



## **Notice of Meeting and Agenda Public Board Meeting May 2-3, 2018**

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**DATES & TIMES:** May 2, 2018, at 11:00 a.m.  
May 3, 2018, at 9:00 a.m.

**PLACE:** Sheraton Mission Valley San Diego – Connections Ballroom  
1433 Camino Del Rio S.  
San Diego, CA 92108

**WEBCAST:** <https://thedcapage.blog/webcasts>  
(Webcast will be available earliest at 11:00 a.m. on May 2, 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](http://www.pharmacy.ca.gov).

Meeting materials should be available on the board's website at [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov) by April 27, 2018.

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**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](mailto: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](http://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

11:00 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 February 6-7, 2017 Board Meeting Minutes**

IV. **Approval of the March 27, 2017 Board Meeting Minutes**

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

VI. **Board Officer Elections**

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

- a. Update on the Salary Category Level Increase for the Position of Executive Officer
- b. Other Items

VIII. **Licensing Committee**

The board will receive a summary of the committee's efforts at the April 19, 2018 meeting, as well as updates, meeting for discussion and action as necessary.

- a. Discussion and Consideration of Patient Consultation Requirements for Mail Order Pharmacies or Nonresident Pharmacies – Recommendation to Amend Regulations
- b. Discussion and Consideration of Mail Order Pharmacies or Nonresident Pharmacies Requirements to Notify Patients of the Availability of Translation Services and to Notify Patients of How to File a Complaint with the Board
- c. Update on Implementation of Board-Provided Law and Ethics Continuing Education Courses
- d. Update on Implementing Pharmacists Licenses with Photo Identification – Recommendation to Amend Law and Regulations
- e. Discussion and Consideration to Amend Business and Professions Code Section 4200(a)(6) Relating to the North American Pharmacist Licensure Examination (NAPLEX) and the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE)
- f. Discussion and Consideration of Renewal Requirements for Individual Licenses and Facility Licenses – Recommendation to Amend Regulations
- g. Discussion and Consideration of Continuing Education Requirements for an Advanced Practice Pharmacist – Recommendation to Amend Regulations
- h. Licensing Statistics
- i. Future Committee Meeting Dates

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

The board receive a summary of the committee's efforts at the April 3, 2018 meeting, as well as updates, for discussion and action as necessary.

- a. Report on the Presentation by the University of California San Diego on Its Experimental Program

Regarding Access to Medications from an Automated Drug Delivery System (ADDS) (Pursuant to California Code of Regulations, Title 16, Section 1706.5)

- b. Presentation, Discussion and Consideration of the Board's Citation and Fine Program
- c. Discussion and Consideration of Disclosure of Enforcement Actions, Including Citation and Fines
- d. Update on the Substance Abuse Coordination Committee, and the Department of Consumer Affairs' Reconvening of It Pursuant to Business and Professions Code Section 315
- e. Discussion and Consideration of the Pew Charitable Trust's "State Oversight of Drug Compounding" Report
- f. Matters Related to United States Pharmacopeia (USP) Chapter 797, USP 800, and Other USP Chapters Related to Compounding
  - 1. Anticipated Release of Updates and Impact on the Board's Regulation of Pharmacy
  - 2. Discussion and Consideration of Statutory Proposal to Require USP Compliance in Pharmacy Law
- g. Enforcement Statistics
- h. Future Committee Meeting Dates

**X. Petitions for Reinstatement of Licensure of Other Reduction of Penalty**

**Time Certain: May 3, 2018, 9:00 a.m.**

- a. University Compounding Pharmacy, PHY 45631 and LSC 99018
- b. Joseph Grasela, RPH 40868

**XI. Executive Officer's Report**

- a. Biannual Report of the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE) Examination Statistics and the North American Pharmacist Licensure Examination (NAPLEX)
- b. Report on the California Pharmacists Association's 2018 Western Pharmacy Exchange
- c. Update on the Controlled Substance Utilization Review and Evaluation System (CURES)
- d. Ratification of Trainings That Satisfy the Law and Ethics Continuing Educations Requirements
- e. Report on Activities Relating to Internet Sales of Prescription Drugs and Opioids
- f. Personnel Update

**XII. Organizational Development Committee**

- a. Budget Update/Report
- b. Board Member Reimbursement and Attendance Information
- c. Future Board Meeting Dates

**XIII. Legislation and Regulation Committee**

The Legislation and Regulation Committee will convene a meeting immediately prior to the board meeting on May 2, 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. SB 1447 (Hernandez) Pharmacy: Automated Drug Delivery Systems: Licensing
  - 2. AB 1751 (Low) Controlled Substances: CURES Database
  - 3. AB 1752 (Low) Controlled Substances: CURES Database
  - 4. AB 2086 (Gallagher) Controlled Substances: CURES Database
  - 5. AB 2783 (O'Donnell) Controlled Substances: Hydrocodone Combination Products: Schedules
  - 6. AB 2789 (Wood) Health Care Practitioners: Prescriptions: Electronic Data Transmission

- b. Legislation Impacting the Practice of Pharmacy or the Board’s Jurisdiction
  - 1. AB 1753 (Low) Controlled Substances: CURES Database
  - 2. AB 1953 (Wood) Skilled Nursing Facilities: Disclosure of Interests in Business Providing Services
  - 3. AB 2037(Bonta) Pharmacy: Automated Drug Delivery Systems
  - 4. AB 2138 (Chiu/Low) Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction
  - 5. AB 2256 (Santiago) Law Enforcement Agencies: Opioid Antagonist
  - 6. AB 2409 (Kiley) Professions and Vocations: Occupational Regulations
  - 7. AB 2576 (Aguiar-Curry) Emergencies: Healthcare
  - 8. AB 2859 (Caballero) Pharmacy: Safe Storage Products
  - 9. AB 2863 (Nazarian) Pharmacy: Prescriptions: Pharmacy Benefit Manager: Cost
  - 10. SB 1021 (Wiener) Prescription Drugs
  - 11. SB 1109 (Bates) Controlled Substances: Schedule II Drugs: Opioids
  - 12. SB 1229 (Stone) Pharmacists: Opioid Medications: Consultation
  - 13. SB 1240 (Stone) Prescription Drugs: CURES Database
  - 14. SB 1254 (Stone) Hospital Pharmacies: Medication Profiles or Lists for High-Risk Patients
  - 15. SB 1286 (Pan) Pharmacy Technicians
  - 16. SB 1373 (Stone) General Acute Care Hospitals: Minimum Levels of Pharmaceutical Staff
  - 17. SB 1442 (Wiener) Pharmacies: Staffing

**Part 2: Regulations for Discussion and Consideration**

- c. Board Adopted - Submitted for Administrative Review to the Office of Administrative Law: Proposed Regulations to Amend Title 16 CCR Sections 1749, Related to the Board’s Fees
- d. Board Approved to Initiate Rulemaking - Undergoing Pre-Notice Review by the Department of Consumer Affairs or the Business, Consumer Services and Housing Agency, or Returned to Board Staff for Revisions Pursuant to Such Review
  - 1. Proposed Regulations to Amend Title 16 CCR Sections 1780-1783, et seq. Related to Third-Party Logistics Providers and Dangerous Drug Distributors
  - 2. 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
  - 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 Amend Title 16 CCR Sections 1735.1, 1735.2, 1735.6, 1751.1, and 1751.4, Related to Compounding
  - 8. Proposed Regulations to Amend Title 16 CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
- e. Board Approved to Initiate Rulemaking – Board Staff Drafting Rulemaking Documents for Pre-Notice Review by the Department of Consumer Affairs and the Business, Consumer Services and Housing Agency
  - 1. Proposed Regulations to Amend Title 16 CCR Section 1735.2 to Update the Compounding Self-Assessment Form 17M-39

2. Proposed Regulations to Add Title 16 CCR Section 1793.9 Related to Remote Dispensing Technicians
3. Proposed Regulations to Amend Title 16 CCR Section 1706.2 Related to Abandonment of Applications
4. Proposed Regulations to Amend Title 16 CCR Section 1784 to Update Self-Assessment Form 17M-26

**Part 3: General Committee Matters**

Future Meeting Dates

**XIV. 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)

**XV. Reconvene Open Session**

**Adjournment**

**Upon conclusion of business**