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BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR.

SENATE BILL 493 IMPLEMENTATION COMMITTEE CHAIR REPORT

Stan Weisser, RPh, Committee Chair
Amy Gutierrez, Pharm D, Board President
Debbie Veale, RPh
Victor Law, RPh

There has been no meeting of this committee since April 13, 2015.

a. <u>Requirements for Licensure as an Advance Practice Pharmacist</u>

During the last board meeting, the board approved the general language of new requirements for advance practice pharmacist licensure, but asked staff to refine the language to reflect the discussion held at the June Board Meeting. The board then motioned for staff to draft these corrections into the regulations, directed the president and chair of the committee to review the changes, and if acceptable to them, to have staff initiate the rulemaking process by securing the 45-day public notice period. (Pages 6-9 of the June 2015 Board Meeting minutes – in tab VI-- contains this discussion.)

In accordance with this directive, board staff did make corrections to the text of the regulation, and Chair Weisser and Board President Gutierrez approved the modifications. At the time this packet is being prepared, staff is waiting for Staff Counsel Freedman to review the language before filing it with the Office of Administrative Law.

A copy of this final language is provided below:

Article 3.5
Advanced Practice Pharmacist

1730 Acceptable Certification Programs
<u>The board recognizes the pharmacy patient care certification programs that are accredited by the National Commission for Certifying Agencies for purposes of satisfying the requirements in Business and Professions Code section 4210(a)(2)(A).</u>

<u>1730.1 Application Requirements for Advanced Practice Pharmacist Licensure</u>
<u>For purposes of 4210 an applicant for advanced practice pharmacist licensure must satisfy two of the following subdivisions.</u>

<u>(a) Demonstrate possession of a current certification as specified in Business and Professions Code section 4210(a)(2)(A), an applicant shall provide either:</u>

(1) A copy of the certification award that includes the name of the applicant pharmacist, the area of specialty and date of completion, or

(2) A letter from the certification program confirming the award of the certification that includes the name of the applicant pharmacist, the area of specialty and the date of completion.

(b) Demonstrate completion of a postgraduate residency earned in the United States through an accredited postgraduate institution as specified in Business and Professions Code section 4210(a)(2)(B), an applicant shall provide either:

(1) A copy of the residency certificate awarded by the postgraduate institution that includes the name of the applicant pharmacist, the area of specialty, and dates of participation and completion, or

(2) A letter of completion of a postgraduate residency signed by the dean or residency program director of the postgraduate institution and sent directly to the board from the postgraduate institution that lists the name of the applicant pharmacist, the dates of participation and completion, and area(s) of specialty.

(c) Demonstrate that experience earned under a collaborative practice agreement or protocol has been earned within 10 years of the time of application for advanced practice pharmacist licensure. Additionally, the one year of experience must be composed of no fewer than 1,500 hours of experience providing clinical services to patients, and must be earned within four consecutive years. The experience earned under a collaborative practice agreement or protocol must include initiating, adjusting, and discontinuing drug therapy of patients as authorized by law. An applicant shall demonstrate possession of experience by providing both of the following:

(1) A written statement from the applicant attesting under penalty of perjury that he or she has:

A. Earned the clinical experience within the required time frame;

B. Completed the required number of hours of clinical services to patients, as specified in this subdivision and in Business and Professions Code section 4210 (a)(2)(C), which includes initiating, adjusting, and discontinuing drug therapy of patients; and

i. The applicant shall provide a copy of the collaborative practice agreement or protocol.

ii. If a copy of the collaborative practice agreement or protocol is not available, the applicant shall provide a description of the collaborative practice agreement or protocol, including examples of the clinical services the applicant provided to patients.

(2) A written statement from the supervising practitioner, program director or health facility administrator attesting under penalty of perjury that the applicant has completed at least one year of experience providing clinical services to patients.

Reference: Business and Professions Code section 4052.1 4052.2, 4052.6, 4210, 4400
Authority: Business and Professions Code section 4005, 4210, 4400

b. Update on Pending Regulations for SB 493 and AB 1535

1. Naloxone Protocol
   The emergency regulation to establish this protocol was filed April 10, 2015, and will end (unless extended) October 2015. The board has publicized the protocol and it is prominently placed on the website.

   Meanwhile, the Board of Pharmacy has worked to secure the approval and adoption of the permanent protocol for naloxone. In April 2015 the board approved the permanent version, and the Medical Board approved it during the first week in May. The regulation was released for public comment from May 22-July 13, 2015. The comments received will be discussed during the Legislation and Regulation Report at this meeting.

2. Adoption of the Protocol for Self-Administered Hormonal Contraception
   The regulation to establish this protocol was approved by both the Medical Board and Board of Pharmacy in January 2015. The regulation was noticed for public comment from May 8 to June 22. The comments received will be discussed during the Legislation and Regulation Report at this meeting.

3. Adoption of the Protocol for Nicotine Replacement Products
   The regulation to establish the protocol for nicotine replacement products was approved by the Medical Board and Board of Pharmacy in January 2015. The regulation was notice for public comment from May 8 to June 22. The comments received will be discussed during the Legislation and Regulation Report at this meeting.

4. Immunizations
   The requirements for pharmacists who wish to provide immunizations was approved by the board during the June Board Meeting and are awaiting release for the-45 day public comment period to initiate the rulemaking. Staff is waiting for Staff Counsel Freedman to review the language before filing it with the Office of Administrative Law to initiate the comment period.

5. Travel Medications
   The requirements for pharmacists who wish to provide travel medications were approved by the board during the June Board Meeting and are awaiting release for the 45-day public comment period to initiate the rulemaking. Staff is waiting for Staff Counsel Freedman to review the language before filing it with the Office of Administrative Law to initiate the comment period.