



California State Board of Pharmacy

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BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR.

**Notice of Meeting and Agenda
Public Board Meeting
February 24-25, 2016**

DATE: February 24-25, 2016

TIME: 10:00 a.m.

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

WEBCAST: <https://thedcapage.wordpress.com/webcasts/>
(Link to Webcast will not be available until 10:00 a.m. on February 24, 2016)

NOTE: Pharmacists and pharmacy technicians who attend in person may be awarded 6 hours of CE, in accordance with the Board's CE policy. Sign in and sign out on the day of the meeting will be required for the CE credit.

For questions or verification of the meeting, call Laura Hendricks at (916) 574-7918 or access the board's Web site at www.pharmacy.ca.gov.

Meeting materials should be available on the board's Web site at www.pharmacy.ca.gov by February 22, 2016.

Important Notice to the Public:

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 Laura Hendricks at (916) 574-7918, by emailing laura.hendricks@dca.ca.gov or sending a written request to the Board of Pharmacy, 1625 N. Market Blvd., Suite N-219, Sacramento, CA 95834. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Discussion and action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. The Board plans to webcast this meeting on its website at www.pharmacy.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

**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 his or her discretion, apportion available time among those who wish to speak. 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

Call to Order

10:00 a.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. **Approval of the October 28-30, 2015, November 11, 2015, and January 19, 2016, Board Meeting Minutes**
- IV. **Recognition and Celebration of Pharmacists Licensed In California for 50 Years**
- V. **Update from the Department of Consumer Affairs**
- VI. **Discussion and Consideration of the Effective Date for the Approved Amendments the Compounding Regulations**
- VII. **Consideration of Proposed Changes to the Board's Disciplinary Guidelines and Title 16 California Code of Regulations Section 1760**
- VIII. **Licensing Committee**
The board will be presented a summary of the committee's efforts at the January 6, 2016, meeting for review and action as necessary.
 - a. Discussion of the 2014 National Pharmacist Workforce Study Conducted by the Midwest Pharmacy Workforce Research Consortium
 - b. Discussion of Pharmacy Technician Licensure Requirements and Practice
 1. Pharmacy Technician Duties and Functions. The Board may discuss the functions, roles and responsibilities of the pharmacy technician as well as possible changes.
 2. Discussion of the Evaluation for the PTCB and ExCPT Examinations by the DCA Office of Professional Examination Services
 3. Presentation by the National Healthcareer Association (NHA) on the ExCPT Examination and Its Pharmacy Technician Workforce Study
 4. Employer Based Pharmacy Technician Training Programs and Impact of the New American Society of Health-System Pharmacists (ASHP) Accreditation Curriculum
 5. Pharmacy Technician Qualifications and Requirements for Licensure. The board may discuss current qualifications and requirements for licensure as well as possible changes.
 6. Frequently Asked Questions (FAQs) on Criminal Convictions That Could Result in Denial of a Pharmacy Technician Application
 7. Development of Video for Pharmacy Technician Applicants
 8. Overview of Board Discipline of Pharmacy Technicians
 9. Update on the California Pharmacists Association (CPHA) and California Society of Health-System Pharmacists' (CSHP) Workgroup on Pharmacy Technician Job Duties
 - c. Competency Committee Report
 1. Update on the Transition to the New Content Outline
 2. Committee Activities

- d. Implementation of Legislation that Impacts the Board's Licensing Operations Including Updates to Individual Licensing Applications in Response to SB 1159 (Individual Tax Identification Number) and AB 258 (Military Veterans)
- e. Licensing Statistics
- f. Future Committee Meeting Dates for 2016
 - 1. March 30, 2016
 - 2. May 26, 2016
 - 3. September 21, 2016

IX. Lunch

A lunch break will be taken at some point during the day's meeting

X. Organizational Development Committee

- a. Budget Update/Report
 - 1. Budget Report for 2015/2016
 - 2. Fund Condition Report
 - 3. Governor's Proposed Budget for FY 2016/2017
- b. Possible Statutory Changes to Board Fees
- c. National Association of Boards of Pharmacy 2016 Annual Meeting in San Diego
- d. Report on the Little Hoover Commission Public Hearing on Occupational Licensing
- e. Executive Officer Evaluation Process
- f. Board Member Reimbursement and Mail Vote Information
- g. Personnel Update
- h. Future Board Meeting Dates

XI. Communication and Public Education Committee

The board will be presented a summary of the committee's efforts at the January 20, 2016, meeting for review and action as necessary.

- a. Report on the Presentation by Department of Health Care Services Pharmacist James Gasper Promoting Naloxone and Buprenorphine Access
- b. Discussion on Development of Regulations to Allow for the Waiver of Patient-Centered Label Requirements (Business and Professions Code Section 4076.5(d))
- c. Consideration of Request for Waiver of Requirements for Patient-Centered Labels as Provided in California Business and Professions Code Section 4076.5(d) from Access IV
- d. Consideration of Issuing a Revised Patient Consultation Survey Questionnaire
- e. Update on Information on the Board's Website Regarding the State's Emergency Contraception Protocol
- f. Update on the Redesign of the Board's Website
- g. Discussion on .Pharmacy Domain
 - 1. Options for the Board to Distribute Public Information Via the Board's Website
 - 2. Option of Sending a Letter of Support for .Pharmacy Domain
- h. Discussion Regarding Prescription Label Translations of Directions for Use
- i. Report on Development of FAQs Received From ask.inspector@dca.ca.gov
- j. CURES 2.0 Communication to Licensees
- k. Update on The Script Newsletter
- l. Update on Media Activity
- m. Update on Public Outreach Activities Conducted by the Board
- n. Future Committee Meeting Dates
 - 1. March 23, 2016
 - 2. May 25, 2016
 - 3. July 6, 2016

XII. Closed Session

- 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 Decisions, Defaults, and Any Other Disciplinary Matters.
- b. Pursuant to Government Code section 11126(e), the Board will Convene in Closed Session to Discuss Pending Litigation

XIII. Reconvene Open Session

Adjournment for the Day

Thursday, February 25, 2016

XIV. Call to Order and Establishment of Quorum

8:30 a.m.

XV. Petitions for Reinstatement of Licensure or Other Reduction of Penalty

- a. Brandon Locke, TCH 77299
- b. Joseph Sheppard, TCH 61325

XVI. Closed Session

- a. Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on Disciplinary Matters, Including the Above Petitions.
- b. In the event that that the Board has not completed its closed session items under item XII above, it may return to that agenda item.

XVII. Enforcement Committee Related Items

Part 1: New Items

- a. Center for Disease Control and Prevention's Draft Guidelines for Prescribing Opioids for Chronic Pain, Including Staff's Letter of Support

For Parts 2 and 3: The board will be presented a summary of the committee's efforts at the December 9, 2015, meeting for review and action as necessary

Part 2: Enforcement Matters

- a. Report on the Presentation by the California Department of Health Care Services on California's Drug Utilization Review Program and the Medi-Cal DUR Educational Bulletin on "Morphine Equivalent Daily Dose to Prevent Opioid Overdose"
- b. Legislative Proposal for the Board of Pharmacy to Establish a List of Synthetic Cannabinoids that Would Be Illegal for Use in California
- c. Update on the University of California, San Diego's Pilot Program to Permit Patients to Access Medications from an Automated Storage Device not Immediately Adjacent to a Pharmacy
- d. Sunset Review Proposals:
 - 1) Regulation of Outsourcing Facilities by the Board
 - 2) Registration of Automated Delivery Devices in Use
- e. Proposal for Routine Inspections of Pharmacies Every Four Years
- f. Discussion on Items in the News:
 - 1) "Preventing Diversion in the ED" from www.pppmag.com, November 2015

2) Settlement Agreement between the Drug Enforcement Administration and Massachusetts General Hospital for Drug Diversion

- g. Review of Controlled Substances Losses Reported to the Board
- h. Enforcement Options for Patient Consultation Violations
- i. Discussion and Update to the Board's Emergency Response Policy
- j. Review of Duty Inspector Activities
- k. Enforcement Statistics
- l. Future Committee Meeting Dates
 - 1. March 2, 2016
 - 2. June 1, 2016
 - 3. August 31, 2016

Part 3: Compounding Matters

- a. 2015 FDA Intergovernmental Meeting on Drug Compounding and Drug Supply Chain Security Held in November 2015
- b. Development of a Waiver Process from Building Standards Requirements Contained in Proposed Title 16 California Code of Regulations Sections 1751 et seq
- c. Review of "USP <800>: Key Considerations and Changes for Health Systems," Hospital Pharmacy 2015;501(1):941-949

XVIII. Proposed Regulations to Add Title 16 CCR section 1730.2 related to Advanced Practice Pharmacists – Certification Programs

XIV. Proposed Regulations to Amend Title 16 CCR sections 1732.05, 1732.2, and 1732.5, related to Board Accredited Continuing Education

XIX. Proposed Regulations to Amend Title 16 CCR section 1744 related to Drug Warnings

XX. Proposed Regulations to Amend Title 16 CCR section 1707.5 related to Patient-Centered Labels

XXI. Proposed Regulations to Add Title 16 CCR section 1715.65 related to Reconciliation and Inventory of Controlled Substances

XXII. Proposed Regulations to Add Title 16 CCR section 1746.5 related to Travel Medications

XXIII. Presentation on the North Carolina State Board of Dental Examiners v. Federal Trade Commission United States Supreme Court Ruling

XXIV. Lunch

A lunch break will be taken at some point during the day's meeting.

XXV. Legislation and Regulation Committee

Part 1: Legislation Report

- a. Board-Sponsored Legislation: Sunset Review Items Resulting in Possible Legislation
- b. Legislation Impacting the Practice of Pharmacy or the Board's Jurisdiction
 - 1. AB 45 (Mullin) Household Hazardous Waste
 - 2. AB 1069 (Gordon) Prescription Drugs: Collection and Distribution Program
 - 3. AB 1389 (Low) Epinephrine Auto-Injectors
- c. Legislation Impacting Board Operations

1. AB 12 (Cooley) State Government: Administrative Regulations
2. SB 952 (Anderson) Pharmacy Technician Licensure Requirements
- d. Implementation of Assembly Bill 15 (Chapter 1, Statutes of 2015-16 Second Extraordinary Session) End of Life Option Act
- e. Other Legislation Impacting the Practice of Pharmacy, the Board's Jurisdiction or Board Operations
Examples include measures involving the regulation of prescription drugs and/or controlled substances; application, licensing and renewal requirements for board licensees; authorities granted to board licensees; measures adding, modifying or removing requirements that impact the board and its operations or that of the Department of Consumer Affairs

Part 2: Regulation Report

- a. Newly Effective Regulations:
 1. Regulations to Add Title 16 CCR section 1746.2 related to Nicotine Replacement Products
 2. Regulations to Add Title 16 CCR section 1746.3 related to Naloxone Hydrochloride (Non-Emergency Adoption)
- b. Board Approved – Submitted for Administrative Review by the Department of Consumer Affairs or the Office of Administrative Law
 1. Proposed Regulations to Add Title 16 CCR section 1746.1 related to Self-Administered Hormonal Contraception.
 2. Proposed Regulations to Amend Title 16 California Code of Regulations (CCR) Sections 1715 and 1784 related to Self-Assessment Forms for Community Pharmacies/Hospital Outpatient Pharmacies (17M-13), Hospital Pharmacies (17M-14), and Wholesalers (17M-26).
 3. Proposed Regulations to Add Title 16 CCR section 1746.4 related to Vaccinations.
- c. Board Approved – Rulemaking File Being Prepared by Staff for Submission to the Department of Consumer Affairs and the Office of Administrative Law
 1. Proposed Regulations to Add Title 16 CCR sections 1730, 1730.1 and 1749 related to Advanced Practice Pharmacists.
- d. Board Approved – Awaiting Notice
 2. Proposed Regulations to Amend Title 16 CCR section 1703 (Title 1, CCR, Section 100 changes)
 3. Proposed Regulations to Amend and/or Add Title 16 CCR section 1702, 1702.1, 1702.2, and 1702.5, related to Renewal Requirements.
 4. Proposed Regulations to Amend and/or Add Title 16 CCR section 1780 – 1786, et seq, related to Third Party Logistics Providers.

Adjournment for the Day

5:00 p.m. (or upon conclusion of business)