



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



Notice of Meeting and Agenda Teleconference Public Board Meeting

DATE & TIME: Thursday, May 27, 2021, 9:00 a.m.

NOTE: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, dated March 17, 2020, neither a public location nor teleconference locations are provided.

INSTRUCTIONS FOR OBSERVATION:

WEBCAST: <https://thedcapage.blog/webcasts> Webcast will be available earliest at 9:00 a.m. on May 27, 2021. While the Board intends to webcast this meeting, it may not be possible to webcast the entire meeting due to technical difficulties or limitations on resources. If you wish to participate or to have a guaranteed opportunity to observe, please plan to participate via the WebEx option listed below.

FOR OBSERVATION AND PUBLIC COMMENT, PLEASE LOG ON TO THIS WEBSITE: <https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=ef290984de03bb6808228ae0d6be2fb77>

The preferred audio connection is via phone bridge. The phone number and access code will be provided as part of your connection to the meeting. General instructions for using WebEx can be found at the end of the agenda.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will need to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

Important Notices to the Public: The Board of Pharmacy will hold a meeting via WebEx – access information is provided above. General instructions for using WebEx are attached to the agenda. The meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Debbie Damoth at (916) 518-3090, by emailing debbie.damoth@dca.ca.gov or sending a written request to the Board of Pharmacy, 2720 Gateway Oaks Drive, Suite 100, Sacramento CA 95833. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

The time and order of agenda items are subject to change at the discretion of the Board President. In the event a quorum of the Board is unable to attend the meeting, or the Board is unable to maintain a quorum once the meeting is called to order, the members present may, at the president's discretion, continue to discuss items from the agenda and make recommendations to the full Board at a future meeting.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board or prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issues before the Board, but the president may, at his or her discretion, apportion available time among those who wish to speak. If public

comment is not specifically requested, members of the public should feel free to request an opportunity to comment. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)). The Board plans to webcast this meeting on its website at www.pharmacy.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. The meeting will not be cancelled if webcast is not available. Using the WebEx link will allow for participation and observation. Using the Webcast link will allow for observation with closed captioning. Adjournment will not be broadcasted in any way.

Agenda

DISCUSSION AND ACTION MAY BE TAKEN ON ANY ITEM LISTED ON THE AGENDA

Thursday, May 27, 2021

Call to Order

9:00 a.m.

- I. **Call to Order, Establishment of Quorum, and General Announcements and Recognitions**
- II. **Public Comments on Items Not on the Agenda/Agenda Items for Future Meetings**
Note: The board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code sections 11125, 11125.7(a)]
- III. **Discussion and Consideration of Request to Waive Pharmacy Law Provisions Consistent with the Authority of Business and Professions Code (BPC) section 4062**
 - a. Consideration of Site-Specific Waiver
 1. McKesson Medical-Surgical, Inc, BPC 4161, Temporary License NPL 1274
 2. McKesson Corporation dba McKesson Drug Company, BPC 4161, Temporary license, NPL 1277
- IV. **Discussion and Consideration of Board Approved Regulation, Title 16 California Code of Regulations Section 1717.5 Related to Automatic Refill Programs to Address Comments by the Office of Administrative Law**
- V. **Petitions for Reinstatement of Licensure, Early Termination or Other Modification of Penalty**
 - a. Dina El-Sayed, RPH 43830
 - b. Patrick LeRoy, RPH 58396
 - c. Hope Pharmacy, PHY 48589
 - d. Jadine Mah, RPH 45475
 - e. Central Drugs, PHY 49146
 - f. Nayan Patel, RPH 48867
- VI. **Closed Session Matters**
 - a. Pursuant to Government Code Section 11126(c)(3), the Board Will Convene in Closed Session to Deliberate on Disciplinary Matters, Including the above Petitions, Proposed Decisions, Stipulated

Decisions, Defaults, Petitions for Reconsideration, Decisions After Remand or Rejection, and Any Other Disciplinary Matters.

- b. Pursuant to Government Code Section 11126(e), the Board Will Convene in Closed Session to Discuss Pending Litigation
- c. Pursuant to Government Code Section 11126(c)(1), the Board Will Convene in Closed Session to Consider the Preparation, Approval, Grading or Administration of One or More Licensing Examination(s)

Reconvene Open Session

Adjournment

Upon conclusion of business

Due to technological limitations, adjournment will not be broadcast. Adjournment will immediately follow closed session, and there will be no other items of business discussed.