



California State Board of Pharmacy
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Business, Consumer Services and Housing Agency
Department of Consumer Affairs
Gavin Newsom, Governor



Notice of Meeting and Agenda Teleconference Legislation and Regulation Committee Meeting

DATE & TIME: Thursday, July 9, 2020, 1:00 p.m.

NOTE: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, dated March 17, 2020, neither a public location nor teleconference locations are provided.

INSTRUCTIONS FOR OBSERVATION:

WEBCAST: <https://thedcapage.blog/webcasts> Webcast will be available at 1:00 p.m. on July 9, 2020. While the Board intends to webcast this meeting, it may not be possible to webcast the entire meeting due to technical difficulties or limitations on resources. If you wish to participate or to have a guaranteed opportunity to observe, please plan to participate via the WebEx option listed below.

FOR OBSERVATION AND PUBLIC COMMENT, PLEASE LOG ON TO THIS WEBSITE <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb95a1b77c521b4f8b025a831a80731fb>

The preferred audio connection is via phone bridge. The phone number and access code will be provided as part of your connection to the meeting. General instructions for using WebEx can be found at the end of the agenda.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will need to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

Important Notices to the Public: The Legislation and Regulation Committee will hold a meeting via WebEx – access information is provided above. General instructions for using WebEx are attached to the agenda. 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 Debbie Damoth at (916) 518-3090, by emailing debbie.damoth@dca.ca.gov or sending a written request to the Board of Pharmacy, 2720 Gateway Oaks Drive, Suite 100, Sacramento CA 95833. 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 Chair. 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 members present may, at the chair's discretion, continue to discuss items from the agenda and 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 chair may, at his or her discretion, apportion available time among those who wish to speak. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. 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)). 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. Using the WebEx link will allow for participation and observation. Using the Webcast link will allow for observation with closed captioning.

Agenda

Thursday, July 9, 2020

Call to Order

1:00 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 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. Discussion and Consideration of Petition Submitted to the Board for Interpretative Ruling or Policy Statement Regarding Mandatory Reporting Provision of Penal Code Section 11160 and its Applicability to Community Pharmacists
- IV. Discussion and Consideration of Pharmacy Security Requirements
- V. Discussion and Consideration of Legislation Impacting the Practice of Pharmacy, the Board's Jurisdiction or Board Operations
 - a. Assembly Bill 2028 (Aguiar-Curry) State Agencies: Meetings
 - b. Assembly Bill 2077 (Ting) Hypodermic Needles and Syringes
 - c. Assembly Bill 2113 (Low) Refugees, Asylees, and Immigrants: Licensing
 - d. Assembly Bill 2549 (Salas) Department of Consumer Affairs: Temporary Licenses
 - e. Assembly Bill 2983 (Holden) Pharmacies: Automatic Refills
 - f. Assembly Bill 3045 (Gray) Department of Consumer Affairs: Boards: Veterans
 - g. Assembly Bill 3342 (Bauer-Kahan) Child Day Care Facilities: Epinephrine Auto Injectors
 - h. Senate Bill 878 (Jones) Department of Consumer Affairs Licensing: Applications
 - i. Senate Bill 1474 (Committee on Business, Professions and Economic Development)
- VI. Board Adopted Regulations Approved by the Office of Administrative Law
 - a. Proposed Regulation to Amend Title 16 CCR Section 1706.2 Related to Abandonment of Applications
 - b. Proposed Regulation to Amend Title 16 CCR Section 1707.2 Related to Duty to Consult

- VII. Discussion and Consideration of Board Adopted Regulations Undergoing Final Review by the Office of Administrative Law
- a. Proposed Regulation to Add Title 16, Section 1714.3, Community Pharmacy Staffing
- VIII. Discussion and Consideration of Board Adopted Regulations Undergoing Formal Review by the Department of Consumers Affairs or the Business, Consumer Services and Housing Agency
- a. Proposed Regulation to Amend Title 16, Sections 1769 and 1770, Substantial Relationship and Rehabilitation Criteria
 - b. Proposed Regulation to Amend Title 16, Sections 1702, 1702.1, 1702.2, 1702.5, Renewal Requirements
 - c. Proposed Regulation to Amend Title 16, Section 1707, Off-Site Storage
- IX. Discussion and Consideration of Board Approved Regulations Undergoing Public Comment
- a. Proposed Regulations to Amend Title 16 CCR Sections 1780-1783 et seq., Related to Dangerous Drug Distributors and Third-Party Logistics Providers
 - b. Proposed Regulations to Amend Title 16 CCR Section 1711 Related to Quality Assurance Programs for ADDS, Section 1713 Related to Use of Receipt and Delivery of Prescriptions and Prescription Medications, and Add Section 1715.1 Related to ADDS Self-Assessment Form 17M-112
- X. Discussion and Consideration of Board Approved Regulations Undergoing Pre-Notice Review by the Department of Consumer Affairs or the Business, Consumer Services and Housing Agency
- a. Proposed Regulation to Add Title 16 CCR Section 1717.5 Related to Automatic Refill Programs
 - b. Proposed Regulation to Amend Title 16 CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
 - c. Proposed Regulation to Amend Title 16 CCR Section 1784 to Update the Wholesaler/3PL Self-Assessment Form 17M-26
 - d. Proposed Permanent Regulation to Add and Amend Title 16 CCR Section 1747 Related to Independent HIV Preexposure and Postexposure Prophylaxis Furnishing
 - e. Proposed Regulation to Amend Title 16 CCR Section 1715.65 Related to Inventory Reconciliation
 - f. Proposed Regulation to Amend Title 16 CCR Section 1715.6 Related to Drug Losses
- XI. Discussion and Consideration of Board Approved Text to Initiate Rulemaking –Staff Drafting Documents for Pre-Notice Review by the Department of Consumer Affairs and the Business, Consumer Services and Housing Agency
- a. 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
 - b. Proposed Regulation to Amend Title 16 CCR Section 1709 Related to Pharmacy Ownership, Management, and Control, Including Through Trusts
- XII. Future Committee Meeting Dates
- XIII. Adjournment Upon conclusion of business