



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



**California State Board of Pharmacy
Department of Consumer Affairs
Licensing Committee Meeting Minutes**

Date: July 14, 2021

Location: Teleconference Public Licensing Committee Meeting Note: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-08-21, dated June 11, 2021, neither a public location nor teleconference locations are provided.

Board Members

Present: Debbie Veale, Licensee Member, Chair
Seung Oh, Licensee Member, Vice-Chairperson
Lavanza Butler, Licensee Member
Jason Weisz, Public Member

Board Members Not

Present: Jignesh Patel, Licensee Member

Staff Present:

Anne Sodergren, Executive Officer
Lyle Matthews, Assistant Executive Officer
Eileen Smiley, DCA Staff Counsel
Debbie Damoth, Administration Manager

I. Call to Order, Establishment of Quorum, and General Announcements

The meeting was called to order at approximately 9:07 a.m. As part of the opening announcements, Chairperson Veale reminded everyone that the meeting was being conducted consistent with the provisions of Governor Gavin Newsom's Executive Order N-08-21.

Provisions for providing public comment throughout the meeting were reviewed.

Roll call was taken. Members present: Seung Oh, Lavanza Butler, Jason Weisz, and Debbie Veale. A quorum was established.

II. Public Comments on Items Not on the Agenda/Agenda Items for Future Meetings

Members of the public were provided with an opportunity to provide public comment; however, no comments were provided.

III. Approval of the April 2021 Licensing Committee Meeting Minutes

Members were provided the opportunity to provide comments on the draft minutes.

Motion: Approve the April 2021 Committee meeting minutes as provided in the meeting materials.

M/S: Oh/Butler

Members of the public were provided the opportunity to provide public comments; however, none were provided.

Support: 4 Oppose: 0 Abstain: 0 Not Present: 1

Board Member	Vote
Butler	Support
Oh	Support
Patel	Not Present
Veale	Support
Weisz	Support

IV. Discussion and Consideration of Pharmacy Technician Duties and Possible Changes

Chairperson Veale noted that existing law establishes the functions of a pharmacy technician and provided a summary of the 2017 pharmacy technician summit noting that as part of the summit, the application and renewal requirements and authorized duties of a pharmacy technician were considered. Subsequent to that discussion, the Committee focused on the development of an advanced pharmacy technician proposal, which would be discussed later in the meeting.

More recently, at October 2020 the Board voted and approved a policy statement that stated the Board's belief that influenza and COVID-19 vaccine administration may be safely performed by specially trained licensed pharmacy technicians under specified conditions. The policy statement included that the Board supports efforts to secure both

temporary authority through a waiver, as well as more permanent solution through statutory or regulatory changes.

Chairperson Veale reminded members that the Board has not yet pursued the more permanent solution.

Ms. Veale suggested it may be appropriate to convene another summit to provide an opportunity for a more comprehensive review and perhaps allow the Committee to take a deeper dive into the various practice settings. Members of the Committee spoke in support with some members suggesting it may be appropriate to convene the meeting after the waivers are done as well as noting the benefit of allowing a broader discussion on technician duties.

Members of the public were also provided an opportunity to provide comments and asked to provide comments on both convening a summit as well as the information that may be appropriate to be considered as part of the summit.

Members of the public spoke in support of the summit with many stakeholders offering to assist. Some stakeholders spoke in support of the summit but expressed concerns with the expansion of pharmacy technician duties to include administration of COVID vaccine. It was also recommended that the Committee consider recent actions taken by Illinois related to pharmacy technician authorized duties. Stakeholders also suggested the summit should not be convened until conditions allow for an in-person meeting. Public comment further suggested that the Committee have a listening tour that would allow for maximum participation.

Chairperson Veale noted that the intent of the summit is to focus on technician duties and the Committee is interested in hearing public comment on all three related topics during the meeting. The Committee deferred action until additional agenda items were discussed. Members also requested that any studies related to the relevant topics be provided to the executive officer.

V. Discussion and Consideration of Pharmacist to Pharmacy Technician Ratio in Community and Compounding Pharmacy Settings

Chairperson Veale reminded members that during the April 2021 Board Meeting, in response to public comment, members agreed to place a discussion on a future agenda to discuss the ratio of pharmacist to pharmacy technicians in community and compounding pharmacy settings. As part of the public comment, the commenter suggested that a 1:2 pharmacist to pharmacy technician ratio appeared appropriate.

Ms. Veale referenced information included in the meeting materials about how other jurisdictions approach this issue also noting that the issue of ratios is a complicated one. Ms. Veale also reminded all present that, as required by statute, protection of the public shall be the highest priority in decision making.

Chairperson Veale highlighted that in 2017 it appeared there was consensus among members that a 1:2 ratio may be appropriate; however, she noted that there have been changes in pharmacy practice since that time. Chairperson Veale also advised members that this topic may be appropriate for the summit.

Member comments included the need for a separate discussion around the sterile compounding versus community where the needs may be different and suggested that the discussion on sterile compounding may be an appropriate topic for the Enforcement and Compounding Committee. Members also discussed the importance of reviewing data and studies on the issue. Members reached a consensus to include the ratio topic at the summit.

Members of the public were provided an opportunity to comment. Comments included support to add the topic to the summit. It was also suggested that the committee consider a discussion of a minimum staffing requirement for a pharmacist and what is needed for pharmacists to perform their duties. Public comment also suggested that increasing the current ratio makes it more difficult for pharmacists to do their job. The Committee was also reminded that unlicensed staff working with a pharmacy also require supervision by a pharmacist.

Commenters offered to send relevant materials to the Committee.

The Committee took a break from 10:08 a.m. to 10:15 a.m. Upon resumption of the meeting a roll call was taken. Members present included Lavanza Butler, Jason Weisz, Seung Oh, and Debbie Veale.

VI. Discussion and Consideration of Board's Legislative Proposal to Establish a New Licensing Program Creating Advanced Practice Pharmacy Technician Requirements and Functions.

Chairperson Veale referenced relevant information contained in the materials and reminded those present that in response to changes in pharmacy practice and the expanded roles of pharmacists, the Committee and Board completed development of a statutory proposal to create a new licensing program for advanced pharmacy technicians. The development of the proposal occurred over several meetings and evolved throughout the process. During the process of development, the Committee and Board focused on proposed changes that would benefit consumers including making pharmacists more available to engage in direct patient care activities.

As part of the January 2020 Board Meeting, members considered a recommendation from the Licensing Committee for its consideration. Ms. Veale noted that a brief summary of the basic tenets and the proposal language was included in the meeting materials.

As part of its discussion members indicated that discussion on the proposal was not necessary at this time because it is related to issues scheduled for discussion at the summit. Members contemplated if an advanced pharmacy technician is appropriate and discussed that the scope of practice for pharmacy technicians in other states exceeds the authority currently allowed in California.

Members of the public were provided the opportunity to provide comment with some stakeholders offering to provide the Board with information. Other stakeholders suggested that this issue be tabled with some including that the creation of an advanced pharmacy technician could divide the profession. Additional comments included that the topic could be deferred to the summit.

Members noted that the summit should include technician duties and ratios. It could also incorporate support of the concept of an advanced technician.

Motion: Table legislative proposal to establish a new licensing program creating an advanced practice pharmacy technician.

M/S: Butler/Oh

Public comment on the motion: Members of the public were provided the opportunity to provide public comment; however, none were provided.

Support: 2 Oppose: 1 Abstain: 1 Not Present: 1

Board Member	Vote
Butler	Support
Oh	Support
Patel	Not Present
Veale	No
Weisz	Abstain

Motion: Schedule a Summit discussing pharmacy technician duties and possible changes to the ratio. Schedule at such a time that the meeting will be convened in person. Delegate to the Chair and executive officer the scheduling of the meeting.

M/S: Oh/Butler

Support: 4 Oppose: 0 Abstain: 0 Not Present: 1

Board Member	Vote
Butler	Support
Oh	Support
Patel	Not Present
Veale	Support
Weisz	Support

VII. Discussion and Consideration of Committee’s Strategic Plan Goals

Chairperson Veale referenced the status of committee goals in the materials and noted that the Board will be undertaking development of a new strategic plan. Ms. Veale noted that it may be appropriate to focus on evaluation of the various types of pharmacies and determine if California law adequately regulates the different settings, such as call centers, mail order pharmacies, etc.

Members noted the need to make pharmacy law more specific to the different practice settings.

MOTION: Recommend to the Board inclusion in the next strategic plan an evaluation of the various pharmacy practice settings and determination if changes in the law to reflect the variance in the practice is appropriate.

M/S: Weisz/Butler

Members of the public were provided an opportunity to provide public comment. Public comment included a suggestion that the Board consider what other jurisdictions have done.

Support: 4 Oppose: 0 Abstain: 0 Not Present: 1

Board Member	Vote
Butler	Support
Oh	Support
Patel	Not Present
Veale	Support
Weisz	Support

VIII. Review and Discussion of Licensing Statistics

Chairperson Veale provided a summary of the licensing statistics provided within the meeting materials noting that the information provided reflected data through June 25, 2021. Meeting materials indicated that the Board had received 14,244 initial applications and had received 542 requests for temporary site license applications. Further the Board had issued 7,777, individual licenses; 427 temporary licenses; and 489 permanent site licenses.

Ms. Veale also referenced the processing times included in the meeting materials noting that processing times for applications are outside of the Board's performance measures. Chairperson Veale advised that these delays are caused in part by vacancies and unexpected leaves of absence for staff.

Ms. Veale advised all present, that in addition to the annual statistics, three-year comparison data was also provided in the meeting materials and noted there appeared to be a general downward trend in workload.

Members of the public were provided the opportunity to provide public comment; however, none were provided.

IX. Future Committee Meeting Dates

Members were reminded that the next Committee meeting was scheduled for October 27, 2021.

X. Adjournment

The meeting adjourned at 11:18 a.m.