



California State Board of Pharmacy

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Business, Consumer Services and Housing Agency

Department of Consumer Affairs

Gavin Newsom, Governor



To: Board Members

Subject: Agenda Item V. Discussion and Consideration of Policy Granting President Discretion to Waive Provisions of Pharmacy Law Pursuant to Business and Professions Code section 4062

Background

Consistent with Business and Professions Code (BPC) section 4062, the California State Board of Pharmacy (Board) has the authority to waive provisions of Pharmacy Law or its regulations adopted pursuant to it if, in the board's opinion, the waiver will aid in the protection of public health or the provision of patient care. Further, the Board's policy delegates to the president the authority to grant waivers under specified conditions.

In response to the COVID-19 Pandemic, the Board has delegated authority to the president to grant waivers for up to 90 days. Further, under delegated authority, the president may extend an existing waiver for two additional 90-day periods.

For Board Discussion and Consideration

In light of the ongoing public health crisis resulting from COVID-19, and in consideration of resurgence occurring in California the Board will have the opportunity to consider if additional conditions of delegated authority or extension authority should be granted to the Board president.

Should the Board determine changes in delegation authority it appropriate, formal Board action is necessary.