunities to leverage pharmacists to increase access points for care. Dr. Crowley believed 3.1 was a federal issue and recommended it may be appropriate to receive a presentation in the future on the status of federal legislative efforts in this area. Related to 3.4, Dr. Crowley noted that after some of the working conditions were addressed through Assembly Bill 1286, it may be appropriate to consider ways to increase patient access to care. Dr. Crowley believed the Standard of Care Report to the Legislature lays out some areas of consideration related to this objective and was looking forward to future discussions. Dr. Crowley believed the objectives remained appropriate and did not believe any changes were appropriate.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento were provided the opportunity to comment.

A pharmacist commented on strategic objectives 3.1 and 3.2, noting it was also a state issue as Medi-Cal does not recognize pharmacists as a provider and

recommended the Board could take action in this area.

Members of the public participating via WebEx were provided the opportunity to comment; however, no comments were made.

Members were provided the opportunity to comment after the public comment period closed; however, no comments were made.

**X. Future Committee Meeting Dates**

Chairperson Crowley advised the next Committee meeting date was April 11, 2024, and encouraged participants to watch the Board's website for updates.

**X. Adjournment**

Chairperson Crowley adjourned the meeting at 3:31 p.m.