



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



Notice of Teleconference Meeting and **CORRECTED Agenda Public Board Meeting**

DATES & TIMES: April 26, 2022, 2:30 p.m.
April 27, 2022, 9:00 a.m.

STAFF AND BOARD MEMBER TELECONFERENCE LOCATIONS:

Department of Consumer Affairs
1625 N. Market Blvd, 1st Floor Hearing Room
Sacramento, CA 95834

La Quinta Inn & Suites by Wyndham LAX
5249 W. Century Blvd, Century Ballroom
Los Angeles, CA 90045

The Board is providing members of the public with different options (WebEx and Webcast) to participate in this teleconference meeting other than attendance at one of the teleconference locations. The meeting will not be cancelled in the event of technical difficulties with either WebEx or Webcast.

FOR OBSERVATIONS AND PUBLIC COMMENT IN PERSON AT A TELECONFERENCE LOCATION:

Department of Consumer Affairs
1625 N. Market Blvd., 1st Floor Hearing Room
Sacramento, CA 95834

La Quinta Inn & Suites by Wyndham LAX
5249 W. Century Blvd., Century Ballroom
Los Angeles, CA 90045

FOR PUBLIC PARTICIPATION AND COMMENT FROM A REMOTE LOCATION, PLEASE IN PERSON AT A TELECONFERENCE LOCATION LOG ON TO WEBEX:

April 26, 2022 - To access the Webex event, attendees will need to click the following link and enter a first name, last name, email, and the event password listed below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mfc168f21fbf84c9fe6adf3fe9bce60db>

If joining using the link above
Webinar number: 2493 085 3766
Webinar password: CSBP04262022

If joining by phone
+1-415-655-0001 US Toll
Access code: 249 308 53766
Passcode: 27270426

April 27, 2022 - To access the Webex event, attendees will need to click the following link and enter their first name, last name, email, and the event password listed below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m3d4846c5c4276fea05d11ad3a58be119>

If joining using the link above

Webinar number: 2497 956 1285

Webinar password: CSBP04272022

If joining by phone

+1-415-655-0001 US Toll

Access code: 249 795 61285

Passcode: 27270427

Members of the public participating via WebEx will be able to hear the meeting and provide public comment but may not be able to observe the meeting. 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.

FOR OBSERVATION ONLY

WEBCAST: The Board plans to webcast this meeting on the Department of Consumer Affairs' website at <https://thedcapage.blog/webcasts> Webcast will be available at 2:30 p.m. on April 26, 2022, and 9:00 a.m. April 27, 2022. Using the Webcast link will allow only for observation with closed captioning. Webcast availability cannot, however, be guaranteed due to resource limitations or technical difficulties. The meeting will not be cancelled if Webcast is unavailable. If you wish to participate, please plan to participate via the WebEx option listed above or at teleconference location.

Important Notices to the Public: The Board of Pharmacy will hold a meeting both in person that also includes participation by the public either in person at the public locations identified on the first page of this agenda or via WebEx – access as provided above. General instructions for using WebEx are attached to the agenda. The meeting is open to the public. 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 like in the following sample format: XXXXX@mailinator.com. The meeting 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 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)). Adjournment, if it is the only item that occurs after a closed session, may not be broadcast in any medium.

Agenda

Discussion and action may be taken on any agenda item.

Tuesday, April 26, 2022

Call to Order

2:30 p.m.

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

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. Approval Board Meeting Minutes

- a. January 27-28, 2022, Board Meeting
- b. March 16, 2022, Board Meeting

IV. Update from the Department of Consumer Affairs

V. Board Officer Elections

VI. Discussion and Consideration of Policy Granting President Discretion to Issue or Extend Waivers Issued Pursuant to Business and Professions Code Section 4062

VII. Organizational Development Committee Report

- a. Budget Update and Report
- b. Board Member Attendance and Mail Vote Information
- c. Personnel Update
- d. Future Meeting Dates

VIII. Standard of Care Ad Hoc Committee Report

The Board will review a summary of the Committee's work at its March 9, 2022, meetings as well as updates for discussion and action as necessary.

- a. Summary of Presentation Provided by the Office of the Attorney General and Department of Consumer Affairs
- b. Summary of Presentation by the National Association of Boards of Pharmacy on Standard of Care and Related Taskforce Report
- c. Summary of Presentations on Standard of Care Enforcement Model by various Stakeholders
- d. Review and Discussion of Next Steps

IX. Medication Error Reduction and Workforce Ad Hoc Committee Report

The Board will review a summary of the Committee's work at its January 27, 2022, meetings as well as updates for discussion and action as necessary.

- a. Summary of Presentation of Results of Workforce Survey and January 2022 Pharmacist Well-Being Index State Report
- b. Summary of Presentation by the Institute for Safe Medication Practices
- c. Summary of Presentation of Sample Cases Involving Medication Errors
- d. Review and Discussion of Next Steps

X. 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 Proposed Decisions, Stipulated Decisions, Defaults, Petitions for Reductions in Penalty, and Any Other Disciplinary Matters
- b. 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)

XI. Enforcement and Compounding Committee Report

The Board will review a summary of the Committee's work at its April 20, 2022, meeting as well as updates for discussion and action as necessary.

- a. Summary of Presentations Provided on Hospital at Home Programs
- b. Discussion and Consideration of Compounding by Board Licensees Outside of a Pharmacy
- c. Discussion and Consideration of Proposed Revisions to Frequently Asked Questions Related to Automated Drug Delivery System (ADDS)
- d. Review and Discussion of Enforcement Statistics

XII. Discussion and Consideration of Proposed Federal Rules Relating to National Standards for the Licensure of Wholesale Drug Distributors and Third-Party Logistics Providers

XIII. Licensing Committee Report

The Board will review a summary of the Committee's work at its Pharmacy Technician Summit.

- a. Summary of Presentation by the National Association of Boards of Pharmacy Regarding the National Perspective on the Role and Responsibilities of Pharmacy Technician
- b. Summary of Presentations, Discussion and Consideration of Requirements for Licensure, Including

- Presentations on Certification Examinations and Accredited Technician Training Programs
- c. Summary of Discussion and Consideration of Current Authorized Duties for Pharmacy Technicians and Possible Changes, Including Summary Information Received During Listening Sessions and Surveys

XIV. Communication and Public Education Committee Report

The Board will review a summary of the Committee's work at its April 26, 2022, meeting, as well as updates for discussion and action as necessary.

- a. Update on Communication and Public Education Activities by Staff
 1. The Script
 2. Staff Outreach
 3. News Media
 4. Webinars

XV. Legislation and Regulation Committee Update

The Board will review a summary of the Committee's work at its April 26, 2022, meeting as well as updates for discussion and action as necessary

- a. Discussion and Consideration of Pending Legislation Impacting the Practice of Pharmacy, the Board's Jurisdiction or Board Operations
 1. Assembly Bill 646 (Low) Department of Consumer Affairs: Boards: Convictions
 2. Assembly Bill 1328 (Irwin) Clinical Laboratory Technology and Pharmacists
 3. Assembly Bill 1662 (Gipson) Licensing Boards: Disqualification from Licensure: Criminal Conviction
 4. Assembly Bill 1733 (Quirk) State Bodies: Open Meetings
 5. Assembly Bill 1795 (Fong) Open Meetings: Remote Participation
 6. Assembly Bill 2055 (Low) Controlled Substances: CURES Database
 7. Assembly Bill 2092 (Weber) Acute Hospital Care At Home
 8. Assembly Bill 2194 (Ward) Pharmacists and Technicians; Continuing Education: Cultural Competency
 9. Assembly Bill 2265 (Arambula) Pharmacy: Dispensing Controlled Substances: Lockable Vials
 10. Assembly Bill 2948 (Cooper) Consumer Protection: Department of Consumer Affairs: Complaints
 11. Senate Bill 731 (Durazo) Criminal Records: Relief
 12. Senate Bill 872 (Dodd) Pharmacies: Mobile Units
 13. Senate Bill 958 (Limon) Medication and Patient Safety Act of 2022
 14. Senate Bill 988 (Hueso) Compassionate Access to Medical Cannabis Act or Ryan's Law
 15. Senate Bill 1031 (Ochoa Bogh) Healing Arts Boards: Inactive License Fees
 16. Senate Bill 1237 (Newman) Licenses: Military Service
 17. Senate Bill 1346 (Becker) Surplus Medication Collection and Distribution
 18. Senate Bill 1365 (Jones) Licensing Boards: Procedures
- b. Discussion and Consideration of Board Approved Adopted Regulations Undergoing Final Review by the Department of Consumer Affairs or Business, Consumer Services and Housing Agency
 1. Proposed Regulation to Amend Title 16, CCR Section 1715.65 Related to Inventory Reconciliation
 2. Proposed Regulations to Amend Title 16, CCR Section 1715 to Update Self-Assessment Forms 17M-13 and 17M-14

3. Proposed Regulation to Amend Title 16, CCR Section 1708.1 Related to the Temporary Closure of Facilities
4. Proposed Regulation to Amend Title 16, CCR Section 1784 to Update the Wholesale/3PL Self-Assessment Form 17M-26
- c. Discussion and Consideration of Board Approved Text – Staff Drafting Final Rulemaking Documents for Final Review by the Department of Consumer Affairs and the Business, Consumer Services and Housing Agency
 1. Proposed Regulations to Amend Title 16, CCR Section 1793.5 Related to Pharmacy Technician Application, Section 1793.6 Related to the Pharmacy Technician Training Requirements, and Section 1793.65 Related to the Pharmacy Technician Certification Programs
- d. Discussion and Consideration of Board Approved Regulations Undergoing Pre-Notice Review by the Department of Consumer Affairs or Business, Consumer Services and Housing Agency
 1. Proposed Regulation to Amend Title 16, CCR Section 1735.2 to Update the Compounding Self-Assessment Form 17M-39
 2. Proposed Regulation to Amend Title 16, CCR Section 1732.5 Related to Continuing Education
 3. Proposed Regulation to Amend Title 16 CCR Section 1707.6 Related to the Notice to Consumers
- e. Discussion and Consideration of Board Approved Text to Initiate Rulemaking – Staff Drafting Documents for Pre-Notice Review by the Department of Consumer Affairs and the Business, Consumer Services and Housing Agency
 1. Proposed Regulation to Amend Title 16, CCR Section 1709.1, Related to the Designation of Pharmacist-in-Charge
 2. Proposed Regulation to Amend Title 16, CCR Section 1715.1 Related to the ADDS Self-Assessment Form 17M-112
 3. Proposed Regulation to Amend Title 16, CCR Section 1730.2 Related to the Advance Practice Pharmacist
 4. Proposed Regulation to Amend Title 16, CCR Section 1760 Related to the Disciplinary Guidelines

XVI. Executive Officer Report

- a. Discussion of Board’s Response to COVID-19 Pandemic and Actions Taken by Other Agencies
- b. CURES Update
- c. Biannual Report of the California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE) and the North American Pharmacist Licensure Examination (NAPLEX)
- d. Licensing Statistics, Including Processing Times

XVII. 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 Proposed Decisions, Stipulated Decisions, Defaults, Petitions for Reductions in Penalty, and Any Other Disciplinary Matters
- b. 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, if necessary

XVII. Adjournment

Upon conclusion of business

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