



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



Notice of Board Meeting

DATE & TIME: February 8, 2024, 9:00 a.m.

FOR OBSERVATION AND PUBLIC COMMENT IN PERSON:

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

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

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m3e3d5aae46e9b36354025586ec71d95e>

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Members of the public may but are not required to identify themselves. 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 use a fictitious email address in the following sample format:
XXXXX@mailinator.com.

FOR OBSERVATION ONLY:

View at <https://thedcapage.blog/webcasts>. Using the livestream link will allow only for observation with closed captioning. Livestream availability cannot be guaranteed due to technical difficulties or resource limitations. The meeting will not be cancelled if livestream becomes unavailable.

Important Notices to the Public: The time and order of agenda items are subject to change at the discretion of the Board president. If a quorum of the Board becomes unavailable, the members present may, at the president's discretion, continue to discuss items from the agenda.

The meeting is open to the public except when specifically noticed otherwise, in accordance with the Open Meeting Act.

The meeting is accessible to the physically disabled. To request disability-related accommodations, use the contact information below. Please submit your request at least five (5) business days before the meeting to help ensure availability of the requested accommodation.

Contact Person: Debbie Damoth
(916) 518-3090 or Debbie.Damoth@dca.ca.gov
Board of Pharmacy
2720 Gateway Oaks Drive, Suite 100
Sacramento CA 95833

The Board welcomes and encourages public participation at its meetings. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. The Board also welcomes written public comments submitted in advance of the meeting. Such comments may be submitted to Debbie.Damoth@dca.ca.gov. The Board respectfully requests that such written comments be submitted at least two (2) business days in advance of the meeting to allow time for Board members and members of the public to receive and review the information.

Agenda

Discussion and action may be taken on any item on the agenda.

February 8, 2024

Call to Order

9:00 a.m.

- I. Call to Order, Establishment of Quorum, and General Announcements (Including Possible Notifications, Actions, and Disclosures Pursuant to Government Code section 11123.2(j))
- II. 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 Settlements, Default Decisions, Petitions for Reinstatement or Modification

of 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)

- III. Reconvene in Open Session 11:00 a.m.
- IV. Presentation by the Department of Health Care Access and Information on Pharmacy Workforce Data
- V. Discussion and Possible Action Related to Proposed Regulations, Title 16, California Code of Regulations, Section 1707.6, Related to Notice to Consumers, Including Review of Comments Received During the 15-Day Comment Period on Changes Requested by the Office of Administrative Law
- VI. Discussion and Possible Action Related to Proposed Regulations, Title 16, California Code of Regulations, Section 1709.1, Related to Designation of Pharmacist-in-Charge, Including Review of Comments Received During the 45-Day Comment Period
- VII. Discussion and Possible Action Related to Proposed Regulations, Title 16, California Code of Regulations, Section 1746.3, Related to Opioid Antagonist Protocol, Including Review of Comments Received During the 45-Day Comment Period
- VIII. Discussion and Possible Action Related to Proposed Regulations, Title 16, California Code of Regulations, Sections 1732.5 and 1732.8, Related to Continuing Education
- IX. Licensing Committee
The Board will review a summary of the Committee's work at its January 22, 2024 meeting, as well as updates for discussion and action as necessary.
 - a. Draft Survey Related to Pharmacist to Pharmacy Technician Ratio
 - b. Proposed Amendment to California Code of Regulations, Title 16, Section 1707.4, Related to Central Fill Pharmacies
 - c. Proposed Definition of Mail Order Pharmacy
 - d. Pharmacy Technician Training Program Requirements
 - e. Proposed Amendment to California Code of Regulations, Title 16, Section 1793.65, Related to Pharmacy Technician Certification Programs Approved by the Board
 - f. Licensing Statistics
- X. Enforcement and Compounding Committee
The Board will review a summary of the Committee's work at its January 23, 2024 meeting, as well as updates for discussion and action as necessary.
 - a. Presentation on the Canadian Medication Incident Reporting and Prevention System (CMIRPS) by ISMP Canada
 - b. Presentation on Medication Error Reporting by the Agency for Healthcare Research and Quality

- c. Presentation on the State Contracting Process by the California Department of Consumer Affairs
- d. Scope of Work and Contract Requirements for Inclusion in the Invitation for Bid for Interested Parties Seeking to Serve as the Approved Entity under Business and Professions Code section 4113.1
- e. Draft Frequently Asked Questions Related to Assembly Bill 1286 (Haney, Chapter 470, Statutes of 2023)
- f. Proposed Revisions to Frequently Asked Questions Regarding the Use of Mobile Units
- g. Draft Self-Assessment Form for Surgical Clinics
- h. Possible Action to Amend California Code of Regulations, Title 16, Sections 1715 and 1784 and Self-Assessment Forms 17M-13, 17M-14, and 17M-26, Incorporated By Reference
 - i. Community Pharmacy/Hospital Outpatient Self-Assessment Form 17M-13 (Cal. Code Regs., tit. 16, § 1715(c))
 - ii. Hospital Pharmacy Self-Assessment Form 17M-14 (Cal. Code Regs., tit. 16, § 1715(c))
 - iii. Wholesaler/Third Party Logistics Provider Self-Assessment Form 17M-26 (Cal. Code Regs., tit. 16, § 1784(c))
- i. Enforcement Statistics

XI. Communication and Public Education Committee

The Board will review a summary of the Committee's work at its January 22, 2024 meeting, as well as updates for discussion and action as necessary.

- a. Transition of Board's Website to a new Template
- b. Public Education Campaign Related to Revised Notice to Consumers Poster
- c. Communication and Public Education Activities by Staff
 - i. The Script
 - ii. Staff Outreach
 - 1. Education Campaign Update Regarding ISMP
 - 2. Presentations and Training
- d. News Media Inquiries

XII. Approval of Board Meeting Minutes

- a. November 1-2, 2023 Board Meeting
- b. December 13, 2023 Board Meeting

XIII. Organizational Development Committee

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

XIV. Executive Officer Report

- a. Budget Restrictions
- b. Update on Board-Approved Regulations in Various Stages of Promulgation
- c. Update on Board-Approved Legislation for Sponsorship
 - 1. Business and Professions Code Section 4071.1 Related to Remote Processing
 - 2. Business and Professions Code Sections 4081 and 4105 Related to Records
 - 3. Business and Professions Code Section 4111 Related to Ownership Prohibitions
 - 4. Business and Professions Code Section 4112 Related to Nonresident Pharmacy Requirements
- d. Mandatory Training for Members and Required Filings

XV. Report by the California Department of Consumer Affairs

XVI. 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).)

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 Settlements, Default Decisions, Petitions for Reinstatement or Modification of 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)

XVIII. Reconvene in Open Session to Adjourn for the Day

Adjournment will immediately follow closed session, and there will be no other items of business discussed. Adjournment for the day may not be viewable on livestream.

XIX. Adjournment

Upon conclusion of business