



California State Board of Pharmacy
2720 Gateway Oaks Drive, Ste 100
Sacramento, CA 95833
Phone: (916) 518-3100 Fax: (916) 574-8618
www.pharmacy.ca.gov

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



To: Board Members

Subject: Agenda Item VIII. Discussion, Consideration and Possible Action Related to Proposed Regulations, Title 16, California Code of Regulations Sections 1732.5 and 1732.8, Related to Continuing Education, Including Review of Comments Received During the 45-Day Comment Period

Background:

At the January 28, 2022, Board meeting, the Board approved proposed regulation text to amend Sections 1732.5 and 1732.8 related to the Continuing Education. This proposal amends the board's regulations regarding continuing education requirements.

As required by the Administrative Procedure Act, Board staff released the proposed text for the 45-day comment period on December 15, 2023, which ended on January 29, 2024. No comments were received during the comment period. Attached following this memo is the proposed text released for the 45-day public comment period.

At this Meeting:

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

1. Adopt the regulation text as noticed on December 15, 2023.
2. Amend the regulation to address any concerns and notice the modified text for a 15-day comment period.

Possible Adoption Language:

Adopt the regulation text as noticed on December 15, 2023. Additionally, delegate to the executive officer the authority to make technical or non-substantive changes as may be required by the Control agencies to complete the rulemaking file.

Title 16. Board of Pharmacy Proposed Regulation Text

Proposed changes to the current regulation language are shown by ~~strikethrough~~ for deleted language and underline for added language.

Amend Section 1732.5 to Article 5 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

§ 1732.5. Renewal Requirements for Pharmacists.

- (a) Except as provided in ~~Section~~ Section 4234 of the Business and Professions Code and ~~Section~~ 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 (CE) in the prior 24 months.
- (b) At least two (2) of the thirty (30) hours required for pharmacist license renewal (“required CE hours”) shall be completed by participation in a Board provided CE course in Law and Ethics. Further, beginning January 1, 2024, at least one (1) hour of the required CE hours shall be completed by participating in a cultural competency course from an accreditation agency approved by the Board pursuant to section 1732.05, covering the specified content areas as required by section 4231 of the Business and Professions Code. ~~Pharmacists renewing their licenses which expire on or after July 1, 2019, shall be subject to the requirements of this subdivision.~~
- (c) Pharmacists providing specialized patient-care services, as identified in subsections (c)(1)-(4) below, shall complete specialized CE (as part of the required CE hours) as follows:
 - (1) At least one (1) hour of approved CE specific to smoking cessation therapy, as required by section 4052.9 of the Business and Professions Code, if applicable.
 - (2) At least two (2) hours of approved CE specific to travel medicine, as set forth in section 1746.5 of this Article, if applicable.
 - (3) At least one (1) hour of approved CE specific to emergency contraception drug therapy, as required by Business and Professions section 4052.3, if applicable.
 - (4) At least one (1) hour of approved CE specific to immunizations and vaccinations, as set forth in section 1746.4 of this Article, if applicable.
- (d) Pharmacists who prescribe any Schedule II controlled substances (as defined in Health and Safety Code section 11055) shall complete at least one (1) hour of the required CE hours by participating in a Board approved CE course once every four (4) years on the risks of addiction associated with the use of Schedule II drugs, as required by section 4232.5 of the Business and Professions Code.
- (ee) All pharmacists shall retain their certificates of completion for four (4) years following completion of a continuing education course demonstrating compliance with the provisions of this section.
- (f) “Board approved CE course” shall mean coursework from a provider meeting the requirements of section 1732.1.

NOTE: Authority cited: Section 4005, Business and Professions Code. Reference: Sections 4052.3, 4052.8, 4052.9, 4231, and 4232, and 4232.5, Business and Professions Code.

Add Section 1732.8 of Title 16 of the California Code of Regulations, to read as follows:

§ 1732.8. Renewal Requirements for Pharmacy Technicians.

- (a) Beginning January 1, 2024, as a condition of renewal, a pharmacy technician licensee shall submit proof satisfactory to the Board that the applicant has completed at least one (1) hour of continuing education (CE) in a cultural competency course covering the specified content areas, from an accreditation agency approved by the Board pursuant to section 1732.05, during the two years preceding the application for renewal, as required by section 4202 of the Business and Professions Code. All pharmacy technicians shall retain their certificate of completion for four (4) years from the date of completion of the cultural competency course demonstrating compliance with the provisions of this section.
- (b) If an applicant for renewal of a pharmacy technician license submits the renewal application and payment of the renewal fee but does not submit proof satisfactory to the Board that the licensee has completed the cultural competency course as required, the Board shall not renew the license and shall issue the applicant an inactive pharmacy technician license.
- (c) If, as part of an investigation or audit conducted by the Board, a pharmacy technician fails to provide documentation substantiating the completion of CE as required in subsection (a), the Board shall cancel the active pharmacy technician license and issue an inactive pharmacy technician license in its place. A licensee with an inactive pharmacy technician license issued pursuant to this section may obtain an active pharmacy technician license by submitting renewal fees due and submitting proof to the Board that the pharmacy technician has completed the required CE.

NOTE: Authority cited: Sections 462 and 4005, Business and Professions Code. Reference: Sections 462 and 4202, Business and Professions Code.