



**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, April 29, 2021, 9:00 a.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 9:00 a.m. on April 29, 2021. 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-meetings.webex.com/dca-meetings/onstage/g.php?MTID=ed980b2fc8cf8b2313cecf334faadf509>

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.

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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](mailto: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.

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](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. Using the WebEx link will allow for participation and observation. Using the Webcast link will allow for observation with closed captioning.

## Agenda

### **Discussion and action may be taken on any item on the agenda**

**Thursday, April 29, 2021**

**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. Discussion and Consideration of Assembly Bill 5 (Gonzalez, Chapter 296, Statutes of 2019)
- IV. Discussion and Consideration of Pending Legislation Impacting the Practice of Pharmacy, the Board's Jurisdiction, or Board Operations
  1. Assembly Bill 2 (Fong) Regulations: Legislative Review: Regulatory Reform
  2. Assembly Bill 29 (Cooper) State Bodies: Meetings
  3. Assembly Bill 69 (Kiley) State of Emergency: Termination After 60 Days
  4. Assembly Bill 107 (Salas) Licensure: Veterans and Military Spouses
  5. Assembly Bill 225 (Gray) Department of Consumer Affairs: Veterans: Spouses
  6. Assembly Bill 527 (Wood) Controlled Substances
  7. Assembly Bill 646 (Low) Department of Consumer Affairs: Boards: Expunged Convictions
  8. Assembly Bill 657 (Bonta) State Civil Service System: Personal Services Contracts
  9. Assembly Bill 671 (Wood) Medi-Cal: Pharmacy Benefits
  10. Assembly Bill 864 (Low) Controlled Substances: CURES Database
  11. Assembly Bill 1064 (Fong) Pharmacy Practice: Vaccines: Independent Initiation
  12. Assembly Bill 1236 (Ting) Healing Arts: Licensees: Data Collections
  13. Assembly Bill 1328 (Irwin) Clinical Laboratory Technology and Pharmacists
  14. Assembly Bill 1430 (Arambula) Pharmacy: Dispensing Controlled Substances
  15. Assembly Bill 1533 (Assembly Business and Professions Committee) State Board of Pharmacy: Appointment Removal
  16. Senate Bill 306 (Pan) Sexually Transmitted Disease: Testing
  17. Senate Bill 362 (Newman) Community Pharmacies: Quotas
  18. Senate Bill 409 (Caballero) Pharmacy Practice: SARS-CoV-2 and Influenza Testing
  19. Senate Bill 524 (Skinner) Health Care Coverage: Patient Steering

20. Senate Bill 731 (Durazo) Criminal Records: Relief

V. Board Adopted Regulations Approved by the Office of Administrative Law

1. Proposed Regulation to Amend Title 16 Sections 1702, 1702.1, 1702.2, 1702.5, Renewal Requirements
2. Proposed Regulations to Amend Title 16 CCR Sections 1780-1783 et seq., Related to Dangerous Drug Distributors and Third-Party Logistics Providers

VI. Discussion and Consideration of Board Adopted Regulations Undergoing Final Review by the Office of Administrative Law

1. Proposed Regulation to Amend Title 16 Section 1707, Off-Site Storage
2. Proposed Regulations to Add Title 16 CCR Sections 1717.5 Related to Automatic Refill Programs
3. Proposed Regulation to Amend Title 16 CCR Section 1711 Related to Quality Assurance Programs for ADDS, Section 1713 Related to Use of an APDS, and Add Section 1715.1 Related to the ADDS Self-Assessment Forms 17M-112

VII. Discussion and Consideration of Board Adopted Regulations Undergoing Formal Review by the Department of Consumers Affairs or the Business, Consumer Services and Housing Agency

1. Proposed Permanent Regulation to Add and Amend Title 16 CCR Section 1747 Related to Independent HIV Preexposure and Postexposure Prophylaxis Furnishing

VIII. 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

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
2. Proposed Regulation to Amend Title 16 CCR Section 1709 Related to Pharmacy Ownership, Management, and Control, Including Through Trusts
3. Proposed Regulation to Amend Title 16 CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14
4. Proposed Regulation to Amend Title 16 CCR Section 1784 to Update the Wholesaler/3PL Self-Assessment Form 17M-26
5. Proposed Regulation to Amend Title 16 CCR Section 1715.65 Related to Inventory Reconciliation
6. Proposed Regulation to Amend Title 16 CCR Section 1715.6 Related to Reporting Drug Losses
7. Proposed Regulation to Amend Title 16 CCR Section 1704 Related to Address Change Notification
8. Proposed Regulation to Add Title 16 Section 1708.1 Related to the Temporary Closure of Facilities

IX. 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

1. Proposed Regulation to Amend Title 16 CCR Section 1735.2 to Update the Compounding Self-Assessment Form 17M-39

X. Future Committee Meeting Dates

XI. Adjournment

Upon conclusion of business