

**TITLE 16: BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS**

FINAL STATEMENT OF REASONS

Subject Matter of Proposed Regulations: Pharmacy Technician Certification Programs

Section Affected: California Code of Regulations (CCR), Title 16, Division 17,
Article 11, amend section 1793.65

Updated Information

The Initial Statement of Reasons is included in this rulemaking file. The information contained therein accurately reflects the position of the Board of Pharmacy (Board) regarding the amendment and adoption of the above section. The Initial Statement of Reasons (ISR) is updated as follows:

The 45-day public comment period began on August 23, 2024, and ended on October 7, 2024. The Board's notice indicated it did not intend to hold a hearing on the matter unless requested. During the 45-day comment period, the board received no request for a hearing, and no comments were received.

At the December 4, 2024 Board meeting, the Board adopted the regulation text as noticed on August 23, 2024.

Good Cause Statement for Earlier Effective Date

The Board requests that this regulation become effective upon filing with the Secretary of State, pursuant to Government Code section 11343.4(b)(3). This request is based on the good cause demonstrated in the request for earlier effective date, submitted as part of this rulemaking file.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Small Business Impact

While the Board does not have nor does it maintain data to determine whether any of its licensees are "small businesses" as defined in Government Code section 11342.610, the Board determined that the proposed regulatory action will not have any adverse economic impact on small businesses. Although the proposed regulation will directly affect businesses statewide, which may include small businesses, the proposed regulation may affect small businesses. The proposed amendment extends the current December 31, 2024 sunset date by 18 months (to June 30, 2026). This extension may result in continued revenue for the certification programs, as pharmacy technician applicants can continue

completing the programs. This is a benefit to the programs and not an adverse effect.

Consideration of Alternatives

No reasonable alternative considered by the agency would be more effective in carrying out the purpose for which the regulation is proposed, as effective and less burdensome to affected private persons than the adopted regulation, or more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Board considered extending the timeframe to 2025 instead of 2026; however, it determined that the examination review could not be completed in time and allow for additional rulemaking prior to December 2025.

Objections or Recommendations/Responses to Comments

During the public comment period from August 23, 2024 to October 7, 2024, the Board received no comments.