

March 17, 2021

Lori Martinez
California Board of Pharmacy
2720 Gateway Oaks Dr.
Sacramento, CA 95814
Via email: Lori.Martinez@dca.ca.gov

Re: Comments Proposed Regulations to Amend Title 16 CCR 193.6 **Related to the Pharmacy Technician Training Requirements** on behalf of the Santa Ana College Pharmacy Technician Training Courses

Dear, Ms. Martinez,

We are writing to express our opposition to two specific elements of the changes to the regulations.

1. 1793.6. Training Courses Specified by the Board.

(2) (A) We oppose the statement that ‘Prior to enrollment in any classes, or admission into the course of training, an Administrator or instructor shall conduct a criminal background check on the applicant...’ “...”If the criminal background check reveals the applicant has committee [sic] acts that would constitute grounds for denial of licensure, the administrator or instructor shall counsel the applicants about the negative impact to securing licensure.”

We support the action of notifying students there are requirements related to criminal background checks that may prohibit them from obtaining licensure. Our objection is twofold. One, as a California Community College, we are not funded or budgeted to pay for background checks on students. Second, as instructors we are not qualified to make a determination regarding which felonies the State Board of Pharmacy would or would not issue a license for. We believe this places an undue burden on California Community Colleges.

Our proposal is to amend the text to state that ‘at the beginning of the coursework, and in publications that advertise the curriculum, the Technician Training Program advises students/potential students that there are some criminal convictions that would prevent them from obtaining registration with the Board of Pharmacy. Students/potential students should be instructed to seek specific information pertaining to their criminal backgrounds from the Board of Pharmacy prior to enrolling in coursework.’ or language to that effect.

Currently, we have the students pay for their own background checks and we inform them collectively that if there are findings in their background checks, they should obtain guidance from the State Board regarding their suitability to obtain a license. This is done to protect the students’ confidentiality, and also places the cost burden on the student.

2. 1793.6. Training Courses Specified by the Board.

(2) (B) We oppose the statement “Prior to enrollment in any classes or admission into the course of training, and administrator or instructor shall counsel applicants that the course of training may require the applicant to undergo drug screening for illicit drug use. ...”

We support the requirement for students to obtain drug urine drug screening tests, and we currently require our students to obtain them. The objection is the timeframe of ‘prior to enrollment in classes’.

We do not have the ability to require students who have not yet enrolled in our classes to perform anything. As above, we recommend changing the requirement to the ‘Program will notify students in all advertisements, and in the Introductory class(es) that they may be required to undergo a drug screening test for Illicit drug use prior to placement at an experiential rotation site.’”

Our second proposed modification is to remove “As [sic] administrator or instructor shall counsel applicants about the negative impact of a positive drug screen, including eligibility to continue the course of training and eligibility for licensure.”

We do not support adoption of this proposed statement for the following reasons:

1. California Community Colleges do not have ‘applicants’. We have students that have chosen to enroll in classes. There is no screening of students in advance of their election to enroll in our classes.
2. We can educate the class(es) collectively about the requirements for licensure by the Board of Pharmacy, and we can teach them about the impact of illicit drug use on their future careers.
3. We cannot deny students from continuing to attend our classes.
4. We need clarification of which substances and at what levels the Board would deny a license. For example, would the presence of THC prevent an applicant from being licensed by the Board?

Our proposal is to replace the proposed language with: ‘Training programs must notify students and potential students that they will be required to perform a drug screening test for illicit substances prior to attending their experiential rotations and that positive results could have a negative impact on their ability to be licensed by the Board or obtain employment as a Pharmacy Technician.’ Or words to that effect.

Please provide clarification surrounding the Board’s interpretation of Drug Screening and illicit drug use. We are not aware of a current requirement for an applicant to submit a Urine Drug Sample test to the Board of Pharmacy during the Pharmacy Technician Application process.

Thank you for your consideration of the unique needs of the California Community College students and our efforts to properly educate them regarding the Board’s requirements. Please contact Leona Dombroske, PharmD at: Dombroske_leona@sac.edu for further clarification or assistance in revising the proposed language.

Sincerely,

Leona Dombroske, PharmD, FCSHP
Assistant Professor, Pharmacy Technology
Santa Ana College
1530 W. 17th St. Santa Ana, CA 92705
Dombroske_Leona@sac.edu

John Ross, CPhT
Department Chair and Professor,
Pharmacy Technology
Santa Ana College
1530 W. 17th St. Santa Ana, CA 92705