



Notice of Meeting and Agenda Legislation and Regulation Committee Meeting October 23, 2018

DATE: October 23, 2018

TIME: 9:00 a.m.

PLACE: Radisson Hotel
Fresno Conference Center
1055 Van Ness Ave,
Fresno, CA 93721

NOTE: 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 October 19, 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) 574-7918, 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 Committee Chairperson and may be taken out of order. 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 committee is unable to attend the meeting, or the committee is unable to maintain a quorum once the meeting is called to order, the president or chair of the meeting may, at his or her discretion, continue to discuss items from the agenda and to vote to make recommendations to the full board at a future meeting.

Government Code Section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the committee or prior to the committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issues before the committee, but the Committee Chairperson may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the committee to discuss items not on the agenda; however, the committee 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

9:00 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 committee 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. Legislation for Discussion and Consideration

a. Board Sponsored/Originated Legislation

1. AB 1751 (Low) (Chapter 478, Statutes of 2018) Controlled substances: CURES database
2. AB 1752 (Low) Controlled substances: CURES database
3. AB 2086 (Gallagher) (Chapter 274, Statutes of 2018) Controlled substances: CURES database
4. AB 2783 (O'Donnell) (Chapter 589, Statutes of 2018) Controlled substances: hydrocodone combination products: schedules
5. AB 2789 (Wood) (Chapter 438, Statutes of 2018) Health care practitioners: prescriptions: electronic data transmission
6. SB 1447 (Hernandez) (Chapter 666, Statutes of 2018) Pharmacy: automated drug delivery systems

b. Chaptered Legislation Impacting the Practice of Pharmacy or the Board's Jurisdiction

1. AB 1753 (Low) (Chapter 479, Statutes of 2018) Controlled substances: CURES database
2. AB 1953 (Wood) (Chapter 383, Statutes of 2018) Skilled nursing facilities: disclosure of interests in business providing services
3. AB 2037 (Bonta) (Chapter 647, Statutes of 2018) Pharmacy: automated patient dispensing systems
4. AB 2138 (Chiu/Low) (Chapter 995, Statutes of 2018) Licensing boards: denial of application: revocation or suspension of licensure: criminal conviction
5. AB 2256 (Santiago) (Chapter 259, Statutes of 2018) Law enforcement agencies: opioid antagonist
6. AB 2576 (Aguiar-Curry) (Chapter 716, Statutes of 2018) Emergencies: health care
7. AB 2859 (Caballero) (Chapter 240, Statutes of 2018) Pharmacy: safe storage products
8. AB 2863 (Nazarian) (Chapter 770, Statutes of 2018) Health care coverage: prescriptions
9. SB 212 (Jackson) (Chapter 1004, Statutes of 2018) Solid waste: pharmaceutical and sharps waste stewardship
10. SB 1021 (Wiener) (Chapter 787, Statutes of 2018) Prescription drugs
11. SB 1109 (Bates) (Chapter 693, Statutes of 2018) Controlled substances: Schedule II drugs: opioids
12. SB 1254 (Stone) (Chapter 697, Statutes of 2018) Hospital pharmacies: medication profiles or lists for high-risk patients
13. SB 1442 (Wiener) (Chapter 569, Statutes of 2018) Community pharmacies: staffing

IV. Regulations for Discussion and Consideration

- a. Board Approved – Public Comment Period Closed, Comments Pending Review by Board
 - 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
- b. 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 CCR Section 1709 Related to Pharmacy Ownership, Management, and Control, Including Through Trusts
 - 2. Proposed Regulations to Amend Title 16 CCR Sections 1780-1783 *et seq.*, Related to Dangerous Drug Distributors and Third-Party Logistics Providers
 - 3. Proposed Regulations to Amend Title 16 CCR Section 1707 Related to Offsite Storage
 - 4. Proposed Regulations to Add Title 16 CCR Sections 1717.5 Related to Automatic Refill Programs
 - 5. Proposed Regulations to Amend Title 16 CCR Section 1706.2 Related to Abandonment of Applications
 - 6. Proposed Regulations to Amend Title 16 CCR Section 1746.3 Related to the Naloxone Fact Sheet
 - 7. Proposed Regulations to Amend Title 16 CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
 - 8. Proposed Regulations to Add Title 16 CCR Section 1793.9 Related to Remote Dispensing Technicians
 - 9. Proposed Regulations to Amend Title 16 CCR Sections 1702, 1702.1, 1702.2, and 1702.5 Related to Renewal Requirements
 - 10. Proposed Regulations to Amend Title 16 CCR Section 1707.2 Related to Mail-Order Pharmacy Consultation
- c. 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 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
- d. Board Approved to Initiate Rulemaking – Documents Being Prepared by Board Staff for Pre-Notice Review
 - 1. Proposed Regulations to Amend Title 16 CCR Section 1784 to Update the Wholesaler/3PL Self-Assessment Form 17M-26

IV. General Committee Matters

- a. Discussion and Consideration of Legislation/Regulation Committee Strategic Goals for Fiscal Year 2018/19
- b. Review of Pending Legislative Proposals Previously Approved by the Board
 - 1. Amend Health and Safety Code Section 11165 to Include Schedule V Controlled Substances in CURES Database and Reduce Reporting Requirement Timeframe to One Day
 - 2. Amend Business & Professions Code Section 4200 Relating to the Examination Score Validity Period for the North American Pharmacist Licensure Examination (NAPLEX) and the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE)
 - 3. Establish an Advanced Pharmacy Technician (APT) Licensure Program
 - 4. Establish an Advanced Hospital Pharmacy Technician (AHT) Licensure Program
 - 5. Amend Business and Professions Code Section 4163 to Allow a Reverse Distributor to Accept

Medications for Destruction in Limited Circumstances from a Previously Licensed Source

- 6. Amend Business and Professions Code Section 4400 Relating to Fees for Government Owned Facilities
- c. Future Meeting Dates

Adjournment

Upon conclusion of business