



## **COMMUNICATION AND PUBLIC EDUCATION COMMITTEE REPORT**

Ricardo Sanchez, Public Member, Chairperson  
Ryan Brooks, Public Member, Vice Chairperson  
Shirley Kim, Public Member  
Dr. Seung Oh, Licensee Member

The Communication and Public Education Committee met July 8, 2020. A draft copy of the meeting minutes is included at the end of this report.

### **a. Discussion and Consideration of Communication Plan Regarding SB 159 (Wiener, Chapter 532, Statutes of 2019) Related to HIV Preexposure and Post Exposure Prophylaxis**

#### Background

At the January 2020 committee meeting, members discussed how the Board could educate pharmacists to initiate and furnish HIV preexposure and postexposure prophylaxis – known as HIV PrEP and PEP – as authorized by SB 159.

In addition to other suggestions, members said the Board could partner with schools, professional organizations, and stakeholders to develop fact sheets and informational videos explaining operational issues to licensees. The committee also suggested using the Board’s website, subscriber alerts and newsletter to educate and encourage pharmacists in furnishing PrEP and PEP medication.

#### Committee Discussion

At the July 8 committee meeting, staff reported meeting with Please PrEP Me, an advocacy group. Staff and Please PrEP Me discussed collaborating on messages about SB 159 to increase awareness and encourage participation by pharmacists.

Staff also reported that Please PrEP Me went on hiatus June 30, 2020; however, staff will continue to reach out to other groups on developing and sharing messages about SB 159, including the California Department of Public Health (CDPH) and the Office of AIDS. Staff will report back to the committee on communication and education efforts.

### **b. Discussion and Consideration of Providing Information about Possible Consequences of DUI Conviction on License Renewal Notices**

#### Background

At the January 2020 committee meeting, members discussed how to educate licensees about the possible professional consequences of DUI convictions. Members suggested

publishing Script articles about how a DUI conviction could result in disciplinary action and about the top 5 or ten causes for license revocation.

At the January 2020 Board meeting, members asked what percentage of disciplinary cases involve DUIs. At the May 2020 Board meeting, members asked the Communication and Public Education Committee to discuss providing information to licensees about DUIs as part of the license renewal process.

#### Committee Discussion

At the July 8 committee meeting, staff reported a search of closed cases from July 1, 2019, to June 26, 2020, found nine pharmacists were disciplined by the Board for violations of BPC sections 4301(h) and 4301(l), which are related to DUI incidents. However, a staff review of each case found only three of the nine cases involved DUI convictions. The remaining six cases involved activity covered by BPC sections 4301(h) and 4301(l) other than driving under the influence of alcohol or drugs.

Staff noted that by comparison, 21 pharmacists received citations and/or fines for violations of BPC sections 4301(h) and 4301(l) during the same period.

To target pharmacists with information about DUI convictions, staff said the committee could consider recommending the Board print information on inserts that are included with license renewal notices, similar to mailings by the DMV. Alternatively, because a growing number of licensees renew online rather than by mail, the inserts could be included with pocket licenses mailed to licensees upon renewal.

During the committee discussion, it was suggested that it would be more efficient to include any DUI information in pocket license mailings rather than with renewal notices, because more licensees are expected to renew online instead of by mail. In addition, information on the Board's website about online license renewal could include a link to DUI information.

#### Recent Update

Staff has researched trends in license renewals online versus by mail. Although the numbers have fluctuated each month, information provided by DCA shows the overall trend is an increase in online renewals since the Board began providing the option in December 2018.

Monthly percentages of license renewals paid online at three-month intervals:

- January 2019: 15.2%
- April 2019: 25.9%
- July 2019: 32.6%
- October 2019: 29.2%
- January 2020: 28.5%
- April 2020: 46.2%

Given this information, staff recommends including advisory information with the mailing of the renewal pocket license.

**c. Update on Communication and Public Education Activities by Staff**

**1. The Script**

Staff reported the most recent issue of the newsletter was published in March. Planning for the next issue is expected in summer. Staff also reported plans to develop an online survey pharmacists can take to receive one hour of CE credit, as directed by the Board.

**2. Projects**

**a) Online Registry of Services**

Staff reported working with DCA to complete a registry for the Board's website that consumers can search to find pharmacists furnishing naloxone, birth control medication, HIV PrEP/PEP, and other services authorized by state law. The registry is expected to be completed for roll out in the summer.

**b) Notice to Consumers Poster**

Efforts to survey consumer groups for feedback on possible changes to the Notice to Consumers poster have been delayed as staff has responded to the declared state of emergency related to the COVID-19 pandemic. Staff expects to have more information at the next committee meeting.

**c) Disciplinary Case Summaries**

Staff reported plans to begin publishing summaries of licensee disciplinary cases separately from the Script. This will enable the summaries, which provide important education for licensees, to be published more frequently.

**3. Board-Provided Training**

Staff is developing a WebEx meeting format for providing the prescription drug abuse CE training previously provided at all-day events throughout the state. Participants will log in to the meeting to participate in the training and will take a quiz at the end to receive CE credit. In the coming months, this will be available for licensees to participate.

Staff also reported on progress in developing the 2020 Pharmacy Law webinar, which provides pharmacists with one hour of Board-provided CE in law and ethics. Subsequent to the committee meeting, the new webinar has been posted on the Board's website.

**4. News Media**

Staff provided a list of recent news media inquiries. A copy of the list is in **Attachment 1**.

## **5. Public Outreach**

Because of shelter-in-place orders during the COVID-19 pandemic emergency, Board inspectors and staff reported no outreach events since the last committee meeting. It is possible that some events may be scheduled later this year.



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**COMMUNICATION AND PUBLIC EDUCATION COMMITTEE**  
**DRAFT MEETING MINUTES**

**Date:** July 8, 2020

**Location:** Teleconference

**NOTE:** Pursuant to Governor Gavin Newsom's Executive Order N-25-20, dated March 17, 2020, neither public nor teleconference locations are provided.

**Committee Members Present:** Ricardo Sanchez, Public Member, Chairperson  
Ryan Brooks, Public Member, Vice Chairperson  
Shirley Kim, Public Member  
Dr. Seung Oh, Licensee Member

**Staff Present:** Anne Sodergren, Executive Officer  
Norine Marks, DCA Staff Counsel  
Debbie Damoth, Administration Manager  
Bob Dávila, Public Information Officer

**a. Call to Order and Establishment of Quorum**

Chairperson Sanchez called the meeting to order at 1:01 p.m. Chairperson Sanchez and members Kim and Oh were present. A quorum was established. Vice Chairperson Brooks joined the meeting at 1:06 p.m.

**b. Public Comment for Items Not on the Agenda; Matters for Future Meetings**

Steve Gray requested items for future agendas:

1. The Board should reach out to CARA and other consumer groups for input on possible changes to the Notice to Consumers poster.
2. If the Notice to Consumers poster is retained, it should include information about putting the purpose of a medication on the medication label, and that patients have the right to ask for that from the prescriber or the pharmacist.
3. Licensees should be informing the public of the problem of driving under the influence of not only alcohol but also prescription drugs. Likewise, that should be on the poster and, under new law, has to be in writing and include boats and vessels.
4. A discussion about reporting more details about media inquiries – not only what was asked but also the Board's response. Licensees, stakeholders, etc., need to know what media are asking about and what they believe the public is concerned about.

**c. Approval of the January 29, 2020, Communication and Public Education Committee Meeting Minutes**

M/S: Oh/Brooks

Aye: Brooks, Oh, Sanchez.

No: None.

Abstain: Kim.

**d. Discussion and Consideration of Communication Plan Regarding SB 159 (Wiener, Chapter 532, Statutes of 2019) Related to HIV Preexposure and Post Exposure Prophylaxis**

Chairperson Sanchez said that at the January 2020 committee meeting, members discussed how the Board could educate pharmacists to initiate and furnish HIV preexposure and postexposure prophylaxis (HIV PrEP and PEP). Members discussed partnering with schools, professional groups, and stakeholders to create fact sheets and videos explaining operational issues to licensees. The committee also suggested using the Board's website, subscriber alerts and newsletter.

The chairperson reported staff met with Please PrEP Me, an advocacy group, and discussed collaborating on messages about SB 159 to increase awareness and encourage participation by pharmacists. He noted Please PrEP Me went on hiatus June 30, 2020; however, staff will continue to reach out to other groups and will report back to the committee.

Danny Martinez of CPhA reiterated CPhA is willing to assist with SB 159 communication and education efforts. Keith Yoshizuka, president-elect of CSHP, announced CSHP will host and record two training sessions to produce a training webcast for pharmacists. He said he would welcome the Board's help in getting the word out.

**e. Discussion and Consideration of Providing Information about Possible Consequences of DUI Conviction on License Renewal Notices**

Chairperson Sanchez said that at the January 2020 committee meeting, members suggested publishing Script articles to educate licensees about possible professional consequences of DUI convictions. He noted at the January 2020 and May 2020 Board meetings, members asked what percentage of disciplinary cases involve DUIs and asked the committee to discuss educating licensees about DUIs as part of the license renewal process.

The chairperson reported staff research into closed cases from July 1, 2019, to June 26, 2020, found nine pharmacists were disciplined by the Board for violations of BPC sections 4301(h) and 4301(l), which are related to DUI incidents. However, a review of each case found only three of the nine cases involved DUI convictions. The remaining six involved activity covered by BPC sections 4301(h) and 4301(l) other than driving under the influence of alcohol or drugs. By comparison, staff found that 21 pharmacists received citations and/or fines for violations of BPC sections 4301(h) and 4301(l) during the same period.

To target pharmacists with information about DUI convictions, staff said the committee could consider recommending the Board print information on inserts to be included with license renewal notices. Alternatively, because a growing number of licensees renew online rather than by mail, the inserts could be included with pocket licenses mailed upon renewal.

Member Oh said including the information with pocket licenses would be more efficient because more licensees are expected to renew online rather than by mail. He also suggested including a link to DUI information on the online license renewal webpage.

Steve Gray said the Board should advise licensees and applicants they can be disciplined even if they plead no contest or have their DUI conviction expunged. In addition, he said the Board should discuss whether a DUI conviction for medical or recreational marijuana also qualifies for license discipline.

**f. Update on Communication and Public Education Activities by Staff**

**1. The Script**

Staff reported the most recent issue of the newsletter was published in March. Planning for the next issue is expected in summer. Staff also reported plans to develop an online survey pharmacists can take to receive one hour of CE credit, as directed by the Board.

**2. Projects**

**a) Online Registry of Services**

Staff reported working with DCA to complete a registry for the Board's website that consumers can search to find pharmacies furnishing medications and services authorized by state law. The registry is expected to be rolled out in the summer.

Member Oh asked if the registry would provide a means for pharmacies to update information in the registry about the services they offer. Mr. Dávila said the system would enable pharmacies to update their information.

Danny Martinez of CPhA asked for a list of the services to be included and whether the Board or DCA would host the registry. Mr. Dávila said the services include naloxone, birth control, travel vaccinations, HIV PrEP/PEP, and other services authorized by state law. He also said the registry will be hosted on the Board's website with DCA assistance.

Steve Gray reminded the committee to make the registry available for signup by pharmacists practicing individually and not associated with a pharmacy or hospital.

**b) Notice to Consumers Poster**

Staff said efforts to survey consumer groups regarding possible changes to the Notice to Consumers poster have been delayed during the declared state of emergency related to the COVID-19 pandemic. More information is expected at the next committee meeting.

**c) Disciplinary Case Summaries**

Staff reported plans to begin publishing summaries of licensee disciplinary cases separately from the Script to enable more timely publication.

**3. Board-Provided Training**

Staff reported developing a WebEx meeting format to provide the prescription drug abuse CE training previously provided at all-day events. Participants will log in to the meeting to participate in the training and will take a quiz at the end to receive CE credit. Staff also reported the 2020 Pharmacy Law webinar will be posted online in July.

**4. News Media**

Staff provided a list of recent news media inquiries.

**5. Public Outreach**

Because of shelter-in-place orders during the COVID-19 emergency, staff reported no outreach activities by inspectors or staff since the last committee meeting.

No public comments were provided on these items.

**g. Future Meeting Dates**

Chairperson Sanchez announced the final committee meeting of 2020 is set for Tuesday, October 27.

**Adjournment**

At 1:51 p.m.



# **Attachment 1**

**News Media Inquiries**

## News Media Activity

The Board's public information officer responded to the following recent news media inquiries:

- January 20, 2020: Richard Halstead, Marin Independent Journal, regarding disciplinary case of West Marin Pharmacy.
- January 30, 2020: Tiffany Dobbyn, Capitol Morning Report, regarding appointment of Executive Officer Anne Sodergren.
- January 31, 2020: Nancy Gregory, American Society of Health-System Pharmacists, regarding implementation of SB 159.
- February 4, 2020: Mihir Zaveri, New York Times, regarding settlement involving unlicensed pharmacist at Walgreens.
- February 7, 2020: Ed Silverman, STAT, regarding accusation against McKesson for supplying excessive controlled substances to children's hospital.
- February 11, 2020: Van Tieu, ABC 10 Sacramento, regarding robberies and thefts at California pharmacies.
- February 18, 2020: Ellen Gabler, New York Times, regarding section 800 reports of pharmacy settlements and judgments.
- March 2, 2020: Ed Silverman, STAT, regarding AmerisourceBergen fine related to suspicious orders.
- March 25, 2020: Ted Goldberg, KQED San Francisco, regarding prescribers hoarding medications related to COVID-19.
- March 28, 2020: Thomas Jones, NBC News, regarding pharmacists declining to refill hydroxychloroquine prescriptions during COVID-19 pandemic.
- April 14, 2020: Scott Schwebke, Orange County Register, regarding prescribers hoarding hydroxychloroquine during COVID-19 pandemic.
- April 22, 2020: Alexandra Villarreal, The Guardian, regarding complaints about consumers incorrectly self-administering COVID-19 tests from pharmacies.
- May 5, 2020: Eric Westervelt, NPR, regarding COVID-19 testing by pharmacists.
- May 12, 2020: Polly Stryker, KQED San Francisco, regarding COVID-19 testing by pharmacists.
- June 9, 2020: Larry Buhl, Capital and Main, regarding implementation of SB 159.
- June 15, 2020: Kevin Rector, Los Angeles Times regarding damage to pharmacies during public unrest.