



To: Board Members

Subject: Agenda Item X. Interim Executive Officer's Report

---

**a. Update on Implementation of the Acceptance of Credit Cards for Renewal Payments**

On December 17, 2018, the board implemented the online credit card renewal payment process for pharmacy technicians. Between December 17, 2018 and January 3, 2019, the board received 264 payments through the credit card process. Board staff are still working out some implementation issues but anticipates they will be resolved shortly, after which a subscriber alert will be released.

The framework to accept online card renewal payments for pharmacists and advance practice pharmacists is almost complete. Because of some limitations with the program, pharmacists who wish to change their status (e.g., transition from active status to inactive status) must renew their license in the traditional manner. We anticipate this second phase will go live in February 2019.

This process will be implemented over the next several months for the remaining license types.

**b. Personnel Update**

The board currently has 14 vacant positions detailed below:

- Five inspector positions
- One senior manager position
- Four licensing positions
- Four non-inspector enforcement related positions

**c. Update on the Relocation of the Board Office**

Background

For the past year, board staff have been working with DCA and the Department of General Services to locate new office space that can accommodate the board's significant growth.

The board signed a lease for a new office space located at 2720 Gateway Oaks Drive approximately three miles from our current location. The tentative start date of the lease

was originally February 1, 2019.

#### Update

Board staff were advised there have been significant delays in approvals necessary to begin construction within the office space. Based on these delays it is currently anticipated the move will occur in May or June 2019. Board staff continues to work with DCA and the Department of General Services and will continue to provide updates to the Organizational Development committee.

#### **d. Update on the Controlled Substance Utilization Review and Evaluation System (CURES)**

Provided in **Attachment 1** are tables outlining the CURES data released from the Department of Justice for January through December 2018, including registration numbers, usage data and prescription volume information. Over 42,000,000 controlled substances prescriptions were reported to CURES in 2018.

#### **e. Update on Legal Status of Products Containing Cannabidiol (CBD)**

At the October 2018 board meeting, the board considered an opinion by Supervising Deputy Attorney General (SDAG) Joshua Room regarding the legal status of products containing CBD. SDAG Room indicated the only CBD-containing product currently approved for sale in pharmacies is Epidiolex, and that all other CBD products are still Schedule I. Accordingly, SDAG Room opined, a pharmacy that sells such products risk enforcement action by the DEA.

As part of the discussion, the board heard public comment regarding the sale of products extracted from hemp. Specifically, it was stated that Section 7606 of the 2014 Farm Bill provides exemptions for state departments of agriculture to license farmers to grow hemp and extract all parts of the plant for sale in products. It was also stated that in 2016 the federal government defunded the DEA's enforcement against compliant hemp products. It is believed that the public comment made in this area may have led some to believe that it is now lawful for pharmacies to sell such products in California.

Because there was conflicting information regarding the legality of selling products derived from hemp, the board asked that SDAG Joshua Room research the issue and provide an updated opinion at the next board meeting.

At this meeting, SDAG Room will provide the updated opinion for review and discussion by the Board.

# **Attachment 1**

<b>CURES Registrants: January December 2018</b>	
Pharmacists	42,861
Total Number of Individuals Registered	210,297
Percentage of Pharmacists Registrants	20%

<b>Patient Activity Reports Generated: January December 2018</b>	
By Pharmacists	8,981,639
Total Number of Reports Generated	18,215,274
Percentage Reports Generated by Pharmacists	49%

<b>Number of Times CURES Accessed: January December 2018</b>	
Accessed by Pharmacists	4,121,310
Total Times Accessed by Anyone	8,528,442
Percentage of Time Pharmacists Accessed CURES	48%

<b>Prescriptions Entered Into CURES: January December 2018*</b>	
Schedule II	18,887,386
Schedule III	3,491,942
Schedule IV	19,323,431
Schedule V	523,850
Total	42,217,736

\*Includes other prescription drugs reported to CURES.