



California State Board of Pharmacy
2720 Gateway Oaks Drive, Ste 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



To: Board Members

Subject: Agenda Item IV. Discussion, Consideration, and Possible Action to Sponsor Legislation to Amend Business and Professions Code Section 4427.8 Related to Legislative Report on the Regulation of Automated Drug Delivery Systems

Relevant Law

Business and Professions Code (BPC) section 4001 establishes the California State Board of Pharmacy, the membership of the board, and provides a sunset date of January 1, 2026, unless the date is repealed.

BPC section 4427.8 provides that on or before January 1, 2024, as part of the Board's sunset evaluation process, the Board shall report to the appropriate committees of the Legislature on the regulation of automated drug delivery systems (ADDS) units. The section further specifies that minimum requirements for the report.

Background

Generally, every four years the Board participates in the sunset review process. As part of this process the Board is subject to review by appropriate policies committees of the Legislature.

In preparation for the sunset process, in late 2019, the Board submitted its sunset report consistent with the process, however, oversight hearings and formal review by the legislative committees was subsequently postponed in response to the COVID-19 pandemic. At that time, the Board's sunset date was extended for one year. More recently, following submission of a supplemental sunset report and participation in oversight review by the policy committees the Board's sunset date was extended to January 1, 2026, as part of Assembly Bill 1533 (Assembly Committee on Business and Professions, Chapter 629, Statutes of 2012). Although the language in BPC 4427.8 indicates the report specifically related to ADDS was to be completed as part of the sunset evaluation process, the language of the statute was not amended to coincide with the Board's new sunset date.

Although formal notification of timelines for the Board's next sunset review are not available, Board staff anticipate that the report will be due by the end of the 2024 calendar year.

For Member Consideration

Board staff recommend sponsorship of technical change to the language to update the date the report is due to coincide with the sunset process. Should members agree with the staff recommendation, the following motion could be used:

Pursue an amendment to Business and Professions Code section 4427.8(b) as follows:

4427.8.

...

(b) On or before January 1, ~~2024~~ 2025, as part of the board's sunset evaluation process, and notwithstanding Sections 9795 and 10231.5 of the Government Code, the board shall report to the appropriate committees of the Legislature on the regulation of ADDS units as provided in this article. At a minimum, this report shall require all of the following: ...