



**California State Board of Pharmacy**

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BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

To: Board Members

Subject: Agenda Item VIII - Discussion and Consideration of Proposed Regulations to Amend Title 16 CCR section 1732.05, 1732.2 and 1732.5 related to Continuing Education

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**Attachment 1**

Background:

At the October 2015 Board Meeting, the board approved proposed text to amend Sections 1732.02, 1732.2, and 1732.5 of Title 16 CCR, related to Board Accredited Continuing Education. The 45 day comment period began on November 13, 2015 and ended December 28, 2015. Additionally, a regulation hearing was held on February 2, 2016.

At the February 2016 Board Meeting, the board discussed the regulation and recommended that the proposed language be returned to the licensing committee to review the six subject specific areas for possible consolidation.

At the July 2016 Board Meeting, the board discussed the regulation and recommended consolidating the six subject specific areas into a Board provided CE course in Law and Ethics. The board approved a modified text and initiated a 15-day comment period. The 15-day comment period began on August 3, 2016 and ended on August 18, 2016. The Board received one comment during the 15-day comment period.

At this Meeting:

The board will have the opportunity to discuss the regulation, the comment received and determine what course of action it wishes to pursue. Among its options:

1. Adopt the regulation as approved at the July 2016 Board meeting
2. Amend the regulation to address the concerns expressed by the stakeholder and notice the modified text for a 15 day comment period. Note: The one year rulemaking time frame expires on November 12<sup>th</sup>.

**Attachment 1** contains:

1. A copy of the modified text as approved at the July 2016 Board Meeting.
2. The comment received during the 15-day comment period.

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**Staff Recommendation:** Adopt the regulatory language as approved on July 27, 2016, and delegate to the executive officer the authority to make technical or non-substantive changes as may be required by Office of Administrative Law or the Department of Consumer Affairs to complete the rulemaking file.

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# **Attachment 1**

**Board Accredited  
Continuing Education  
Modified Text  
(As Approved at the  
July 2016 Board  
Meeting)**

## Title 16. BOARD OF PHARMACY

### Modified Language

Initial proposed changes indicated with ~~single strikethrough~~ for deletions and single underline for additions.

Changes made to the originally proposed language are shown by ~~double strikethrough~~ for deleted language and double underline for added language. (Additionally, the modified text is listed in red for color printers.)

**Proposal to amend** § 1732.05 in Article 4 of Division 17 of Title 16 of the California Code of Regulations to read:

#### **§1732.05. Accreditation Agencies for Continuing Education**

(a) The following organizations are approved accreditation agencies:

- (1) The Accreditation Council for Pharmacy Education.
- (2) The ~~Pharmacy Foundation of California~~ California Pharmacists Association.

(b) Accreditation agencies shall:

- (1) Evaluate each continuing education provider seeking accreditation in accordance with the provider's ability to comply with the requirements of section 1732.1 of this Division.
- (2) Maintain a list of the name and address of the person responsible for the provider's continuing education program. The accreditation agency shall require that any change in the responsible person's identity shall be reported to the accreditation agency within 15 days of the effective date of the change.
- (3) Provide the board with the names, addresses and responsible party of each provider, upon request.
- (4) Respond to complaints from the board, providers or from pharmacists concerning activities of any of its accredited providers or their coursework.
- (5) Review at least one course per year offered by each provider accredited by the agency for compliance with the agency's requirements and requirements of the board and, on request, report the findings of such reviews to the board.
- (6) Take such action as is necessary to assure that the continuing education coursework offered by its providers meets the continuing education requirements of the board.
- (7) Verify the completion of a specific continuing education course by an individual pharmacist upon request of the board.

(c) Substantial failure of an approved accreditation agency to evaluate continuing education providers as set forth in subdivision (b) shall constitute cause for revocation of its approval as an accreditation agency by the board.

Authority cited: Section 4005, Business and Professions Code. Reference: Section 4232, Business and Professions Code.

**Proposal to amend** § 1732.2 in Article 4 of Division 17 of Title 16 of the California Code of Regulations to read:

**§ 1732.2. Board Accredited Continuing Education**

(a) Individuals may petition the board to allow continuing education credit for specific coursework which is not offered by a provider but meets the standards of Section 1732.3.

(b) Notwithstanding subdivision (a) of this section, coursework which meets the standard of relevance to pharmacy practice and has been approved for continuing education by the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California shall, upon satisfactory completion, be considered approved continuing education for pharmacists.

(c) A pharmacist serving on a designated subcommittee of the board for the purpose of developing the California Practice Standards and Jurisprudence Examination for pharmacists pursuant to section 4200.2 of the Business and Professions Code may annually be awarded up to six (6) hours of continuing education for conducting a review of exam test questions. A subcommittee member shall not receive continuing education hours pursuant to this subdivision if that subcommittee member requests reimbursement from the board for time spent conducting a review of exam test questions.

(d) A pharmacist or pharmacy technician who attends a full day board meeting may be awarded six (6) hours of continuing education per renewal period. The board shall designate on its public agenda which day shall be eligible for continuing education credit. A pharmacist or pharmacy technician requesting continuing education pursuant to this subdivision must sign in and out on an attendance sheet at the board meeting that requires the individual to provide his or her first and last name, license number, time of arrival and time of departure from the meeting.

(e) A pharmacist or pharmacy technician who attends a full committee meeting of the board may be awarded two (2) hours of continuing education per renewal period. A pharmacist or pharmacy technician requesting continuing education hours pursuant to this subdivision must sign in and out on

an attendance sheet at the committee meeting that requires the individual to provide his or her first and last name, license number, time of arrival and time of departure from the meeting.

(f) An individual may be awarded three (3) hours of continuing education for successfully passing the examination administered by the Commission for Certification in Geriatric Pharmacy.

Authority cited: Section 4005, Business and Professions Code. Reference: Section 4232, Business and Professions Code.

**Proposal to amend** § 1732.5 of Article 4 of Division 17 of Title 16 of the California Code of Regulations to read:

**§1732.5 Renewal Requirements for Pharmacists**

(a) Except as provided in Section 4234 of the Business and Professions Code and Section 1732.6 of this Division, each applicant for renewal of a pharmacist license shall submit proof satisfactory to the board, that the applicant has completed 30 hours of continuing education in the prior 24 months.

(b) At least ~~six (6)~~ **two (2)** of the thirty (30) hours required for pharmacist license renewal shall be completed by participation in a Board provided CE course in Law and Ethics. ~~in one or more of the following subject areas:~~

~~(1) Emergency/Disaster Response~~

~~(2) Patient Consultation~~

~~(3) Maintaining Control of a Pharmacy's Drug Inventory~~

~~(4) Ethics~~

~~(5) Substance Abuse, Including Indications of Red Flags and a Pharmacist's Corresponding Responsibility~~

~~(6) Compounding~~

Pharmacists renewing their licenses which expire on or after July 1, ~~2018-2019~~, shall be subject to the requirements of this subdivision.

~~(b)-(c)~~ All pharmacists shall retain their certificates of completion for four (4) years following completion of a continuing education course.

Authority cited: Section 4005, Business and Professions Code. Reference: Sections 4231 and 4232, Business and Professions Code.

**Board Accredited  
Continuing Education  
15-Day Comment  
Comment Period  
Closed August 18, 2016**