

Board Meeting Highlights – July 31 and August 1, 2024

The California State Board of Pharmacy considered the following items and took the following actions at its meeting on July 31 - August 1, 2024:

- California Code of Regulations, title 16, repeal of sections 1708.3, 1708.4, 1735 et seq. and 1751 et seq. and addition of sections 1735 et seq., 1736 et seq., 1737 et seq., and 1738 et seq., related to compounded drug preparations: Voted to delegate to Members Serpa and Barker to work with the executive officer and staff to incorporate additional modifications to the proposed regulatory text to reflect the Board's discussion at the meeting, and present the modified text to the Board at its next meeting on September 12, 2024.
- California Code of Regulations, title 16, section 1709.1, related to designation of pharmacist-in-charge (PIC): Voted to accept the staff recommended comment responses and adopt the regulation text as noticed on April 29, 2024.
- Voted to approve the April 24-25, 2024, Board meeting minutes as presented.
- Voted to approve the March 13, 2024, Disciplinary Petition Committee meeting minutes as presented.
- Voted to approve the May 8, 2024, Disciplinary Petition Committee meeting minutes as presented.
- Discussed proposed issues to raise as part of the Board's upcoming sunset report.

Received a report from the Enforcement and Compounding Committee, including discussion and action as follows:

- Voted to approve the draft policy statement on IV hydration clinics.

Received a report from the Licensing Committee, including discussion and action as follows:

- Voted to amend Business and Professions Code (BPC) section 4038(b) to expand to allow for a pharmacy technician trainee in an employer-based pharmacy technician training program accredited by an agency approved by the Board and make conforming changes to BPC section 4115.5.
- Voted to amend BPC section 4115(g) to change the ratio of pharmacist to pharmacy technician to 1:2 in the outpatient pharmacy setting, with the pharmacist having the ability to refuse to supervise the second pharmacy technician, and further providing that the Board may, by regulation, establish a different ratio applicable to different outpatient pharmacy practice settings.

- Voted to amend BPC section 4200.5 to establish a process to reinstate a retired license.
- Voted to amend BPC section 4115 related to pharmacy technicians compounding outside of a licensed pharmacy.
- California Code of Regulations, title 16, section 1707.4, related to central fill pharmacies: Authorized the executive officer and Licensing Committee Chair to refine the language consistent with the Board's discussion at the meeting and to initiate a rulemaking.
- Voted to amend BPC section 4112 to update the requirements for nonresident pharmacies.
- Voted to amend BPC sections 4052 and 4052.3 to provide pharmacists with the authority to prescribe OTC hormonal contraception.

Received a report from the Communication and Public Education Committee, including discussion and action as follows:

- Reviewed educational materials related to IV hydration clinics.

Received a report from the Legislation and Regulation Committee, including discussion and action as follows:

- Pending legislation, AB 3063 (McKinnor) Pharmacies: Compounding
 - Voted to adopt an oppose position.
- Pending legislation, SB 1089 (Smallwood-Cuevas) Addressing Food Injustice: Notice of Grocery and Pharmacy Closures
 - Voted to adopt a support position.