



California State Board of Pharmacy
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Business, Consumer Services and Housing Agency
 Department of Consumer Affairs
 Gavin Newsom, Governor



**California State Board of Pharmacy
 Department of Consumer Affairs
 Public Emergency Board Meeting Minutes**

Date: September 3, 2021

Location: Teleconference Public Board 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: Seung Oh, Licensee Member, President
 Maria Serpa, Licensee Member, Vice President
 Jignesh Patel, Licensee Member, Treasurer
 Lavanza Butler, Licensee Member
 Jose De La Paz, Public Member
 Ricardo Sanchez, Public Member
 Nicole Thibeau, Licensee Member
 Debbie Veale, Licensee Member

Staff Present: Anne Sodergren, Executive Officer
 Eileen Smiley, DCA Staff Counsel
 Debbie Damoth, Administration Manager

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

The meeting was called to order at 2:02 p.m. President Oh reminded everyone that the meeting was being conducted consistent with the provisions of Governor Gavin Newsom's Executive Order N-08-21.

Roll call was taken. Board Members present included Maria Serpa, Jignesh Patel, Lavanza Butler, Jose De La Paz, Ricardo Sanchez, Nicole Thibeau, and Seung Oh. A quorum was established. Debbie Veale joined at 2:09 pm.

II. Determination that Emergency Exists, Pursuant to Government Code section 11125.3

President Oh advised as required by Government Code section 11125.3, the Board must determine whether an emergency exists with regards to the Delta variant of

COVID-19 that necessitates action today. He noted the Board must first determine that an emergency exists defined as either a work stoppage or other activity that severely impairs public health or safety or a crippling disaster that impairs public health or safety. Such a determination must be made by two-thirds vote of the Board.

Members were provided the opportunity to provide comment; however, no comments were made.

Motion: Determination the emergency exists with regards to the Delta variant of COVID-19

M/S: Patel/Sanchez

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

Support: 8 Oppose: 0 Abstain: 0 Not Present: 2

Board Member	Vote
Butler	Yes
De La Paz	Yes
Kim	Not Present
Oh	Yes
Patel	Yes
Sanchez	Yes
Serpa	Yes
Thibeau	Yes
Veale	Yes
Weisz	Not Present

III. Discussion and Consideration of Requests to Waive Provisions of Pharmacy Law Pursuant to Business and Professions code Section 4062

President Oh reminded Members for purposes of the meeting, the Board was limited to discussing the two waivers included on the agenda. He noted his intention to include as part of the September 23, 2021, Board Meeting, a larger discussion on the Board's current delegation to the Board President to determine if changes are appropriate.

a. Remote Processing (BPC section 4071.1(a))

President Oh advised the Remote Processing waiver extends the conditions under which specified pharmacy staff can perform functions outside of a pharmacy. Dr. Oh noted this broad waiver has been used throughout the

pandemic and expired June 30, 2021. At that time, the Board transitioned to a site-specific model. He noted under his delegated authority he had approved a limited number of site-specific waivers where site-specific conditions warranted such approval.

President Oh continued since the expiration of the waiver, there has been a significant surge in COVID-19 cases, caused primarily by the highly contagious Delta variant. He noted with the approval of boosters, it is anticipated that pharmacies will continue to play a key role in vaccinations, including resuming vaccine administration at offsite locations, such as skilled nursing facilities. Dr. Oh stated reinstating the remote processing waiver allows for offsite entry of immunization records. Dr. Oh believed there will be broad need for the use of this waiver.

Members were provided the opportunity to comment; however, no comments were made.

Motion: Institute the remote processing waiver until 12/31/21 or 30 days after the emergency declaration is lifted, whichever is later.

M/S: Veale/Patel

Members of the public were provided the opportunity to provide comment. Members heard comments from the public in support of the motion.

Support: 8 Oppose: 0 Abstain: 0 Not Present: 2

Board Member	Vote
Butler	Yes
De La Paz	Yes
Kim	Not Present
Oh	Yes
Patel	Yes
Sanchez	Yes
Serpa	Yes
Thibeau	Yes
Veale	Yes
Weisz	Not Present

b. Restoration of Retired or Canceled Pharmacist License – Related to Retired Licensees [BPC section 4200.5(d)]; Related to Canceled Pharmacist Licenses [BPC section 4402(b)]; and Related to Payment of Fees for Reissuance or Renewal of License (BPC section 4403)

President Oh advised the waiver was to reinstate the restoration of retired or canceled pharmacist licenses. He noted this waiver serves as a compliment to the DCA Director's waiver allowing for reinstatement of retired or canceled pharmacist licenses under specified conditions. The Board's waiver expired September 1, 2021.

President Oh noted on August 31, 2021, the DCA Director extended the DCA waiver applicable to other license categories, including pharmacy technicians. He added under the conditions of the DCA waiver, a license reactivated or restored pursuant to the waiver is valid until November 1, 2021, or when the state of emergency ceases to exist, whichever is sooner.

President Oh recommended the Board consider reinstating its waiver consistent with the provisions of the DCA waiver. Members were provided the opportunity to comment; however, no comments were made.

Motion: Institute the restoration of retired or canceled pharmacist license waiver until 11/1/21 subject to the proviso if the DCA waiver is extended, the Board's waiver will extend to coincide with the same time limits.

M/S: Veale/Butler

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

Support: 8 Oppose: 0 Abstain: 0 Not Present: 2

Board Member	Vote
Butler	Yes
De La Paz	Yes
Kim	Not Present
Oh	Yes
Patel	Yes
Sanchez	Yes
Serpa	Yes
Thibeau	Yes
Veale	Yes
Weisz	Not Present

IV. Adjournment

The Board adjourned after closed session at approximately 2:24 p.m.