



Notice of Meeting and Agenda Public Board Meeting July 24-25, 2018

DATES & TIMES: July 24, 2018, at 12:30 p.m.
July 25, 2018, at 9:00 a.m.

PLACE: Department of Consumer Affairs, 1st Floor Hearing Room
1625 North Market Blvd.
Sacramento, CA 95834

WEBCAST: <https://thedcapage.blog/webcasts>
(Webcast will be available earliest at 12:30 p.m. on July 24, 2018. See notices below.)

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 website at www.pharmacy.ca.gov.

Meeting materials should be available on the board's website at www.pharmacy.ca.gov by July 20, 2018.

Important Notices 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) 574-7917, 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. In the event a quorum of the board is unable to attend the meeting, or the board is unable to maintain a quorum once the meeting is called to order, the members present may, at the president's discretion, continue to discuss items from the agenda and make recommendations to the full board at a future meeting. 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

12:30 p.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 May 2-3, 2018 Board Meeting Minutes**

IV. **Approval of the June 6, 2018 Board Meeting Minutes**

V. **Recognition and Celebration of Pharmacists Licensed in California for 50 Years**

VI. **Presentation of the Administrative Case Process and Case Resolution Times for Matters Referred to the Office of the Attorney General**

VII. **Enforcement and Compounding Committee Related Items**

The board will review a summary of the committee's efforts at the June 7, 2018 meeting, as well as updates, for discussion and action as necessary.

- a. Discussion and Consideration of Possible Board Policy Relating to Transparency Involving the Issuance of Citations and Fines
- b. Discussion and Consideration of Laws and Regulations Related to Petitions for Reduction of Penalty (Reinstatement, etc.) of Disciplined Licenses
- c. Discussion and Consideration of Potential Statutory or Regulatory Amendments to Allow a Reverse Distributor to Accept Medications for Destruction in Limited Circumstances from a Previously Licensed Source
- d. Discussion and Consideration of Current Board Investigation Timeframes and Performance Measures
- e. Discussion of the Presentation of the Administrative Case Process and Case Resolution Times for Matters Referred to the Office of the Attorney General
- f. Discussion and Consideration of Implementation Strategy for Anticipated Statutory Changes to Incorporate USP Compounding Chapters
- g. Discussion and Consideration of the Board's Enforcement Statistics
- h. Future Committee Meeting Dates

VIII. **Presentation on the Open Meetings Act and Conflict of Interests**

IX. **Update from the Department of Consumer Affairs**

- a. Discussion on Timeframes for Regulation Packages Once Submitted to the Department
- b. Discussion on Distributed Cost Allocations and DCA's 2018 Report to the Legislature
- c. Other Items

X. **Executive Officer's Report**

- a. Update on Substance Abuse Prevention Billboard
- b. Update on Substance Abuse Coordination Committee Meeting Held 6/27/18
- c. Report on the Certification of CURES System by the Department of Justice and Resulting Changes

- d. Update on the Board's 2018 Pharmacy Law Continuing Education Webinar
- e. Update on the Board's Naloxone Certification Webinar
- f. Staff Development and Training Update
- g. Update on Relocation of Board Office
- h. Update on the July Issue of *The Script*
- i. Information on Department of Health Care Services Grant for Drug Take Back Programs
- j. Report on the 2018 USP Workshop on Safe Compounding
- k. Report on the National Association of Board of Pharmacy Development of Recommended Parameters Regarding Suspicious Order Notifications from Wholesalers
- l. Changes to the California Department of Corrections' Drug Distribution Model
- m. Report of Multi-Year Comparisons of Licensing and Enforcement Statistics
- n. Update on Status of Legislation Related to Fees for Government Owned Facilities
- o. Report on the FDA Approval of Seizure Medication Containing Cannabidiol and the Implementation of AB 710 (Wood)

XI. Organizational Development Committee

- a. Budget Update/Report
- b. Board Member Reimbursement and Attendance Information
- c. Discussion and Consideration of Authorizing Continuing Education for Pharmacists and Pharmacy Technicians Participating in the Pharmacy Technician Occupational Analysis Survey

XII. Legislation and Regulation Committee

The Legislation and Regulation Committee will convene a meeting immediately prior to the board meeting on July 24, 2018. The board will receive a summary of the committee's efforts, as well as updates, for discussion and action as necessary.

Part 1: Legislation for Discussion and Consideration Report

- a. Board Sponsored/Originated Legislation
 - 1. AB 1751 (Low) Controlled Substances: CURES Database
 - 2. AB 1752 (Low) Controlled Substances: CURES Database
 - 3. AB 2086 (Gallagher) Controlled Substances: CURES Database
 - 4. AB 2783 (O'Donnell) Controlled Substances: Hydrocodone Combination Products: Schedules
 - 5. AB 2789 (Wood) Health Care Practitioners: Prescriptions: Electronic Data Transmission
 - 6. SB 1447 (Hernandez) Pharmacy: Automated Drug Delivery Systems: Licensing
- b. Legislation Impacting the Practice of Pharmacy or the Board's Jurisdiction with a Board Established Position
 - 1. AB 1953 (Wood) Skilled Nursing Facilities: Disclosure of Interests in Business Providing Services
 - 2. AB 2138 (Chiu/Low) Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction
 - 3. AB 2256 (Santiago) Law Enforcement Agencies: Opioid Antagonist
 - 4. AB 2576 (Aguiar-Curry) Emergencies: Healthcare
 - 5. AB 2859 (Caballero) Pharmacy: Safe Storage Products
 - 6. AB 2863 (Nazarian) Pharmacy: Prescriptions: Pharmacy Benefit Manager: Cost
 - 7. SB 1109 (Bates) Controlled Substances: Schedule II Drugs: Opioids
 - 8. SB 1442 (Wiener) Pharmacies: Staffing

- c. Legislation Impacting the Practice of Pharmacy or the Board’s Jurisdiction without a Board Established Position
 - 1. AB 1753 (Low) Controlled Substances: CURES Database
 - 2. AB 1998 (Rodriguez) Opioids: Safe Prescribing Policy
 - 3. AB 2037 (Bonta) Pharmacy: Automated Drug Delivery Systems
 - 4. AB 2486 (McCarty) Opioid Prevention and Rehabilitation Act
 - 5. SB 212 (Jackson) Solid Waste: Pharmaceutical and Sharps Waste Stewardship
 - 6. SB 1021 (Wiener) Prescription Drugs
 - 7. SB 1254 (Stone) Hospital Pharmacies: Medication Profiles or Lists for High-Risk Patients

Part 2: Regulations for Discussion and Consideration

- d. Board Readoption of Emergency Regulation Related to Compounding
- e. Board Approved to Initiate Rulemaking - Undergoing Pre-Notice Review by the Department of Consumer Affairs or the Business, Consumer Services and Housing Agency
 - 1. Proposed Regulations to Amend Title 16, California Code of Regulations (CCR), Sections 1735.1, 1735.2, 1735.6, 1751.1, and 1751.4, Related to Compounding
 - 2. Proposed Regulations to Amend Title 16 CCR Sections 1780-1783, et seq. Related to Third-Party Logistics Providers and Dangerous Drug Distributors
 - 3. Proposed Regulations to Amend Title 16 CCR Section 1707 Related to Offsite Storage
 - 4. Proposed Regulations to Amend Title 16 CCR Section 1746.3 Related to the Naloxone Fact Sheet
 - 5. Proposed Regulations to Amend Title 16 CCR Section 1709 Related to Pharmacy Ownership, Management, and Control, Including Through Trusts
 - 6. Proposed Regulations to Add Title 16 CCR Sections 1717.5 Related to Automatic Refill Programs
 - 7. Proposed Regulations to Add Title 16 CCR Section 1793.9 Related to Remote Dispensing Technicians
 - 8. Proposed Regulations to Amend Title 16 CCR Section 1706.2 Related to Abandonment of Applications
 - 9. Proposed Regulations to Amend Title 16 CCR Section 1793.5 Related to the Pharmacy Technician Application, Section 1793.6 Related to the Pharmacy Technician Training Requirements and Section 1793.65 Related to the Pharmacy Technician Certification Programs
 - 10. Proposed Regulations to Amend Title 16 CCR Sections 1702, 1702.1, 1702.2, 1702.5 Related to Renewal Requirements
- f. Board Approved to Initiate Rulemaking – Documents Returned to the Board for Corrections to be Made by Staff
 - 1. Proposed Regulations to Amend Title 16 CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
- g. Board Approved to Initiate Rulemaking – Documents Being Prepared by Board Staff for Pre-Notice Review
 - 1. Proposed Regulations to Amend Title 16 CCR Section 1735.2 to Update the Compounding Self-Assessment Form 17M-39
 - 2. Proposed Regulations to Amend Title 16 CCR Section 1784 to Update Self-Assessment Form 17M-26
 - 3. Proposed Regulations to Amend Title 16 CCR Section 1707.2 Related to Mail-Order Pharmacy Consultation

Part 3: General Committee Matters

Future Meeting Dates

XIII. Closed Session Matters

- 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, Petitions for Reductions in Penalty, and Any Other Disciplinary Matters.
- b. Pursuant to Government Code Section 11126(e), the Board Will Convene in Closed Session to Discuss Pending Litigation
- c. Pursuant to Government Code Section 11126(c)(1), the Board Will Convene in Closed Session to Consider the Preparation, Approval, Grading or Administration of One or More Licensing Examination(s)
- d. Pursuant to Government Code Section 11126(a)(1), the Board Will Convene in Closed Session to Evaluate the Performance of the Board's Executive Officer

XIV. Reconvene Open Session

Adjournment

Upon conclusion of business