

Attachment 3

**Comments received during the 15-
day public comment period**

Written Comments Received

#1

From: [Jared Sewall](#)
To: PharmacyRulemaking@DCA
Subject: Public Comment: Proposed regulatory text in section 1717.11 of article 2, division 17, title 16 of the California Code of Regulations, related to REMOTE PROCESSING
Date: Thursday, March 19, 2026 9:29:17 AM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Good Morning,

I wanted to provide comment on the proposal above.

As a practicing pharmacist of 11 years (where does the time go) and healthcare for over 15 years, I have seen the practice of Pharmacy change very rapidly.

I am in support of the Board's decision and proposed text on Remote Processing, in particular the exclusions of direct "eyes on product" from being within scope of Remote Processing.

I have worked at various hospital and healthcare systems that utilized Remote Processing, and this exclusion has always been present and an item staff (and patients) have expressed should be left in person.

The remote processing of these non-excluded items with organizations utilizing Policies/Procedures has been paramount to the success of such programs. They allow greater flexibility and better patient care overall.

Thank you,

Jared Sewall, BCPG, PharmD
CA BOP # 73123

Written Comments Received

#2

From: [David Pham](#)
To: PharmacyRulemaking@DCA
Subject: Comment on proposed modifications on: Remote Processing
Date: Thursday, March 19, 2026 9:40:05 AM

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Hi BOP,

Regarding current proposal on **Remote Processing**:

1. The current text does not mention if pharmacy tech can or cannot assist with the remote pharmacist during remote processing. Can you please clarify this?
 - a. I can imagine a scenario where a pharmacy tech can remotely log into the system to help type up e-orders from electronic e-order queue (select the right NDC, match prescription to pt profile in system, match directions, ect). After the work done by the pharmacy tech, it goes to the remote pharmacist who will verify the orders. Please check if this setup is authorized under the proposed remote processing.

Regards,

David Pham

RUHS Confidentiality Disclaimer

The information contained in this electronic message is intended only for the personal and confidential use of the designated recipients named above. This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain confidential information that is legally privileged, covered by the Electronic Communications Privacy Act 18 U.S.C. § 2510-2522. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, **YOU ARE HEREBY NOTIFIED** that any retention, dissemination, distribution, disclosure, copying or further use of any of the information contained in or attached to this transmission is **STRICTLY PROHIBITED**.

Written Comments Received

#3

From: [jsiehnel](#)
To: PharmacyRulemaking@DCA
Subject: remote processing
Date: Thursday, March 19, 2026 9:50:53 AM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for our patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, our patients are put at risk.

Our profession is already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes our employers' bottom lines over our patients. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

Jeremy Siehnel PharmD

Written Comments Received

#4

From: [Kristen Wright](#)
To: PharmacyRulemaking@DCA
Subject: Remote Processing Proposed Remote Processing
Date: Thursday, March 19, 2026 10:40:15 AM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Hello,

I would like to comment on this bill proposal to see if the Board could address whether technicians licensed in CA, supervised by a CA-licensed pharmacist, could process remotely.

Thank you,
Kristen

--

Kristen Wright, PharmD, MHA, Director, Regulatory Operations
CAPSULE | (336) 782-4306 | capsule.com | [@capsulecares](https://twitter.com/capsulecares)
CAPSULE IN [BLOOMBERG](#) | [CNBC](#) | [WSJ](#) | [FAST CO](#) | [FORTUNE](#) | [PBS](#)

Written Comments Received

#5

From: Chatterjee, Srideep@CDCR
To: PharmacyRulemaking@DCA
Cc: [CDCR CCHCS Pharmacists](#)
Subject: Remote Processing of Prescriptions
Date: Thursday, March 19, 2026 10:56:15 AM
Attachments: [Remote_processing.pdf](#)

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

To,
California State Board of Pharmacy
Attn: Debbie Damoth
2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833

RE: Support for Proposed Section 1717.11 – Remote Processing of Prescriptions

To the Members of the Board:

I am writing to formally support the proposed addition of Section 1717.11 to Title 16 of the California Code of Regulations, concerning the remote processing of prescriptions. I strongly urge the Board to ensure this regulation explicitly encompasses all pharmacy facilities within the California Department of Corrections and Rehabilitation (CDCR) and California Correctional Health Care Services (CCHCS).

The pharmacies within the CDCR/CCHCS system play a vital role in protecting California consumers by ensuring the safe and timely delivery of medications to a unique and vulnerable patient population. Authorizing remote processing for these facilities is critical for the following reasons:

- *Pandemic Preparedness & Continuity of Care: As evidenced by the COVID-19 pandemic, the ability to shift to remote verification is essential for maintaining uninterrupted pharmacy services during public health emergencies. This flexibility prevents service destabilization when on-site staffing is compromised.*
- *Operational Efficiency: Remote processing allows California-licensed pharmacists to perform nondiscretionary tasks and medication order reviews from secure, remote locations, maximizing the efficiency of our statewide pharmacy network.*
- *Staff Retention & Work-Life Balance: Providing staff with the flexibility of remote work is a modern necessity that improves employee safety and morale. In a competitive healthcare landscape, this flexibility is a key factor in attracting and rewarding the quality staff needed to meet our constitutional mandate for*

adequate medical care.

- *Public Safety & Security: The proposed regulation includes robust requirements for secure electronic access, confidentiality (HIPAA), and Board inspection of remote workspaces. These safeguards ensure that remote processing in a correctional environment would maintain the highest standards of security and consumer protection.*

Expanding these provisions to include all CDCR/CCHCS facilities will bolster California's healthcare infrastructure and ensure our pharmacists can continue their essential work with the flexibility required in today's professional environment.

Thank you for your consideration of these comments.

Sincerely,

Respectfully,

Srideep Chatterjee

Pharmacist II - PIC

Kern Valley State Prison

3000 West Cecil Ave.

Delano, CA 93215

Office:(661) 721-6300 Ext. 6355

Cell : (661) 709-8983

srideep.chatterjee@cdcr.ca.gov

**Department of Consumer Affairs
Title 16. Pharmacy**

**Modified Regulation Text
Remote Processing of Prescriptions**

Legend: Added text is indicated with an underline.

Modified changes made to the proposed regulation language are shown by ~~double strikethrough~~ for deleted language and double underline for added language.

Add section 1717.11 to Division 17 of Title 16 of the California Code of Regulations, to read as follows:

§1717.11. Remote Processing of Prescriptions.

- (a) A pharmacist located and licensed in the state may perform remote processing of prescriptions, from a location outside of a licensed facility, under the following conditions:
- (1) The pharmacy is responsible for ensuring all appropriate and necessary security and confidentiality provisions are in place, including compliance with HIPAA requirements, and specified in its policies and procedures.
 - (2) ~~The pharmacist has agreed to perform remote processing and designates the space to perform such processing in a written agreement with the pharmacy. Such space shall be open for inspection by the Board consistent with the provisions of Business and Professions Code section 4008. The pharmacy and pharmacist enter a written agreement under which the pharmacist agrees to perform remote processing and designates a specific location or locations to perform such processing.~~
The pharmacy and pharmacist enter a written agreement under which the pharmacist agrees to perform remote processing and designates a specific location or locations to perform such processing.
 - (3) The written agreement (including modifications) required in (a)(2) of this section shall be maintained, for at least three years following the pharmacist's employment, in a readily retrievable format and shall be available for inspection by the Board.
 - (4) The duties for remote processing of prescriptions shall be approved by the pharmacist-in-charge and specified in the pharmacy's policies and procedures.
 - (5) A pharmacy shall maintain a record of all the pharmacist's activities performed pursuant to this section.
 - (6) Records maintained pursuant to this section shall meet the same requirements as those described in Sections 4081 and 4105 of the Business and Professions Code.
- (b) For purposes of this section, "remote processing of prescriptions" does not include final product verification, supervision of pharmacy personnel, or the dispensing of a drug.
- ~~(c) This section does not apply to facilities of the California Department of Corrections and Rehabilitation.~~

Note: Authority cited: Sections 4005 and 4036, Business and Professions Code.
Reference: Sections 4005, 4008, and 4036, Business and Professions Code.

Written Comments Received

#6

From: [Brant Rego](#)
To: PharmacyRulemaking@DCA
Subject: Modified regulation text request
Date: Thursday, March 19, 2026 12:02:56 PM
Attachments: [image.png](#)

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear Debbie Darmoth,

Could you please provide the rationale for the addition of Section C (highlighted) in the attached document?

While we have detailed justifications for all other proposed changes, we lack documentation regarding Section C. It appears the California Department of Corrections and Rehabilitation (CDCR) requested this addition without providing a supporting reason for us to review so we may comment.

Modified Regulation Text
Remote Processing of Prescriptions

Legend: Added text is indicated with an underline.

Modified changes made to the proposed regulation language are shown by ~~double strikethrough~~ for deleted language and double underline for added language.

Add section 1717.11 to Division 17 of Title 16 of the California Code of Regulations, to read as follows:

§1717.11. Remote Processing of Prescriptions.

- (a) A pharmacist located and licensed in the state may perform remote processing of prescriptions, from a location outside of a licensed facility, under the following conditions:
- (1) The pharmacy is responsible for ensuring all appropriate and necessary security and confidentiality provisions are in place, including compliance with HIPAA requirements, and specified in its policies and procedures.
 - (2) The pharmacist has agreed to perform remote processing and designates the space to perform such processing in a written agreement with the pharmacy. Such space shall be open for inspection by the Board consistent with the provisions of Business and Professions Code section 4008. The pharmacy and pharmacist enter a written agreement under which the pharmacist agrees to perform remote processing and designates a specific location or locations to perform such processing.
 - (3) The written agreement (including modifications) required in (a)(2) of this section shall be maintained, for at least three years following the pharmacist's employment, in a readily retrievable format and shall be available for inspection by the Board.
 - (4) The duties for remote processing of prescriptions shall be approved by the pharmacist-in-charge and specified in the pharmacy's policies and procedures.
 - (5) A pharmacy shall maintain a record of all the pharmacist's activities performed pursuant to this section.
 - (6) Records maintained pursuant to this section shall meet the same requirements as those described in Sections 4081 and 4105 of the Business and Professions Code.
- (b) For purposes of this section, "remote processing of prescriptions" does not include final product verification, supervision of pharmacy personnel, or the dispensing of a drug.
- (c) This section does not apply to facilities of the California Department of Corrections and Rehabilitation.

Note: Authority cited: Sections 4005 and 4036, Business and Professions Code.

Reference: Sections 4005, 4008, and 4036, Business and Professions Code.

Regards,

Brant Rego
Pharmacist 51434

Written Comments Received

#7

From: [Dustin S](#)
To: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Subject: Pharmacy
Date: Thursday, March 19, 2026 2:22:41 PM

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, us patients are put at risk.

Pharmacists are already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes the employers' bottom lines over patients' health and safety. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

Dustin Stankiewicz

Ps. I also work 40-60hrs a week and take meds, using my pharmacist in my store to access my meds at work makes it easier. Please no remote pharmacist please. I already do remote with my dr and I see the services decline each visit and gets harder and harder to see him in person when they just use online.

Written Comments Received

#8

From: [Nicolas Tomsio](#)
To: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Subject: Don't Go Through with Remote Processing!
Date: Thursday, March 19, 2026 2:39:11 PM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, us patients are put at risk.

Pharmacists are already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes the employers' bottom lines over patients' health and safety. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

Nicolas G. Tomsio

Written Comments Received

#9

From: [Larson, Shelly@CalVet](mailto:Larson,Shelly@CalVet)
To: PharmacyRulemaking@DCA
Subject: 1717.11 Remote processing of prescriptions
Date: Thursday, March 19, 2026 2:49:49 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

I would like to make a comment on the proposed modification to text in 1717.11, Attn. to Debbie Damoth

The language in this text implies and infers that the pharmacist is employed or contracted with the facility, but it doesn't expressly state that this is a requirement.

There is this language:

“**The pharmacy and pharmacist enter a written agreement** under which the pharmacist agrees to perform remote processing and designates a specific location or locations to perform such processing.

(3) The written agreement (including modifications) required in (a)(2) of this section shall be maintained, for at least three years **following the pharmacist's employment,**”

But again, these highlighted areas infer employment it doesn't expressly state it is a requirement.

In our organization I have encountered this situation, where our HQ has attempted to hire a pharmacist to work at one of our SNF's as a consultant and allow them access to our pharmacy database to do remote data entry from the SNF, which is not part of our licensed facility and has no PIC oversight. The pharmacist is an employee of the SNF, not the pharmacy.

I have prohibited this, but it has been a fight. I feel there needs to be language that specifically states the pharmacist must be employed by the licensed facility.

This could be included in (a) as follows:

(a) A pharmacist located and licensed in the state may perform remote processing of prescriptions, from a location outside of a licensed facility that **employs the pharmacist,** under the following conditions:

Thank you,



Shelly Larson, Pharm D.
Pharmacy Services Manager
Phone: 707.948,2537
Cell: 707.339.3575

123 California Drive
Yountville, CA. 94599

www.calvet.ca.gov



This email, together with any attachments, is intended only for the use of the individual or entity to which it is addressed. It may contain information that is CONFIDENTIAL and PROTECTED from disclosure. If you are not the intended recipient, you are hereby notified that any

dissemination of this message or any attachment is strictly prohibited. If you have received this message in error, please notify the original sender by responding to the original message. Thank you.

Written Comments Received

#10

From: [Mario Arzate](#)
To: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Date: Thursday, March 19, 2026 11:19:45 PM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, us patients are put at risk.

Pharmacists are already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes the employers' bottom lines over patients' health and safety. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

[Mario Arzate]

Sent from my iPhone

Written Comments Received

#11

From: [O](#)
To: PharmacyRulemaking@DCA
Cc: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Subject: 15 day comment period: Proposed Regulatory Language Remote Processing Public Comment
Date: Friday, March 20, 2026 1:35:58 PM
Attachments: [image002.png](#)

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Subject: Comment on Proposed Regulation 16 CCR §1717.11 – Remote Processing

To the California State Board of Pharmacy,

I am writing to provide comments on the proposed addition of Section 1717.11 regarding remote processing.

While I am discouraged by remote processing due to concerns around privacy, reduced patient access, and potential erosion of trust in the healthcare system, I would like to provide several specific comments for consideration regarding patient safety, accountability, and operational transparency:

1. Lack of Real-Time Communication Requirements

The proposed regulation does not explicitly require that a pharmacist performing remote processing be readily and directly accessible to the pharmacy staff. Remote pharmacists may be performing critical clinical functions, including drug utilization review and approval of prescriptions, yet there is no requirement ensuring that an on-site pharmacist can immediately communicate with them.

In practice, this creates a significant patient safety risk. Clinical decisions often require context that may only be available at the pharmacy level, and the inability to promptly clarify or challenge a decision could result in inappropriate dispensing, particularly in situations involving controlled substances or complex drug therapy issues.

Examples include:

- A remote pharmacist approving a controlled substance refill without awareness of early refill patterns, or other concerns known to the pharmacy
- Overriding or not fully addressing significant drug utilization review alerts (e.g., drug interactions, duplicate therapies) without full clinical context
- Entering or verifying prescriptions with incorrect directions, quantity, or drug selection, where clarification is needed before dispensing

In each of these situations, the on-site pharmacist must have the ability to immediately contact the remote pharmacist to clarify, intervene, or prevent a potential error from reaching the patient.

The regulation should require a real-time communication mechanism (e.g., direct phone line

AND secure messaging system) and establish expectations for timely responsiveness.

2. Lack of Transparency of Remote Pharmacist Activity

The proposal requires recordkeeping of remote pharmacist activities but does not ensure real-time visibility of who is actively performing remote processing. Pharmacy staff may be unaware that a remote pharmacist is reviewing or approving prescriptions at a given time.

For purposes of accountability, workflow coordination, and patient safety, pharmacies should be required to maintain and display a real-time log or dashboard identifying all pharmacists currently engaged in remote processing and their activities. This would align operational awareness with the shared responsibility for patient care. Giving the Pharmacist on site a way to know that somebody currently has remote access to the pharmacy.

3. Accountability and Identification of Remote Pharmacists

Current California pharmacy practice emphasizes clear identification of pharmacists working in a licensed pharmacy, including public posting of licenses. The proposed regulation does not address how remote pharmacists will be identified to either staff or patients.

There should be a requirement for accessible identification of all pharmacists (on-site and remote) involved in prescription processing. This would improve transparency and maintain consistency with existing expectations around professional accountability.

4. Pharmacy-Level Control Over Remote Processing

The proposed regulation appropriately places responsibility on the pharmacist-in-charge or staff to define allowable remote duties through policies and procedures. However, it does not address whether a pharmacy has the ability to dynamically enable or disable remote processing based on real-time conditions.

Allowing the pharmacy to suspend remote processing when necessary (e.g., workflow concerns, safety issues, or system limitations) would provide an additional safeguard and reinforce the authority of the pharmacist-in-charge and staff in maintaining safe operations.

5. Impact on Staffing and Practical Authority of the Pharmacist-in-Charge

While the Board of Pharmacy has taken steps to empower the pharmacist-in-charge (PIC) with authority over staffing decisions, in practice, this authority has not meaningfully changed operations. PICs often still require approval from corporate management or supervisors, limiting their ability to make real-time staffing adjustments based on patient care needs. Especially as pharmacies close and more workload falls on fewer pharmacists.

The introduction of remote processing may further exacerbate this issue. Reduced floater by shifting pharmacist workload off-site, there is a risk that fewer pharmacists and staff will be physically present in the pharmacy. This could reduce patient access to direct pharmacist interaction, increase workload on remaining on-site staff, and create additional safety risks.

6. Need for Direct Engagement with Practicing Pharmacists

The Board should take a more proactive approach in soliciting feedback from pharmacists who are actively practicing, including staff pharmacists, floaters, and pharmacists-in-charge. Relying primarily on general announcements or passive outreach through email will not capture the perspectives of those most directly impacted by these regulations.

To ensure that policies are informed by real-world practice, the Board should directly engage pharmacists through targeted outreach. Input from those working in day-to-day pharmacy operations is critical to identifying safety risks, workflow challenges, and unintended consequences that may not be apparent at a policy level.

Thank you for your consideration.

Sincerely,
Isaac O

On Wed, Feb 25, 2026 at 1:57 PM PharmacyRulemaking@DCA
<PharmacyRulemaking@dca.ca.gov> wrote:

Thank you for your comments. Unfortunately, comments needed to be submitted during the 45-day comment period which closed on February 24, 2026. As the comment period has closed, the comments are considered late and submitted outside of a comment period.



Debbie Damoth, Senior Administration and Regulations
Manager
California State Board of Pharmacy
(916) 518-3090 | FAX (916) 574-8614 | www.pharmacy.ca.gov

Be Aware and Take Care: Talk to your Pharmacist!

From: O <imolshans@gmail.com>
Sent: Wednesday, February 25, 2026 1:35 AM
To: PharmacyRulemaking@DCA <PharmacyRulemaking@dca.ca.gov>
Cc: Isaac Olshans <imolshans@gmail.com>
Subject: Proposed Regulatory Language Remote Processing Public Comment

One of the most pressing issues in community pharmacy today is not a lack of remote processing capacity — it is insufficient staffing to support direct patient care.

Pharmacies would undoubtedly operate “faster” if pharmacists were insulated from phone calls, patient counseling, and in-person clinical interruptions. However, those interactions are not inefficiencies; they are the core safety functions of pharmacy practice.

Expanding remote processing creates a financial incentive for employers to shift pharmacist labor away from patient-facing responsibilities and into centralized, task-oriented verification roles. While this may improve throughput metrics, it risks reducing real-time clinical access for patients at the point of care.

The practical effect is predictable:

- Fewer pharmacists physically present in stores
- Increased reliance on technicians for workflow management
- Delays in counseling and intervention
- Reduced opportunity for spontaneous clinical assessment

When the profession is already experiencing critical staffing shortages, the solution should prioritize strengthening in-person pharmacist availability, not redistributing pharmacists into remote roles that remove them from direct patient interaction.

If anything, the regulatory focus should be on:

- Minimum on-site pharmacist staffing standards
- Protected time for counseling and clinical services
- Limits on workload volume per pharmacist

We need more pharmacists physically present, not less.

Thank you

Written Comments Received

#12

From: [Sarkis, Andrew@CDCR](mailto:Sarkis,Andrew@CDCR)
To: PharmacyRulemaking@DCA
Cc: [CDCR CCHCS KVSP Pharmacist](#)
Subject: Remote Processing of Prescriptions
Date: Monday, March 23, 2026 7:14:08 AM
Attachments: [Outlook-emailSign5](#)
[Remote_processing.pdf](#)

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

To,

California State Board of Pharmacy

Attn: Debbie Damoth

2720 Gateway Oaks Drive, Suite 100

Sacramento, CA 95833

RE: Support for Proposed Section 1717.11 – Remote Processing of Prescriptions

To the Members of the Board:

*I am writing to formally support the proposed addition of **Section 1717.11 to Title 16 of the California Code of Regulations**, concerning the remote processing of prescriptions.*

*I strongly urge the Board to ensure this regulation explicitly encompasses all pharmacy facilities within the **California Department of Corrections and***

Rehabilitation (CDCR) and California Correctional Health Care Services (CCHCS).

The pharmacies within the CDCR/CCHCS system play a vital role in protecting California consumers by ensuring the safe and timely delivery of medications to a unique and vulnerable patient population. Authorizing remote processing for these facilities is critical for the following reasons:

- **Pandemic Preparedness & Continuity of Care:** *As evidenced by the COVID-19 pandemic, the ability to shift to remote verification is essential for maintaining uninterrupted pharmacy services during public health emergencies. This flexibility prevents service destabilization when on-site staffing is compromised.*
- **Operational Efficiency:** *Remote processing allows California-licensed pharmacists to perform nondiscretionary tasks and medication order reviews from secure, remote locations, maximizing the efficiency of our statewide pharmacy network.*
- **Staff Retention & Work-Life Balance:** *Providing staff with the flexibility of remote work is a modern necessity that improves employee safety and morale. In a*

competitive healthcare landscape, this flexibility is a key factor in attracting and rewarding the quality staff needed to meet our constitutional mandate for adequate medical care.

- **Public Safety & Security:** *The proposed regulation includes robust requirements for secure electronic access, confidentiality (HIPAA), and Board inspection of remote workspaces. These safeguards ensure that remote processing in a correctional environment would maintain the highest standards of security and consumer protection.*

Expanding these provisions to include all CDCR/CCHCS facilities will bolster California's healthcare infrastructure and ensure our pharmacists can continue their essential work with the flexibility required in today's professional environment.

Thank you for your consideration of these comments.

Sincerely,

ANDREW SARKIS

pharmacist I

kern valley state prison

661-721-6300 ext. 5819

andrew.sarkis@cdcr.ca.gov



Department of Consumer Affairs
Title 16. Pharmacy

Modified Regulation Text
Remote Processing of Prescriptions

Legend: Added text is indicated with an underline.

Modified changes made to the proposed regulation language are shown by ~~double strikethrough~~ for deleted language and double underline for added language.

Add section 1717.11 to Division 17 of Title 16 of the California Code of Regulations, to read as follows:

§1717.11. Remote Processing of Prescriptions.

- (a) A pharmacist located and licensed in the state may perform remote processing of prescriptions, from a location outside of a licensed facility, under the following conditions:
- (1) The pharmacy is responsible for ensuring all appropriate and necessary security and confidentiality provisions are in place, including compliance with HIPAA requirements, and specified in its policies and procedures.
 - (2) ~~The pharmacist has agreed to perform remote processing and designates the space to perform such processing in a written agreement with the pharmacy. Such space shall be open for inspection by the Board consistent with the provisions of Business and Professions Code section 4008.~~ The pharmacy and pharmacist enter a written agreement under which the pharmacist agrees to perform remote processing and designates a specific location or locations to perform such processing.
 - (3) The written agreement (including modifications) required in (a)(2) of this section shall be maintained, for at least three years following the pharmacist's employment, in a readily retrievable format and shall be available for inspection by the Board.
 - (4) The duties for remote processing of prescriptions shall be approved by the pharmacist-in-charge and specified in the pharmacy's policies and procedures.
 - (5) A pharmacy shall maintain a record of all the pharmacist's activities performed pursuant to this section.
 - (6) Records maintained pursuant to this section shall meet the same requirements as those described in Sections 4081 and 4105 of the Business and Professions Code.
- (b) For purposes of this section, "remote processing of prescriptions" does not include final product verification, supervision of pharmacy personnel, or the dispensing of a drug.
- (c) ~~This section does not apply to facilities of the California Department of Corrections and Rehabilitation.~~

Note: Authority cited: Sections 4005 and 4036, Business and Professions Code.

Reference: Sections 4005, 4008, and 4036, Business and Professions Code.

Written Comments Received

#13

From: [Gupta, Vineet@CDCR](mailto:Gupta,Vineet@CDCR)
To: PharmacyRulemaking@DCA
Subject: Remote processing of prescriptions
Date: Monday, March 23, 2026 9:34:28 AM

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

To,
California State Board of Pharmacy
Attn: Debbie Damoth
2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833

RE: Support for Proposed Section 1717.11 – Remote Processing of Prescriptions

To the Members of the Board:

*I am writing to formally support the proposed addition of **Section 1717.11 to Title 16 of the California Code of Regulations**, concerning the remote processing of prescriptions. I strongly urge the Board to ensure this regulation explicitly encompasses all pharmacy facilities within the **California Department of Corrections and Rehabilitation (CDCR) and California Correctional Health Care Services (CCHCS)**.*

The pharmacies within the CDCR/CCHCS system play a vital role in protecting California consumers by ensuring the safe and timely delivery of medications to a unique and vulnerable patient population. Authorizing remote processing for these facilities is critical for the following reasons:

- **Pandemic Preparedness & Continuity of Care:** *As evidenced by the COVID-19 pandemic, the ability to shift to remote verification is essential for maintaining uninterrupted pharmacy services during public health emergencies. This flexibility prevents service destabilization when on-site staffing is compromised.*
- **Operational Efficiency:** *Remote processing allows California-licensed pharmacists to perform nondiscretionary tasks and medication order reviews from secure, remote locations, maximizing the efficiency of our statewide pharmacy network.*
- **Staff Retention & Work-Life Balance:** *Providing staff with the flexibility of remote work is a modern necessity that improves employee safety and morale. In a competitive healthcare landscape, this flexibility is a key factor in attracting and rewarding the quality staff needed to meet our constitutional mandate for*

adequate medical care.

- **Public Safety & Security:** *The proposed regulation includes robust requirements for secure electronic access, confidentiality (HIPAA), and Board inspection of remote workspaces. These safeguards ensure that remote processing in a correctional environment would maintain the highest standards of security and consumer protection.*

Expanding these provisions to include all CDCR/CCHCS facilities will bolster California's healthcare infrastructure and ensure our pharmacists can continue their essential work with the flexibility required in today's professional environment.

Thank you for your consideration of these comments.

Sincerely,

Vineet Gupta, Pharmacist I
Kern Valley State Prison
661-721-6300 ext 5818

Written Comments Received

#14

From: [Yang, Robert](#)
To: PharmacyRulemaking@DCA
Subject: Remote Processing of Prescriptions
Date: Monday, March 23, 2026 9:49:27 AM
Attachments: [Outlook-e0xo5uo2.png](#)

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

To,
California State Board of Pharmacy
Attn: Debbie Damoth
2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833

RE: Support for Proposed Section 1717.11 – Remote Processing of Prescriptions

To the Members of the Board:

*I am writing to formally support the proposed addition of **Section 1717.11 to Title 16 of the California Code of Regulations**, concerning the remote processing of prescriptions. I strongly urge the Board to ensure this regulation explicitly encompasses all pharmacy facilities within the **California Department of Corrections and Rehabilitation (CDCR) and California Correctional Health Care Services (CCHCS)**.*

The pharmacies within the CDCR/CCHCS system play a vital role in protecting California consumers by ensuring the safe and timely delivery of medications to a unique and vulnerable patient population. Authorizing remote processing for these facilities is critical for the following reasons:

- **Pandemic Preparedness & Continuity of Care:** *As evidenced by the COVID-19 pandemic, the ability to shift to remote verification is essential for maintaining uninterrupted pharmacy services during public health emergencies. This flexibility prevents service destabilization when on-site staffing is compromised.*
- **Operational Efficiency:** *Remote processing allows California-licensed pharmacists to perform nondiscretionary tasks and medication order reviews from secure, remote locations, maximizing the efficiency of our statewide pharmacy network.*
- **Staff Retention & Work-Life Balance:** *Providing staff with the flexibility of remote work is a modern necessity that improves employee safety and morale. In a competitive healthcare landscape, this flexibility is a key factor in attracting and*

rewarding the quality staff needed to meet our constitutional mandate for adequate medical care.

- **Public Safety & Security:** *The proposed regulation includes robust requirements for secure electronic access, confidentiality (HIPAA), and Board inspection of remote workspaces. These safeguards ensure that remote processing in a correctional environment would maintain the highest standards of security and consumer protection.*

Expanding these provisions to include all CDCR/CCHCS facilities will bolster California's healthcare infrastructure and ensure our pharmacists can continue their essential work with the flexibility required in today's professional environment.

Thank you for your consideration of these comments.

Sincerely,

Robert Jay Yang, PharmD
Pharmacist 1
Kern Valley State Prison
robert.yang1@cdcr.ca.gov
Tel: 661-721-6300 ext. 5818



CALIFORNIA CORRECTIONAL
HEALTH CARE SERVICES



Written Comments Received

#15

From: [Gianna Fletcher](#)
To: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Subject: Patients Over Process
Date: Monday, March 23, 2026 10:25:26 AM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, us patients are put at risk.

Pharmacists are already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes the employers' bottom lines over patients' health and safety. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Warmly,
Gianna Fletcher

Written Comments Received

#16

From: [Saba Waheed](#)
To: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Subject: Concern about remote processing
Date: Monday, March 23, 2026 10:29:31 AM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

I am concerned about moving prescription processing offsite. I have a relationship with my pharmacist and rely on them to ensure safe, accurate, and timely care for patients. The focus should be to ensure safe conditions and adequate staffing.

Pharmacists are already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes the employers' bottom lines over patients' health and safety. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,
Saba Waheed

Written Comments Received

#17



United Food & Commercial Workers Union
Amber Baur, Executive Director · Mark Ramos, President · Kirk Vogt, Secretary-Treasurer ·

8530 Stanton Avenue, P.O. Box 5158 · Buena Park, California 90620 (714) 670-5580
1127 11th Street, Suite 830 · Sacramento, California 95814
www.ufcwwest.org

March 24, 2026

Dear Debbie Damoth:

UFCW Western States Council represents pharmacists, pharmacy technicians and pharmacy staff throughout California. Every day, California's pharmacists, our UFCW members, ensure safe, accurate, and timely care for pharmacy patients.

But pharmacists are already stretched to the limit. They manage long lines and nonstop phone calls and ensure prescriptions are filled accurately and on time. Even with growing demands, pharmacists continue to put patient care first. But they're doing so without the staff that is needed to provide safe, high-quality care.

Patients are therefore at risk. The solution to these critical staffing shortages is strengthening pharmacist staffing, not remote processing. Remote processing prioritizes our employers' bottom lines over patients. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amber Baur'.

Executive Director

Written Comments Received

#18

From: [Shinohara, Todd@calvet.ca.gov](mailto:Shinohara_Todd@calvet.ca.gov)
To: PharmacyRulemaking@DCA
Subject: NOTICE OF AVAILABILITY OF MODIFIED TEXT OF PROPOSED REGULATIONS CONCERNING REMOTE PROCESSING?
Date: Tuesday, March 24, 2026 1:23:21 PM
Attachments: [image002.png](#)

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Does this change in regulation include/apply to Pharmacy Technicians?

at https://pharmacy.ca.gov/laws_regs/pending_regs.shtml

Thanks

Todd S.



Todd Shinohara, PharmD., MAM

Pharmacy Services Manager
Policy and Compliance
Executive Division
Cell: 916.450.4798

1227 O Street
Sacramento, CA. 95814
www.calvet.ca.gov



Live our Core Values:

QUALITY | RESPECT | ACCOUNTABILITY | INTEGRITY | OPENNESS | BALANCE

Written Comments Received

#19

From: [Tracy Cason](#)
To: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Subject: No Remote Processing
Date: Tuesday, March 24, 2026 6:40:41 PM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, us patients are put at risk.

Pharmacists are already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes the employers' bottom lines over patients' health and safety. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,
Tracy Cason
Sent from my iPhone

Written Comments Received

#20

From: [Cipra Nemeth](#)
To: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Subject: Pharmacists and Community Safety
Date: Wednesday, March 25, 2026 10:13:11 AM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, us patients are put at risk.

Pharmacists are already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes the employers' bottom lines over patients' health and safety. Patients deserve access to pharmacists for phone calls, counseling, and clinical services. In many places the pharmacist is the first line of healthcare for the community who trust them to stay safe and healthy.

Sincerely,
Cipra Nemeth

Written Comments Received

#21

From: [Shiva Kumar](#)
To: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Subject: Remote Processing
Date: Saturday, March 28, 2026 11:02:08 AM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, us patients are put at risk.

Pharmacists are already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes the employers' bottom lines over patients' health and safety. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

Shiva Kumar

Written Comments Received

#22

From: [David Salazar](#)
To: PharmacyRulemaking@DCA
Subject: Proposed bill
Date: Monday, March 30, 2026 11:06:46 AM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for our patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, our patients are put at risk.

Our profession is already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes our employers' bottom lines over our patients. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

David Salazar, PharmD

Sent from my iPhone

Written Comments Received

#23

From: [Janet Militar](#)
To: PharmacyRulemaking@DCA
Subject: Remote Processing
Date: Monday, March 30, 2026 12:32:48 PM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for our patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, our patients are put at risk.

Our profession is already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes our employers' bottom lines over our patients. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

Janet M

Sent from my iPhone

Written Comments Received

#24

From: [Euphemia Anyaeché](#)
To: PharmacyRulemaking@DCA
Subject: No to Remote Processing
Date: Monday, March 30, 2026 2:45:32 PM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for our patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, our patients are put at risk.

Our profession is already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes our employers' bottom lines over our patients. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

Euphemia Anyaeché

Written Comments Received

#25

From: [Brant Rego](#)
To: PharmacyRulemaking@DCA
Subject: Section 1717.11: OPPOSITION to Section C
Date: Monday, March 30, 2026 5:30:00 PM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Here's your **final version with a sharp executive summary added**—this is exactly how attorneys structure high-impact regulatory comments so Board members can grasp your position in 30 seconds before reading the full argument.

TO: California Board of Pharmacy % Debbie Damoth

Re: Opposition to Proposed §1717.11(c) – CDCR/CCHCS Exemption

Executive Summary

The proposed addition of §1717.11(c), excluding CDCR/CCHCS facilities from remote processing, is **unsupported, inconsistent, and legally vulnerable**.

- The justification provided relies on **standard pharmacist duties that exist in all pharmacy settings**, not unique correctional risks.
- The regulation already **prohibits the very functions cited as concerns** (e.g., dispensing and final verification).
- The Board's own findings confirm that **remote processing was successfully and safely implemented during COVID-19**, including in institutional settings.
- The exemption creates an **arbitrary distinction** between similarly regulated pharmacies without evidence.

As drafted, subsection (c) **fails the requirements of the Administrative Procedure Act (APA)** and exposes the regulation to a credible legal challenge.

For these reasons, subsection §1717.11(c) should be removed in its entirety.

Dear Members of the Board,

I respectfully submit this comment in opposition to the addition of subsection **§1717.11(c)** to the proposed remote processing regulation, which would exclude facilities of the California Department of Corrections and Rehabilitation (CDCR) from participation.

The proposed exemption is **unsupported by the rulemaking record, inconsistent with the Board's stated purpose, and legally vulnerable under the Administrative Procedure Act (APA).**

1. The CDCR Exemption Is Not Based on Unique Practice Conditions

The justification provided by CCHCS/CDCR relies on pharmacist responsibilities such as:

- Preparing and dispensing medications
- Managing controlled substances
- Maintaining inventory and recordkeeping
- Conducting inspections and quality assurance
- Performing final product verification

These responsibilities are **not unique to correctional pharmacy practice**. They are standard across:

- Hospital pharmacies
- Health systems
- Retail and institutional settings

If these duties justify exclusion, then logically **all pharmacy settings would require exclusion**, which directly contradicts the purpose of §1717.11.

2. The Exemption Conflicts with the Board's Own Findings

The Board's Initial Statement of Reasons acknowledges that:

- Remote processing was successfully implemented during COVID-19
- It ensured continuity of care
- It supported safe and effective pharmacy operations

These findings were not limited to any single practice setting and demonstrate that **remote processing can be implemented safely under appropriate safeguards**.

There is no evidence in the rulemaking record demonstrating that CDCR facilities are unable to meet these same standards.

3. The Regulation Already Addresses CDCR's Concerns

The proposed regulation explicitly excludes:

- Final product verification
- Supervision of personnel
- Dispensing of drugs

These limitations directly address the concerns raised by CDCR regarding:

- Physical handling of medications
- Controlled substance dispensing
- On-site operational oversight

Because these functions **must remain onsite by definition**, the justification for excluding CDCR is **duplicative and legally insufficient**.

4. The Exemption Undermines Workforce Stability and Patient Care

The Board received substantial public comment supporting remote processing as a tool to:

- Improve staffing flexibility
- Reduce pharmacist burnout
- Enhance timely access to medications

Excluding CDCR:

- Creates an unjustified two-tier regulatory framework
- Exacerbates recruitment and retention challenges in correctional healthcare
- Limits access to modern pharmacy practice in a high-need patient population

5. The CDCR Exemption Is Legally Vulnerable Under the Administrative Procedure Act

Under California law, a regulation is invalid unless it is:

- **Necessary**
- **Reasonably related to the purpose of the statute**
- **Supported by substantial evidence**

(Gov. Code §§ 11349(a), 11350(b)(1); see also *California Hotel & Motel Assn. v. Industrial*

Welfare Com.)

Subsection §1717.11(c) fails each of these requirements.

A. Not Necessary

The APA requires that regulations be “reasonably necessary.” Courts have made clear that necessity must be supported by evidence—not general assumptions.

(Western States Petroleum Assn. v. Board of Equalization)

Here, the CDCR exemption is based solely on general pharmacist duties that:

- Exist in all pharmacy settings, and
- Are already excluded from remote processing under subsection (b)

No evidence demonstrates that CDCR presents unique risks requiring exclusion.

B. Not Reasonably Related to the Regulation’s Purpose

A regulation must bear a reasonable relationship to its objective.

(Yamaha Corp. of America v. State Bd. of Equalization)

The purpose of §1717.11 is to expand safe remote processing and improve care delivery

Excluding CDCR:

- Undermines workforce flexibility
- Restricts operational improvements
- Contradicts the regulation’s intent

Courts have invalidated agency actions that conflict with their stated purpose.

*(See Armistead v. State Personnel Bd.)**

C. Not Supported by Substantial Evidence

The APA requires substantial evidence in the rulemaking record.

(Morning Star Co. v. State Bd. of Equalization)

The only support for subsection (c) is a comment letter asserting operational concerns

However:

- No data or risk analysis is provided
- No evidence shows remote processing is unsafe in correctional settings
- The Board’s own findings confirm successful implementation during COVID-19

This does not meet the substantial evidence standard.

D. Arbitrary and Capricious Distinction

Regulations are invalid where similarly situated entities are treated differently without justification.

(American Coatings Assn. v. South Coast Air Quality Management Dist.)

CDCR pharmacies:

- Operate under the same licensure framework
- Are subject to the same Board oversight
- Perform the same core pharmacist functions

Yet they are uniquely excluded without evidence-based justification.

This constitutes **arbitrary and capricious rulemaking**.

E. Improper Reliance on Policy Preference Rather Than Evidence

Courts have emphasized that agency decisions must be grounded in evidence, not speculation:

“An agency’s action must be supported by evidence in the record and may not be based on unsubstantiated assumptions.”

(Western States Petroleum Assn., supra)

The CDCR exemption reflects a policy preference—not an evidence-based necessity.

6. CDCR Successfully Utilized Remote Processing in Practice

During the COVID-19 public health emergency:

- Remote processing was widely implemented
- Pharmacists performed verification and clinical functions remotely
- Patient care continuity was maintained

There is no evidence of increased risk, error, or regulatory failure in correctional settings during this period.

Conclusion and Request

For the reasons outlined above, I respectfully request that the Board:

Remove subsection §1717.11(c) in its entirety

The proposed exemption:

- Is unsupported by evidence
- Conflicts with the regulation's purpose
- Is duplicative of existing safeguards
- Creates arbitrary and legally vulnerable distinctions

Adoption of subsection (c) in its current form would expose the regulation to a credible legal challenge under Government Code §11350.

Removing this subsection will ensure the regulation remains:

- Legally defensible
- Operationally consistent
- Aligned with modern pharmacy practice and patient care needs

Respectfully submitted,

Brant Rego R.Ph.

Pharmacist, California Correctional Health Care Services

License #51434

Written Comments Received

#26

From: sunghanchung@icloud.com
To: PharmacyRulemaking@DCA
Subject: Remote Processing
Date: Tuesday, March 31, 2026 2:21:58 PM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for our patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, our patients are put at risk.

Our profession is already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes our employers' bottom lines over our patients. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

Alexander Chung Pharm.D.

Written Comments Received

#27



April 2, 2026

California State Board of Pharmacy
2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833

Subject: Comments on Proposed Regulation §1717.11 – Remote Processing

Dear President Oh and Members of the Board,

On behalf of the California Society of Health System Pharmacists (CSHP), which represents pharmacists practicing in hospitals, health systems, clinics, and integrated care environments across the state, we appreciate the opportunity to provide feedback on the Board’s proposed regulation §1717.11 regarding remote processing. CSHP supports the concept of remote processing and recognizes its potential to modernize pharmacy practice, improve patient care, and expand access to pharmacy services.

While we share the Board’s commitment to patient safety and responsible pharmacy practice, we have concerns about aspects of the regulation as currently written. We respectfully offer the following comments and recommendations for your consideration, with the goal of ensuring that the regulation is both practical and aligned with the realities of modern pharmacy operations.

§1717.11(a)(2): Designated Locations

Requiring pharmacists to designate specific locations for remote processing presents practical challenges in today’s flexible work environment. Modern technology, such as virtual private networks (VPNs), already ensures secure access to patient information regardless of physical location. As such, enforcing this requirement would be difficult and may not add meaningful value to pharmacy practice.

We understand the Board’s intent to ensure accountability and patient safety, but this requirement imposes unnecessary administrative burdens without addressing the demonstrated problem(s). During the March 26 Full Board meeting, the Executive Officer confirmed that no inspections of remote work locations were performed during the COVID-19 waiver period, and no issues related to remote work locations were identified. This suggests that requiring designated locations may not be necessary.

Flexibility is increasingly important in the modern workplace. Health professionals across disciplines are trusted to maintain the privacy and security of health records, and pharmacists should be held to the same standard of professionalism without excessive regulation.

Recommended Amendment to Regulation:

Delete: (2) *The pharmacy and pharmacist enter a written agreement under which the pharmacist agrees to perform remote processing and designates a specific location or locations to perform such processing.*

Replace with:

(2) *The employer keeps a written agreement on file under which the pharmacist agrees to perform remote processing.*

§1717.11(a)(3): Cost of Contract Management

The requirement for written agreements between individual pharmacies and pharmacists performing remote processing could create unintended administrative challenges, particularly for organizations with central processing centers or staffing pools.

For example, if a pharmacist provides remote processing for 25 pharmacies, each pharmacy would need to update its records during onboarding, termination, and for up to three years post-employment. This level of recordkeeping is resource-intensive and becomes increasingly complex with staff turnover.

Additionally, organizations often rely on legal professionals to draft and review agreements, which adds to the administrative and financial burden. While these costs may seem minimal, they can add up significantly over time, creating challenges for pharmacies already working to manage other regulatory obligations.

We also question the necessity of requiring agreements to be retained for three years beyond employment. Most healthcare professionals are not subject to such requirements. Prescription records already provide a clear audit trail of pharmacist activities, which should be sufficient for investigations.

Recommended Amendment to Regulation:

Delete: (3) *The written agreement (including modifications) required in (a)(2) of this section shall be maintained for at least three years following the pharmacist's employment, in a readily retrievable format, and shall be available for inspection by the Board.*

§1717.11(c): Clarification on Business and Professions Code (BPC) §4071.1

During the March 18, 2026 Full Board meeting, Board Member Serpa sought clarification from legal counsel on how BPC §4071.1, which governs electronic prescription entry into a pharmacy or hospital computer, interacts with the proposed regulation. Legal counsel confirmed that BPC §4071.1 operates separately and applies specifically to hospital and institutional settings.

While this clarification was helpful, we are concerned about the potential for future misinterpretation. Without explicit language in the regulation, there is a risk that Board inspectors or others may inadvertently apply the regulation to settings governed by BPC §4071.1. To avoid confusion, we recommend explicitly stating this distinction in the regulation.

Recommended Amendment to Regulation:

Add the following language:

(c) This section does not apply to facilities of the California Department of Corrections and Rehabilitation or to facilities operating under the allowances of Business and Professions Code §4071.1.

Modern Expectations for Workplace Flexibility

The proposed regulation, as currently written, may inadvertently limit the benefits of remote work by imposing requirements that are inconsistent with modern workforce practices. Requiring designated locations and excessive documentation could discourage the adoption of remote processing and undermine efforts to support a flexible, efficient pharmacy workforce.

We recommend setting clear professional expectations for pharmacists to maintain privacy and security of health records, rather than relying on prescriptive regulatory requirements. Trusting pharmacists to act within the scope of their licenses is consistent with the standards applied to other healthcare professionals and aligns with the principles of modern workforce management and standards of care pharmacist practice model.

Conclusion

CSHP appreciates the Board's efforts to establish standards for remote processing and supports its commitment to patient safety and responsible pharmacy practice. However, we believe the proposed regulation can be refined to better reflect the realities of modern pharmacy operations and align with the legislative intent to expand remote work capabilities.

We respectfully urge the Board to consider our recommended amendments, which aim to reduce unnecessary administrative burdens, support workplace flexibility, and maintain the high standards of care expected from California pharmacists.

Thank you for your time and consideration. CSHP remains committed to collaborating with the Board to enhance pharmacy practice and improve patient care in California.

Sincerely,

Loriann De Martini, Pharm.D., MPH, BCGP
Chief Executive Officer
California Society of Health-System Pharmacists (CSHP)

Written Comments Received

#28

From: [Willcut, Jennifer C](#)
To: PharmacyRulemaking@DCA
Cc: [Willcut, Jennifer C](#)
Subject: Section 1717.11 Remote Processing comment
Date: Friday, April 3, 2026 1:49:44 PM

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Hello,

Please consider including front-end pharmacy technicians in section 1717.11. Technicians enter and process prescriptions while working side-by-side daily with pharmacists. Technicians also contact doctor's offices to obtain new prescriptions and prescription clarifications. Just as the pharmacists mentioned in Section 1717.11, front-end pharmacy technicians are not involved in filling, packaging, or dispensing of any drugs. For 3 years during the COVID pandemic, technicians worked from home following HIPAA guidelines and standard operating procedures.

Thank you,

Jennifer Willcut | [CVS Specialty](#) | HAE/Lyso/SCD Pharmacy Technician II | P (888)795-4504 | F (855) 365-8111 | 1127 Bryn Mawr Ave, Redlands, CA 92374 | jennifer.willcut@cvshealth.com

CONFIDENTIALITY NOTICE: This communication and any attachments may contain confidential and/or privileged information for the use of the designated recipients named above. If you are not the intended recipient, you are hereby notified that you have received this communication in error and that any review, disclosure, dissemination, distribution or copying of it or its contents is prohibited. If you have received this communication in error, please notify the sender immediately by telephone and destroy all copies of this communication and any attachments.

Written Comments Received

#29

From: [Hernandez, Jessica](#)
To: PharmacyRulemaking@DCA
Cc: [Hernandez, Jessica](#)
Subject: Section 1717.11 Remote Processing comment
Date: Friday, April 3, 2026 1:54:35 PM
Attachments: [image001.png](#)

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Hello,

Please consider including front-end pharmacy technicians in section 1717.11. Technicians enter and process prescriptions while working side-by-side daily with pharmacists. Technicians also contact doctor's offices to obtain new prescriptions and prescription clarifications. Just as the pharmacists mentioned in Section 1717.11, front-end pharmacy technicians are not involved in filling, packaging, or dispensing of any drugs. For 3 years during the COVID pandemic, technicians worked from home following HIPAA guidelines and standard operating procedures.

Thank You,

Jessica Hernandez | COE SCD TECH | *CVS Specialty*
1127 Bryn Mawr Ave. Redlands, CA 92374
Jessica.Hernandez@CVSHealth.com



CONFIDENTIALITY NOTICE: This communication and any attachments may contain confidential and/or privileged information for the use of the designated recipients named above. If you are not the intended recipient, you are hereby notified that you have received this communication in error and that any review, disclosure, dissemination, distribution or copying of it or its contents is prohibited. If you have received this communication in error, please notify the sender immediately by email or telephone and destroy all copies of this communication and any attachments.

Written Comments Received

#30



Rob Geddes, PharmD, MBA
Executive Director,
Pharmacy Advocacy and Regulatory Affairs

April 3, 2026

One CVS Drive
Woonsocket, RI 02895

c 208-860-5342

Robert.Geddes@CVSHealth.com

Lori Martinez
Board of Pharmacy
2720 Gateway Oaks Dr, Ste. 100
Sacramento, CA 95833
PharmacyRulemaking@DCA.CA.gov

Dear Ms. Martinez,

Re: Proposed Rules 1717.11 Remote Processing of Prescriptions

On behalf of CVS Health, I want to express our appreciation and support for the proposed regulation addressing Remote Processing of Prescriptions and reaffirm our commitment to providing high-quality, accessible healthcare. Our pharmacists and technicians are integral to supporting community health, and we are dedicated to ensuring patients have reliable access to vital medications at our pharmacy locations across the state. We commend the Board for recognizing the evolving practice of pharmacy and for establishing a clear regulatory framework that allows licensed pharmacists to perform remote processing activities while maintaining appropriate safeguards for patient safety, confidentiality, and regulatory oversight.

The proposed requirements related to written agreements, security and HIPAA compliance, pharmacist-in-charge approval, and recordkeeping demonstrate a thoughtful and balanced approach to modernizing pharmacy practice. Overall, we are supportive of this rule and believe it will enhance operational flexibility, promote efficient use of pharmacist expertise, and support continuity of care – particularly in settings facing workforce or geographical challenges.

We respectfully request the Board consider, either in this rulemaking or in future revisions, allowing for remote final product verification under defined and controlled circumstances. While we understand the current exclusion of final product verification from the definition of remote processing in subsection (b), we believe there may be opportunities to safely permit this function using validated technology, robust policies and procedures, and appropriate accountability measures. Many pharmacy operations already rely on advanced imaging, barcode verification, and audit trails that can support accurate and compliant final verification workflow. Allowing remote final product verification, when supported by these safeguards, could support timely patient care without compromising safety or oversight.

Additionally, we encourage the Board to consider whether the requirement that a pharmacist be physically located within the state to perform remote processing activities is necessary to meet the intended patient safety and oversight objectives. Provided the pharmacist remains appropriately licensed in California, subject to Board jurisdiction, and fully compliant with all applicable state laws and regulations, permitting remote processing from out-of-state locations could further expand support to California located pharmacies.



We appreciate the Board's ongoing commitment to patient protection and regulatory clarity and thank you for the opportunity to provide feedback. We look forward to continued collaboration as pharmacy practice continues to evolve. If you have any questions, please reach out to me at Robert.Geddes@CVSHealth.com or 208-860-5342.

Sincerely,

Rob Geddes, PharmD, MBA

Written Comments Received

LATE - #1

From: [Keith B](#)
To: [Damoth, Debbie@DCA](mailto:Damoth,Debbie@DCA)
Subject: Remote Processing
Date: Saturday, April 4, 2026 9:13:31 AM

This Message Is From an Untrusted Sender

Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear California Board of Pharmacy,

Every day, California's pharmacists ensure safe, accurate, and timely care for patients. All the while being tasked with filling more prescriptions, taking on more responsibilities, and facing more pressure. Without the staff that is needed to provide safe, high-quality care, us patients are put at risk.

Pharmacists are already facing critical staffing shortages, and the solution is strengthening pharmacist staffing, not remote processing.

Remote processing prioritizes the employers' bottom lines over patients' health and safety. Patients deserve access to pharmacists for phone calls, counseling, and clinical services.

Sincerely,

Keith Bascara