



California State Board of Pharmacy
2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833
Phone: (916) 518-3100 Fax: (916) 574-8618
www.pharmacy.ca.gov

Business, Consumer Services and Housing Agency
Department of Consumer Affairs
Gavin Newsom, Governor



Notice of Board Meeting

Dates & Times: November 1, 2023, 1:00 p.m.
November 2, 2023, 9:00 a.m.

Note: Board members may attend this meeting remotely and may not be at the in-person location.

FOR OBSERVATION AND PUBLIC COMMENT IN PERSON:

California State Board of Pharmacy
2720 Gateway Oaks Drive, Hearing Room, First Floor
Sacramento, CA 95833

FOR PUBLIC PARTICIPATION AND COMMENT FROM A REMOTE LOCATION, PLEASE LOG ON TO WEBEX:

WebEx for November 1, 2023: <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=me1d14e01f8195bd8bba5fe5387738b94>

If joining using the link above

Webinar number: 2492 539 3541
Webinar password: CSBP111

If joining by phone

+1-415-655-0001 US Toll
Access code: 2492 539 3541
Passcode: 2727111

WebEx for November 2, 2023: <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m06e74846881966af0c47b3fb11804625>

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Webinar password: CSBP112

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Members of the public may but are not required to identify themselves. 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 use a fictitious email address in the following sample format:
XXXXX@mailinator.com.

FOR OBSERVATION ONLY: View at <https://thedcapage.blog/webcasts>. Using the Livestream link will allow only for observation with closed captioning. Livestream availability cannot be guaranteed due to resource limitations or technical difficulties. The meeting will not be cancelled if webcast becomes unavailable.

IMPORTANT NOTICES TO THE PUBLIC:

The time and order of agenda items are subject to change at the discretion of the Board president. If a quorum of the Board becomes unavailable, the president may, at their discretion, continue to discuss items from the agenda to make recommendations to the full board at a future meeting (Government Code section 11125(c)).

The meeting is open to the public except when specifically noticed otherwise, in accordance with the Open Meeting Act.

The meeting is accessible to the physically disabled. To request disability-related accommodations, use the contact information below. Please submit your request at least five (5) business days before the meeting to help ensure availability of the requested accommodation.

Contact Person: Debbie Damoth
(916) 518-3090 or Debbie.Damoth@dca.ca.gov
Board of Pharmacy
2720 Gateway Oaks Drive, Suite 100
Sacramento CA 95833

The Board welcomes and encourages public participation at its meetings. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment.

Agenda

Discussion and action make be taken on any agenda item.

November 1, 2023

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 Board 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. Recognition and Celebration of Pharmacists Licensed in California for 40 Years

IV. Approval of Board Meeting Minutes

- a. August 30, 2023 Board Meeting
- b. September 12, 2023 Board Meeting

V. Presentation on “Pharmacist Sexual & Reproductive Health Services in California: Recent Research Findings”

VI. Enforcement and Compounding Committee

The Board will review a summary of the Committee's work at its July 18, 2023 and October 19, 2023 meetings, as well as updates for discussion and action as necessary.

- a. Presentation on the Disciplinary Case Process by the Office of the Attorney General
- b. Presentation on the Board's Inspection Program
- c. Presentation on the Board's Citation and Fine Program
- d. Presentation on Quality Assurance Reports Received Pursuant to California Code of Regulations section 1711 (f) related to the Use of Automated Drug Delivery Systems
- e. Enrolled or Recently Signed Legislation Impacting the Practice of Pharmacy
 - i. Assembly Bill 663 (Haney, Chapter 539, Statutes of 2023) Pharmacy: Mobile Units
 - ii. Assembly Bill 782 (Lackey) Pharmacies: Compounding
 - iii. Assembly Bill 1286 (Haney, Chapter 470, Statutes of 2023) Pharmacy
 - iv. Assembly Bill 1341 (Berman, Chapter 276, Statutes of 2023) Public Health, COVID-19 Testing and Dispensing Sites: Oral Therapeutics
 - v. Assembly Bill 1557 (Flora, Chapter 141, Statutes of 2023) Pharmacy: Electronic Prescriptions
 - vi. Senate Bill 345 (Skinner, Chapter 260, Statutes of 2023) Health Care Services: Legally Protected Health Care Services
 - vii. Senate Bill 816 (Roth, Chapter 723, Statutes of 2023) Professions and Vocations
- f. Proposed Revisions to Frequently Asked Questions Related to Inventory Reconciliation Regulation
- g. Proposed Revisions to Frequently Asked Questions Related to Pharmaceutical and Sharps Waste Stewardship Programs
- h. Enforcement Statistics

VII. Closed Session Matters

- a. Pursuant to Government Code section 11126(c)(3), the Board will Convene in Closed Session to Deliberate on Disciplinary Matters, Including Proposed Decisions, Stipulated Settlements, Default Decisions, Petitions for Reinstatement or Modification of Penalty, and Any Other Disciplinary Matters

- b. Pursuant to Government Code section 11126(c)(1), the Board will Convene in Closed Session to Consider the Preparation, Approval, Grading, or Administration of One or More Licensing Examination(s)
- c. Pursuant to Government Code section 11126(a)(1), the Board will Convene in Closed Session to Conduct the Annual Performance Evaluation of its Executive Officer

VIII. Reconvene in Open Session to Adjourn for the Day

Adjournment will immediately follow closed session, and there will be no other items of business discussed. Adjournment for the day may not be viewable on webcast.

IX. Update from the Department of Consumer Affairs

X. Presentation on Implementation of the Drug Supply Chain Security Act and National Association of Boards of Pharmacy (NABP) Efforts

XI. Presentation on Senate Bill 544 (Laird, Chapter 216, Statutes of 2023) Bagley-Keene Open Meeting Act: Teleconferencing, and Consideration of Potential Changes to Board Member Procedure Manual

XII. Organizational Development Committee

- a. Budget Report
- b. Board Member Attendance and Mail Vote Information
- c. Personnel Update
- d. Future Meeting Dates

XIII. Licensing Committee

The Board will review a summary of the Committee's work at its July 19, 2023 and October 18, 2023 meetings, as well as updates for discussion and action as necessary.

- a. Provisions for Remote Processing
- b. Pharmacist to Pharmacy Technician Ratio
- c. Pharmacist Provided CLIA Waived Tests, Including Potential Expansion of Authorized Tests
- d. Central Fill Pharmacies, including Title 16, California Code of Regulations section 1707.4
- e. Board's Regulation of Mail Order Pharmacies
- f. Licensing Statistics

XIV. Legislation and Regulation Committee

The Board will review a summary of the Committee's work at its July 18, 2023 meeting, as well as updates for discussion and action as necessary.

- a. Pending Legislation Impacting the Practice of Pharmacy, the Board's Jurisdiction, or Board Operations
 - 1. Assembly Bill 317 (Weber, Chapter 322, Statutes of 2023) Pharmacist Service

Coverage

2. Assembly Bill 663 (Haney, Chapter 539, Statutes of 2023) Pharmacy: Mobile Units
 3. Assembly Bill 782 (Lackey) Pharmacies: Compounding
 4. Assembly Bill 913 (Petrie-Norris) Pharmacy Benefit Managers
 5. Assembly Bill 1060 (Ortega) Health Care Coverage: Naloxone Hydrochloride
 6. Assembly Bill 1286 (Haney, Chapter 470, Statutes of 2023) Pharmacy
 7. Assembly Bill 1341 (Berman, Chapter 276, Statutes of 2023) Public Health: COVID-19 Testing and Dispensing Sites: Oral Therapeutics
 8. Assembly Bill 1557 (Flora, Chapter 141, Statutes of 2023) Pharmacy: Electronic Prescriptions
 9. Senate Bill 339 (Weiner) HIV Preexposure Prophylaxis and Postexposure Prophylaxis
 10. Senate Bill 345 (Skinner, Chapter 260, Statutes of 2023) Health Care Services: Legally Protected Health Care Services
 11. Senate Bill 427 (Portantino) Health Care Coverage: Antiretroviral Drugs, Devices, and Products
 12. Senate Bill 544 (Laird, Chapter 216, Statutes of 2023) Bagley-Keene Open Meeting Act: Teleconferencing
 13. Senate Bill 816 (Roth, Chapter 723, Statutes of 2023) Professions and Vocations
 14. Senate Bill 873 (Bradford) Prescription Drugs: Cost Sharing
 15. Senate Bill 887 (Senate Business, Professions, and Economic Development Committee, Chapter 510, Statutes of 2023) Consumer Affairs
- b. Board-Adopted Regulations Undergoing Final Review by the Office of Administrative Law
1. Proposed Regulation to Amend Title 16 CCR section 1707.6 Related to the Notice to Consumer
 2. Proposed Regulation to Amend Title 16 CCR section 1706.6 Related to the Military Spouse Temporary License
- c. Board-Adopted Regulations Undergoing Final Review by the Department of Consumer Affairs, or Business, Consumer Services and Housing Agency
1. Proposed Regulation to Add Title 16 CCR section 1715.1 Related to the ADDS Self-Assessment
- d. Board-Approved Regulations Undergoing Pre-Notice Review by the Department of Consumer Affairs, or Business, Consumer Services and Housing Agency
1. Proposed Regulation to Amend Title 16 CCR section 1709.1 Related to the Designation of Pharmacist-in-Charge
 2. Proposed Regulation to Add Title 16 CCR sections 1750 and 1750.1 Related to Outsourcing Facilities
 3. Proposed Regulation to Amend Title 16 CCR section 1746.3 Related to Opioid Antagonist
 4. Proposed Regulation to Add Title 16 CCR section 1746.6 Related to Medication Assisted Treatment Protocol
 5. Proposed Regulation to Amend Title 16 CCR section 1760 Related to Disciplinary

Guidelines

6. Proposed Regulation to Amend Title 16 CCR section 1732.5 and Add section 1732.8 Related to Continuing Education
7. Proposed Regulation to Amend Title 16 CCR sections 1735 and 1751 Related to Compounding
8. Proposed Regulation to Amend Title 16 CCR section 1708.2 Related to Discontinuance of Business
- e. Board-Approved Regulations – Board Staff Drafting Initial Rulemaking Documents
 1. Proposed Regulation to Amend Title 16 CCR section 1711 Related to Quality Assurance
- f. Board-Authorized Section 100 – Board Staff Drafting Section 100 Documents
 1. Proposed Regulation to Amend Title 16 CCR sections 1715 and 1784 Related to the Community Pharmacy, Hospital Pharmacy, and Dangerous Drug Distributor Self-Assessment Forms

XV. Communication and Public Education Committee

The Board will review a summary of the Committee's work at its July 19, 2023 meeting, as well as updates for discussion and action as necessary.

- a. Update to the Website
- b. Update on Communication and Public Education Activities by Staff
 1. The Script
 2. Staff Outreach
 - A. Naloxone Education Materials
 - B. Public Awareness Campaign on Treating Pharmacy Staff with Courtesy
 - C. Education Campaign Regarding ISMP
 - D. Presentations and Trainings

XVI. Executive Officer Report

- a. Annual Review of Sunset Report Activities
- b. Biannual Report of the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE) and the North American Pharmacist Licensure Examination (NAPLEX)
- c. FDA Announcement: Drug Supply Chain Security Act Compliance Policies Establish 1-year Stabilization Period for Implementing Electronic Systems
- d. Drug Enforcement Agency (DEA) Announcement: Revised Regulation Allows DEA-Registered Pharmacies to Transfer Electronic Prescriptions at a Patient's Request
- e. Update on Business Modernization Activities
- f. Medical Board of California 2023 Guidelines for Prescribing Controlled Substances for Pain

XVII. Adjournment

Upon conclusion of business