



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



**To: Board Members**

**Subject: Agenda Item VIII. Discussion and Consideration of Changes to Previously Proposed Text and Reauthorization of a Regular Rulemaking to Adopt a Proposed Regulation Related to Temporary Licenses of Military Spouses and Partners, California Code of Regulations Section 1706.6**

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**Background:**

At the July 27-28, 2022 Board meeting, the Board approved proposed regulation text to add Section 1706.6 related to the temporary licenses for military spouses and partners. This proposal defines the provisions for military spouses and partners to obtain a temporary license.

Following discussion and approval by the Board in July 2022, the Department of Consumer Affairs recommended additional changes to the language to provide clarification on the requirement that applicants for a temporary pharmacist license must successfully complete the California Practice Standards and Jurisprudence Examination (CPJE), in addition to the other requirements, prior to the temporary license being issued by the Board. Attached following this memo is the proposed text.

**At this Meeting:**

The Board will have the opportunity to discuss the regulation and the changes recommended by the Department of Consumer Affairs.

**Possible Approval Language:**

The Board hereby rescinds prior proposed text and approves the proposed regulatory text for section 1706.6 as proposed to be amended in the materials. Additionally, authorize the executive officer to further refine the language consistent with the policy discussions and as may be required by control agencies (DCA or Agency) and to make any non-substantive changes prior to initiation of the rulemaking. Further, if no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the executive officer to adopt the proposed regulation at section 1706.6 as noticed for public comment and take all steps necessary to complete the rulemaking process.

**Title 16. Board of Pharmacy  
Proposed Text**

**Add section 1706.6 to Article 1 of Division 17 of Title 16 of the California Code of Regulations to read as follows:**

**§ 1706.6. Temporary Licenses for Military Spouses/Domestic Partners**

(a) Definitions: For the purposes of this section, the following definitions shall apply:

- (1) “Disciplined” means that the applicant’s license was placed on probation, revoked, suspended, reprobated, censured, reprimanded, restricted, limited, or conditioned.
- (2) “Jurisdiction” shall mean a California or another state’s licensing board or agency, any agency of the federal government, or another country.
- (3) “Disciplinary proceeding” shall mean any proceeding or investigation under the authority of the licensing jurisdiction pursuant to which a licensee may be disciplined.
- (4) “Good standing” shall mean that the applicant has not been disciplined, is not the subject of an unresolved complaint or review procedure and is not the subject of any unresolved disciplinary proceeding.
- (5) “Original licensing jurisdiction” shall mean the entity that issued a license to the applicant authorizing the applicant to practice within the same scope for which the applicant seeks a temporary license from the Board.

(b) An applicant for a temporary pharmacist, advanced practice pharmacist, pharmacy technician, designated representative, designated representative-reverse distributor, designated representative-3PL or a designated paramedic license pursuant to section 115.6 of the Business and Professions Code (“Code”) shall submit a completed application to the Board and meet all of the requirements of this section and section 115.6 of the Code to be eligible for a temporary license. A completed application shall provide the following information:

- (1) The applicant’s identifying and contact information:
  - (A) Applicant’s full legal name ((Last Name) (First Name) (Middle Name) and/or (Suffix)),
  - (B) Other name(s) applicant has used or has been known by,
  - (C) Applicant’s address of record (The address of record may be a post office box number or other alternate address.),
  - (D) Applicant’s physical address, if different than the applicant’s address of record,
  - (E) Applicant’s email address,

- (F) Applicant's telephone number,
  - (G) Applicant's Social Security Number or Individual Taxpayer Identification Number, and,
  - (H) Applicant's birthdate (month, day, and year).
- (2) The applicant shall indicate that the applicant is married to, or in a domestic partnership or other legal union with, an active-duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active-duty military orders and shall provide the following documentation with the application:
- (A) Certificate of marriage or certified declaration/registration of domestic partnership filed with the California Secretary of State or other documentary evidence of legal union with an active-duty member of the Armed Forces, and,
  - (B) A copy of the military orders establishing their spouse or partner's duty station in California.
- (3) The applicant shall disclose whether the applicant holds a current, active, and unrestricted license of the same type of license that the applicant is applying for, or comparable authority to practice in another state, district, or territory of the United States and provide written verification from the applicant's original licensing jurisdiction that the applicant's license or other comparable authority ("license") is in good standing in that jurisdiction. The verification shall include all of the following:
- (A) the full legal name of the applicant and any other name(s) the applicant has used or has been known by,
  - (B) the license type and number issued to the applicant by the original licensing jurisdiction, and relevant law(s) and regulation(s) under which the license was issued,
  - (C) the name and location of the licensing agency,
  - (D) the issuance and expiration date of the license, and,
  - (E) information showing that the applicant's license is currently in good standing.
- (4) The applicant shall disclose whether the applicant has committed an act in any jurisdiction that would have constituted grounds for denial, suspension, or revocation of the license pursuant to Sections 141, 480, or 490 of the Code, or Sections 4300, 4301, 4311 of the Code, or section 1762 of this Division. For applicants for a temporary pharmacist license, those applicants shall also disclose whether the applicant has committed an act in any jurisdiction that would have constituted grounds for denial, suspension, or revocation of the license pursuant to Sections 4305 or 4306.5 of the Code.

- (5) The applicant shall disclose whether the applicant has been disciplined by a licensing entity in another jurisdiction or is the subject of an unresolved complaint, review procedure, or disciplinary proceeding conducted by a licensing entity in another jurisdiction.
  - (6) The applicant shall submit fingerprints for use by and accessible to the board in conducting criminal history information record checks through the California Department of Justice.
  - (7) For applicants for a temporary pharmacist license, the applicant has successfully completed the California Practice Standards and Jurisprudence Examination (CPJE).
  - (8) The applicant shall sign a statement attesting to the fact that the applicant meets all the requirements for the temporary license, and that the information submitted in the application is accurate, to the best of the applicant's knowledge.
- (c) In addition to the above requirements, and prior to submission of the application specified in subsection (b), applicants for a temporary pharmacist license must successfully complete the Board's law and ethics examination designated as the California Practice Standards and Jurisprudence Examination (CPJE) for Pharmacists set forth in Section 4200 of the Code, which tests the applicant's knowledge and proficiency in state and federal laws and provisions of safe patient care, and the items set forth in Section 4200.2 and 4200.3 (d) of the Code.
- (d) Upon issuance of a temporary license in accordance with Section 115.6(a) of the Code, the Board shall provide written notice to the applicant of the following:
- (1) That the temporary license is nonrenewable;
  - (2) That the license expires 12 months after issuance, upon issuance or denial of a standard license, or upon issuance or denial of an expedited license pursuant to Section 115.5 of the Code, whichever occurs first; and,
  - (3) Any holder of a temporary license desiring to continue their licensure or to practice in California after expiration of their temporary license shall apply for and obtain a standard pharmacist, advanced practice pharmacist, pharmacy technician, designated representative, designated representative-reverse distributor, designated representative-3PL or a designated paramedic license, as applicable, in accordance with Sections 4200, 4202, 4210, 4053, 4053.1, 4053.2, and 4202.5 of the Code.

Authority: Sections 115.6 and 4005, Business and Professions Code.

Reference: Section 30, 31, 115.6, 141, 480, 490, 4200, 4300, 4301, 4301.5, 4305, 4306.5, and 4311, Business and Professions Code.