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Business, Consumer Services and Housing Agency  
Department of Consumer Affairs  
Gavin Newsom, Governor



**To: Board Members**

**Subject: Discussion and Consideration on the Board's Strategic Plan**

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### Background

During its September 2021 Board Meeting, the Board completed its [Strategic Plan 2022-2026](#).

### For Board Discussion and Consideration

In preparation for the annual review Committees have review the status of their respective strategic objectives. During the meeting the Chairperson from the respective committee will provide a summary and where appropriate offer recommendations consistent with the committee discussion.

### **Goal 1: Licensing Committee**

The Board promotes licensing standards to protect consumers and allow reasonable access to the professions.

#### **1.1 Evaluate, and change in appropriate, legal requirements for authorized duties that can occur outside of a pharmacy to reflect the dynamic nature of the practice of pharmacy.**

July 2022 Status: The board sponsored legislation to make permanent provisions for remote work for pharmacists currently being performed via a broad waiver. The legislation was controversial and did not move forward.

July 2023 Status: Board sponsors AB 1557 (Flora) provisions to make permanent authority for pharmacists to perform medication chart order review from outside of the licensed premises as specified.

#### **1.2 Consider and pursue necessary changes in the law regarding various pharmacy practice settings to ensure variances in the practice are appropriate.**

July 2023 Status: Board implements provision related to the use of a mobile unit as an extension of a pharmacy underspecified conditions. The Board supports Assembly Bill 663 (Haney) related to expansion of the use of mobile units.

#### **1.3 Explore, and pursue changes in law as appropriate, for authorized duties of a pharmacy technician and potential expansion based on other jurisdictions to expand authorized duties.**

July 2022 Status: The Committee convened listening sessions and released surveys soliciting feedback from licensees on potential changes to pharmacy technician

authorities. The Committee continues its evaluation of the results of the information received.

July 2023 Status: The board sponsors Assembly Bill 1286 (Haney), a comprehensive patient safety measure. Among the changes, the Board proposes changes to expand authorized duties a pharmacy technician may before to assist a pharmacist.

**1.4 Determine if application requires for a pharmacist-in-charge (PIC) are appropriate to ensure sufficient knowledge, skills, and abilities for individuals seeking to serve as a PIC.**

July 2022 Status: October 2021, Board approved development of regulations to establish minimum requirements for pharmacists seeking to serve as a PIC. Further, development of a training program is underway.

**1.5 Engage with the California Division of Occupational Safety and Health (Cal/OSHA) on pharmacy working conditions to ensure sufficient resources and appropriate conditions exists to facilitate safe patient care.**

July 2022 Status: The Medication Error Reduction and Workforce Committee continues its assessment of working conditions and medication errors.

**1.6 Consider results, and change laws as appropriate, regarding the Office of Professional Examination Services audit of the California Multi-State Jurisprudence Pharmacy Examination and pharmacy law requirements to ensure exams are relevant. (Completed)**

July 2022 Status: January 2022, Board received results of audit conducted by OPES, which concludes that OPES does not recommend use of the MPJE as it would be inconsistent with Business and Professions Code section 139.

**1.7 Decrease licensing processing items to improve customer service and support applicants and licensees.**

July 2022 Status: July 1, 2022, Board secures authority to hire two additional staff to assist with the processing of site applications.

July 2023 Status: Application processing for several license types have improved with the completion of onboarding of staff. Further, staff schedule meetings with applicants seeking site licenses to discuss outstanding items. Notification is sent confirming receipt of applications and notification when licenses are issued.

**1.8 Streamline the licensing process to improve efficiency and staff performance.**

July 2023 Status: Business modernization steps completed including completion of business process mapping and could be mapping.

**1.9 Migrate the entire licensing process online to promote timeliness, reduce staff workload, and provide better customer service.**

July 2022 Status: Business Process Mapping for cashiering and licensing related functions completed.

July 2023 Status: All business process mapping and could be mapping completed.

## **Goal 2: Enforcement and Compounding Committee**

The Board protects consumers by effectively enforcing laws, codes, and standards when violations occur.

### **2.1 Evaluate, and take necessary actions, regarding the causes and effects of medication errors to reduce errors.**

July 2022 Status: Medication Error Reduction and Task Force Ad Hoc Committee established and has begun convening public meetings.

July 2023 Status: Board sponsors Assembly Bill 1286 (Haney), a patient-safety measure that includes provisions to establish mandatory reporting of medication errors.

### **2.2 Analyze enforcement outcomes to identify trends to educate licensees of common violations and improve patient outcomes.**

July 2022 Status: Annual presentation on the Board's Citation and Fine Program and Board's Inspection Program provided and top violations published in the Board's newsletter.

July 2023 Status: Annual presentation on the Board's Citation and Fine Program and Board's Inspection Program provided. Top violations and corrections discussed with information published in the Board's newsletter.

### **2.3 Complete routine inspections of all licensed pharmacies at least every four years to proactively assess pharmacy operations and educate licensees.**

July 2022 Status: In FY 2021/22, Board staff conducted 1,598 routine inspections.

July 2023 Status: In FY 2022/23, Board conducted 1,316 routine inspections. This is an increase to 69% of licensed pharmacies from 37.7% two years ago. Staff will continue to prioritize pharmacies that have not been inspected for more than four years.

### **2.4 Determine and reduce barriers to timely case resolution to improve consumer protection.**

July 2023 Status: Board votes to sponsor legislation to Business Professions Code Sections 4081 and 4105, related to providing records for the Board.

### **2.5 Assess, and pursue where appropriate, further use of a Standard of Care Enforcement Model to protect consumers.**

July 2022 Status: Standard of Care Ad Hoc Committee established and has begun convening public meetings.

July 2023 Status: Board submits report to the Legislature as required in Business and Professions Code Section 4301.3 related to the Board's assessment of Standard of Care Enforcement Model is the regulation of pharmacy.

### **2.6 Establish greater consistency in how inspectors interpret the law and carry out inspections to improve compliance, support licensees, and further patient care.**

July 2023 Status: Post-inspection surveys are performed as a means to receive feedback from licensees. Management staff review cases together to achieve consistency where appropriate.

**2.7 Write a Budget Change Proposal to increase the number of enforcement staff to ensure more regular inspections and investigations, and to improve case processing times.**

July 2022 Status: New inspector position received to perform inspections and related investigations stemming from new legislative mandates.

July 2023 Status: Board secures one inspector position related to new legislative requirements.

**2.8 Educate licensees about enforcement responsibilities to improve compliance and build relationships.**

July 2023 Status: Board staff provide live and recorded presentations via WebEx to licensees and in person presentations to various pharmacist groups. The Board has released FAQs and newsletter articles. The Board is developing a training for pharmacist-in-charge.

**2.9 Assess pharmacist involved in medication handling at locations not regulated by the Board of Pharmacy to increase patient safety and standardize care.**

**2.10 Evaluate if regulations align with federal regulations and standard governing the practice of compounding and pursue changes, if appropriate, to ensure patient safety and assist licensees with education about standards.**

July 2023 Status: The Board approves draft regulations related to USP General Chapters 795, 797, 800 and 825.

**Goal 3: Legislation and Regulation Committee**

The Board pursues statutes, regulations, and procedures that strengthen and support the Board's mandate and mission.

**3.1 Consider, and advocate for necessary changes, regarding recognition for provider status for pharmacists to improve patient access.**

**3.2 Review, and update if necessary, existing regulations and statutes, to keep pharmacy law and its regulations current and inclusive for all.**

July 2022 Status: As part of promulgation processes, the Board transitions to gender-neutral language, including changes in the Board's Disciplinary Guidelines and various self-assessment regulations.

July 2023 Status: The Board continues to transition to gender-neutral language when amending provisions of pharmacy law and its regulations, including, compounding, opioid antagonist, notice to consumers, and continuing education.

**3.3 Evaluate, and if appropriate, advocate, regarding barriers to patient care driven by outside entities, e.g., pharmacy benefit manager practices and drug manufacturers, to remove barriers to prescription and (specialty) medications.**

July 2022 Status: Board establishes a support position on Senate Bill 958, Medication and Patient Safety Act of 2022.

July 2023 Status: The Board establishes a support position on Assembly Bill 913 (Petrie-Norris), a measure related to the regulation of Pharmacy Benefit Managers.

**3.4 Identify opportunities to leverage pharmacist knowledge, skills, abilities, and accessibility to create appropriate access points to care to improve health outcomes for the public.**

**3.5 Support legislation that increases scope of practice for pharmacists and pharmacy technicians to increase access and improve health outcomes for the public.**

July 2022 Status: Board supports Assembly Bill 1328, Clinical Laboratory Technology and Pharmacists.

July 2023 Status: The Board sponsors Assembly Bill 1286 (Haney), a patient safety measure focused on addressing medication errors to improve patient care. As part of the measure, the Board is seeking to expand authority for pharmacy technicians to perform additional functions as part of their critical role in assisting pharmacists.

**3.6 Promote legislation that ensures pharmacists are adequately provided with qualified resources to promote working conditions that minimize errors and improve health outcomes for the public.**

July 2022 Status: The Board establishes a support position on Senate Bill 362, Chain Community Pharmacies: Quotas, and following enactment releases information for pharmacy personnel on how to file a complaint with the Board.

July 2023 Status: The Board sponsors Assembly Bill 1557 (Flora), a provision to make permanent authority for pharmacists to perform medication chart order review outside of a licensed pharmacy, under specified conditions.

**Goal 4: Communication and Public Education Committee**

The Board educates consumers, licensees, and stakeholders about the practice and regulation of the profession.

**4.1 Develop a consumer education campaign to educate consumers about the Board and the importance of pharmacy services, including patient consultation.**

July 2022 Status: The Board undertakes a rulemaking to update the Board's Notice to Consumers poster and regulation, [CCR section 1707.6](#), to give consumers more relevant information about their rights and an explicit reminder to speak to their pharmacist about their medications.

July 2023 Status: Staff propose revisions to Notice to Consumers poster and elements of consumer education campaign.

**4.2 Reevaluate, and update if necessary, educational materials related to pharmacy law to assist licensees in operating in compliance.**

July 2022 Status: The Board continuously updates key resources to keep licensees informed on pharmacy law and regulations. The online [Pharmacy Lawbook](#) is updated regularly with newly adopted laws and regulations. The Board also creates a

new [pharmacy law webinar](#) each year. In addition, the Board posts constant updates to [pharmacy law waivers](#) online and proactively disseminates updates about laws, regulations, and waivers in subscriber alerts and The Script.

July 2023 Status: Frequently Asked Questions are developed related to the use of [mobile units](#). Further FAQs are revised to ensure information remains current, including the [continuing education FAQ](#) and [ADDS FAQs](#). Various [self-assessment forms](#) are updated to reflect changes in pharmacy law and the new [pharmacy law webinar](#) is available.

#### **4.3 Promote the self-assessment process to educate licensees about the importance of the tool.**

July 2022 Status: Staff is currently working with DCA's Office of Information Services to evaluate the feasibility of transforming the self-assessment forms to an online, more interactive process that would actively engage pharmacists in ensuring their operations comply with pharmacy law.

July 2023 Status: Staff complete business process mapping with the DCA's Organizational Improvement Office.

#### **4.4 Create an educational program for the colleges of pharmacy and a required training prior to obtaining an intern license to ensure an understanding of the Board and its consumer protection mandate.**

July 2022 Status: Board staff provide outreach at pharmacy schools by providing presentations to pharmacy students on licensing requirements and how to complete applications for both pharmacist and intern pharmacist licenses.

July 2023 Status: Board staff provide outreach at pharmacy schools by providing presentations to pharmacy students on licensing requirements and how to complete applications for both pharmacist and intern pharmacist licenses.

#### **4.5 Increase outreach and education to licensees to expand knowledge of the Board and to promote compliance.**

July 2022 Status: Staff continue to provide continuing education to pharmacists on preventing drug abuse and drug diversion. The online platform has enabled staff to provide the training to more pharmacists statewide than live events permitted before the pandemic. As conditions improve, staff hopes to offer more outreach events in person as well as via WebEx. In addition, licensing staff has started providing presentations at California schools of pharmacy on how to apply for an intern pharmacist license and how to apply to take the pharmacist exam. Staff provides in-person and live WebEx presentations on Board activities and changes in pharmacy law.

July 2023 Status: Staff continue to provide continuing education to pharmacists on preventing drug abuse and drug diversion. The online platform continues to enable staff to provide the training to a larger audience statewide than live events permitted before the pandemic. Staff provides in-person and live WebEx presentations on Board activities and changes in pharmacy law.

#### **4.6 Create more webinars to post on the website to disseminate basic information.**

July 2022 Status: The Board recently posted a training webinar for pharmacists furnishing HIV PrEP/PEP medications pursuant to SB 159. To gauge participants' comprehension of the training material, the webinar includes a 10-question assessment that participants must pass in order to receive a certificate of completion. The training program is the latest in a series of educational webinars of important topics – including law, ethics, furnishing naloxone, and preparing for an inspection – that the Board has developed and made available for free to inform and educate licensees.

#### **4.7 Improve communication to licensees by personalizing it and decreasing verbiage to encourage licensee engagement.**

July 2022 Status: The Board has established listservs for each type of personal license to better target subscriber alerts to pharmacists, pharmacy technicians, designated representatives, and intern pharmacists. In addition, staff keep communications in subscriber alerts and Script article as succinct and direct as possible.

July 2023 Status: The Board continues to use the dedicated listservs to target information to appropriate audiences.

#### **4.8 Research creating a recognition program for pharmacists to help build relationships between public, licensees, and the Board.**

July 2022 Status: The Board honors pharmacists who have maintained their California pharmacy license on active status for 40 years or more. These pharmacists are identified publicly in The Script and [online](#) and invited to be recognized and honored at Board meetings.

July 2023 Status: The Board continues to honor pharmacists who have maintained their California pharmacy license on active status for 40 years or more. These pharmacists are identified publicly in The Script and [online](#) and invited to be recognized and honored at Board meetings.

### **Goal 5: Organizational Development Committee**

The Board provides excellent customer service, effective leadership, and responsible management.

#### **5.1 Secure the necessary resources to fulfill the Board's strategic goals to meet the Board's Vision.**

July 2022 Status: The Board secures 3.5 permanent full-time positions and 1 limited term position to address growth in licensing programs and to address new workload stemming from legislative mandates.

July 2023 Status: The Board's operating budget for the year is \$32,924,000, which includes an approximate \$370,000 increase in authorized expenditures for the Office of Administrative Hearings and 0.5 permanent position to address new workload stemming from legislative mandates.

#### **5.2 Develop a formal onboarding program for new Board members to ensure new members are prepared.**

July 2022 Status: Board member orientation materials reviewed and update. Orientation meetings conducted with Board President and Executive Officer.

July 2023 Status: Agendized presentations during Board and Committee meetings, including an overview on federal requirements for compounding under provisions of 503A. Presentations are livestreamed and made available on the Board's website.

### **5.3 Promote staff training and development to ensure staff retention and a positive work environment.**

July 2022 Status:

- In FY 2021-22, Board staff completed a combined 323 training courses offered by DCA SOLID training and CalHR. Topics variety; however, generally focused on job performance and growth. Two managers completed mandatory training for new managers, one manager completed a 40-hour manager development program, and one executive manager completed a 20-hour executive development program. Seventeen inspections attended specialized investigation training and four staff attend training on building an inclusive regulatory community.
- Licensing Unit develops a Licensing Unit Resource Guide for new and existing employees
- Onboard for new inspections includes a series of weekly presentations covering a range of topics.

July 2023 Status:

- Resumed in-person all office staff and all inspector meetings have resumed. All inspector meeting included training by the Office of the Attorney General, SOLID, case presentations and lessoned learn and team meetings. Office staff included organizational update and training on handling stress in the workplace.
- 20 Executive level, senior management and management staff completed a day-long training on Diversity, Equity and Inclusion, including Introduction to Cultural Intelligence, Understanding Implicit Bias Through the Lens of Cultural Intelligence, Managing Conflict Through the Lens of Equity, and How to Create Sustainable Change.
- Staff were encouraged to complete individual training courses to promote growth. Courses include: Various Microsoft trainings; Tips for Working Smarter, Not Harder; 4 bars: Communicate for Better Reception; Completed Staff Work; How to Issue and Investigative Subpoena.

### **5.4 Continue Business Modernization activities to determine technology needs.**

July 2022 Status: Staff complete and approve all business process maps documenting licensing and cashiering processes.

July 2023 Status: All business process mapping and could be mapping completed. Review is underway of requirements document.

### **5.5 Develop staff through training and setting clear expectations to increase staff retention and support staff.**

July 2022 Status: Standardized onboarding procedures developed and training plans. Implement telework for staff including clear guidelines and expectations.



July 2023 Status: Standardized onboarding of staff continues. Annual review and update to telework agreements completed. In addition, 54 performance appraisals were provided, 9 individual development plans completed and two promotions in place completed. In addition, staff completed training courses included in areas of Information Security Awareness, Sexual Harassment Prevention, Non-Discrimination Policy and Complaint Procedures, and Ethics training, and How to Decode Our Unconscious Bias.

**5.6 Improve public and licensee access to staff to provide better customer service and support licensees.**

July 2022 Status: Individual licensing unit team develops call response triage to provide better customer service to applicants seeking intern licenses and approval of exam applications.

July 2023 Status: Updates made to information available on the Board's website, including information on [continuing education requirements](#), updated information on requirements for a [change in pharmacist-in-charge](#), and updated information [reporting convictions or discipline as part of the renewal process](#).