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

# California State Board of Pharmacy
# Department of Consumer Affairs
# Public Board Meeting Minutes

**Date:** September 12, 2024

**Location:** OBSERVATION AND PUBLIC COMMENT IN PERSON:
California Department of Consumer Affairs
1625 North Market Blvd., First Floor Hearing Room
Sacramento, CA 95834

PUBLIC PARTICIPATION AND COMMENT FROM A REMOTE LOCATION: WebEx

**Board Members Present:**
Seung Oh, PharmD, Licensee Member, President
Jessica Crowley, PharmD, Licensee Member, Vice President
Trevor Chandler, Public Member, Treasurer
Renee Barker, PharmD, Licensee Member
Jeff Hughes, Public Member
Kartikeya "KK" Jha, Licensee Member
Satinder Sandhu, PharmD, Licensee Member
Maria Serpa, PharmD, Licensee Member
Nicole Thibeau, PharmD, Licensee Member (via WebEx)

**Board Members Not Present:**
Indira Cameron-Banks, Public Member
Jason "J." Newell, MSW, Public Member
Jason Weisz, Public Member

**Staff Present:**
Anne Sodergren, Executive Officer
Julie Ansel, Deputy Executive Officer
Corinne Gartner, DCA Staff Counsel
Shelley Ganaway, DCA Staff Counsel
Jennifer Robbins, DCA Regulations Counsel
Norine Marks, DCA Staff Counsel
Debbie Damoth, Executive Specialist Manager

**September 12, 2024**

**I. Call to Order, Establishment of Quorum, and General Announcements (Including Possible Notifications, Actions, and Disclosures Pursuant to Government Code section 11123.2(j))**

President Oh called the Board meeting to order at approximately 9:00 a.m. Dr. Oh reminded all individuals present that the Board is a consumer protection agency charged with administering and enforcing Pharmacy Law. Where protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. Dr. Oh announced that as explained in the subscriber alert recently issued by the Board, the Board expects significant public comment regarding agenda item VI regarding the proposed compounding regulations. Additionally, the Board received a significant number of requests from interested stakeholders to take items on the agenda out of order and consider agenda item VI first. Dr. Oh explained that while the Board was not obligated to do so, at his discretion he does have the flexibility to take items out of order and, accordingly, the Board would proceed to consider agenda item VI as the next item of business after general announcements. Further, as it was anticipated that there would be significant public comment at the meeting, in the interests of time, public comment time would be limited to two minutes per speaker. Dr. Oh also advised that WebEx public comment would be taken before in person public comment during public comment periods.

Roll call was taken. The following Board members were physically present in Sacramento: Jessi Crowley, PharmD, Licensee Member; Trevor Chandler, Public Member; Renee Barker, PharmD, Licensee Member; Jeff Hughes, Public Member; KK Jha, RPh, Licensee Member; Maria Serpa, PharmD, Licensee Member; and Seung Oh, PharmD, Licensee Member. Nicole Thibeau, PharmD, Licensee Member participated via WebEx. Dr. Thibeau disclosed that no persons over 18 years old were present in the room with them as they participated in the meeting remotely via WebEx. A quorum was established.

President Oh reminded members participating via WebEx to remain visible with cameras on throughout the open session of the meeting. Dr. Oh advised if members needed to temporarily turn off their camera due to challenges with internet connectivity, they must announce the reason for their nonappearance when the camera was turned off.

President Oh then turned the meeting over to Maria Serpa, Chairperson of the Enforcement and Compounding Committee, to guide the Board through the compounding regulations and proposed changes to the modified text.

**VI. Discussion and Possible Action Related to Proposed Regulations, Title 16, California Code of Regulations, Repeal of Sections 1708.3, 1708.4, 1735 et seq and 1751 et**

**seq and Addition of Sections 1735 et seq, 1736 et seq, 1737 et seq, and 1738 et seq Related to Compounded Drug Preparations, Handling of Hazardous Drugs and Radiopharmaceuticals, Including Review of Any Comments Received During the 45-Day Comment Period and Regulation Hearing**

Chairperson Serpa thanked President Oh for the opportunity to assist the Board through its discussion on the comments received during both the 45-day written comment period, which closed on June 3, 2024, and the regulation hearing held on June 18, 2024. Dr. Serpa was pleased to report that she along with Member Renee Barker, PharmD, consistent with the Board's direction, considered the additional comments from the Board members during the July 31, 2024 Board meeting and were offering additional changes to the proposed modified text.

Member Sandhu arrived at approximately 9:08 a.m.

Dr. Serpa verified everyone was referencing the appropriate materials including the correct version of the proposed modified text. Dr. Serpa was advised there was information in the public domain that did not reflect the current language under consideration by the Board. She highlighted this because it appeared to also be an issue during the last meeting where individuals were commenting about prior versions of the regulation language and not the most up to date information. Dr. Serpa verified the current proposed modified text included a footer at the bottom of each page with the date of August 29, 2024. She noted if the footer was unable to be viewed, the correct version under consideration could also be identified by looking at section 1736.9 related to components and equipment and confirming that the language being viewed referenced the provisions providing authority for a pharmacy to compounding using bulk substances in subdivision (e)(2). Dr. Serpa requested staff display this on the meeting slide as well to assist individuals that were participating via WebEx.

Members were provided the opportunity to comment; however, no comments were made.

Dr. Serpa provided a reminder that many of these proposed regulations were not new and were currently in effect. She added the Committee was suggesting that prior regulations be repealed and rearranged into the new USP outline format and to include new or clarifying information to the new USP Chapters that were effective November 1, 2023.

Dr. Serpa recalled that at the July 2024 Board meeting, the Board dedicated over six hours of discussion to the proposed regulations, and suggested that today the focus be on the proposed modifications resulting from that discussion. She added that the memo included as part of this agenda item highlights the changes that were made as directed by the Board to the proposed modified text since the July 2024 Board meeting. Dr. Serpa referred to meeting materials, attachment 2 that

included the same proposed modified text with changes highlighted in yellow to make it easy for members and interested stakeholders to identify the new recommendations. There were recommended changes to each of the articles. She intended to quickly review substantive changes and solicit feedback from members. Following the review of all the proposed changes, she was hopeful a consensus would be reached, and action could be taken. Dr. Serpa appreciated everyone's diligence in reviewing and considering the information both from the July 2024 Board meeting as well as the September 2024 Board meeting. She believed it was in the best interest of consumers and other stakeholders to move forward today so the Board could initiate another formal comment period and again provide all interested parties with an opportunity to provide written comments consistent with the legal requirements. This approach would ensure all interested parties could engage in the regulatory process, their concerns were documented, and they could see a written response to all of their respective comments during a future Board meeting, or as part of the final rulemaking file.

Dr. Serpa began by reviewing changes made to proposed article 4.5 Nonsterile Compounding. She noted recommended changes to the requirements in section 1735.1(e) related to determinations of clinically significant difference. Additional recommended changes included clarifying language in section 1735.3 related to potential contaminating conditions, since based on the Board's discussion it appeared necessary to include the requirement of USP Chapter 795 to avoid some of the confusion previously heard during public comment. The documentation retention requirement in in section 1735.14(b)was also clarified.

Members were provided the opportunity to comment regarding proposed modified text in article 4.5 Nonsterile Compounding; however, no comments were made.

Dr. Serpa then reviewed proposed article 4.6 Sterile Compounding, noting there were nonsubstantive changes clarifying language on the criteria for compounding under immediate use provisions in the event of an equipment failure in section 1736.1(b)(2). Also included were additional conditions for a health care facility to compound essentially a copy of a commercially available product, again consistent with the Board's direction. Dr. Serpa hoped this was clearer as this was always the Board's intent. The proposed modifications also included deletion of requirements in section 1736.6 for identification to the genus level, regardless of the CFU count, and updated the requirements for compounding with bulk drug substances included on the interim 503A Category 1 Bulks Drug Substances List. Dr. Serpa stated that the proposed language did allow for the compounding of FDA Category 1 bulk drug substances, including glutathione and methylcobalamin. She highlighted this again because there was information in the public domain that the Board was banning these substances. Dr. Serpa noted the Board was challenged to assure both patient safety and to not create a barrier to potential emerging treatments for which FDA component

review was still in process. She added the proposed regulations provide a path forward to access these components while the FDA is still making its determinations.

Members were provided the opportunity to comment regarding the proposed modified text in article 4.6 Sterile Compounding.

Member discussion included a request for all USP chapter names be added as previously requested. It was agreed that could be a nonsubstantive change. Members also appreciated the clarifications and modifications made regarding FDA Category 1 bulk drug substances. A question was asked if the "essentially a copy" provisions allowed a pathway for a patient who had an allergy to an inactive ingredient. It was agreed that was within the pharmacist's judgment and allowed. There was an additional question about environmental sampling. It was noted that the November 2023 USP required additional sampling but the section was removed from the proposed text. Another question was asked about section 1736.9(e) and does it now allow FDA Category 1 bulk drug substances to be compounded without having emergency use needed. Dr. Serpa explained that additional changes to that section were made to make it clearer than an emergency is not required if the conditions of (e)(2) are met.

Dr. Serpa continued that, consistent with the direction of the Board, the scope of proposed article 4.7 Hazardous Drugs was now limited to facilities where hazardous drug compounding was performed and, in some instances, would also apply to facilities that perform "other manipulations" of antineoplastic HDs that pose risks to the compounding environment and a heightened risk for cross contamination. These "manipulations" of antineoplastic HDs were specifically mentioned in USP 800 and included tablet splitting or crushing as examples.

Members were provided the opportunity to comment regarding the proposed modified text in article 4.7 Hazardous Drugs.

Members were appreciative of the changes made to this article to clarify and reduce confusion. Clarification was provided with regard to the title format being changed to match USP. Typographical errors were provided to staff for nonsubstantive changes. It was clarified that gloves were required to be provided to the patient when dispensing a compounded antineoplastic hazardous drug. Section 1737.7(a) was requested to be clarified as a nonsubstantive change.

Dr. Serpa noted the final proposed article 4.8 Radiopharmaceuticals included changes made in other articles, including clarification on documentation retention requirements and deletion of provisions related to identification to the genus level to trend for growth.

Members were provided the opportunity to comment regarding the proposed modified text in article 4.8 Radiopharmaceuticals; however, no comments were made.

Dr. Serpa stated that, as it appeared that Board agreed on the proposed modified text, she would entertain a motion. After brief discussion on the framework for the motion, the following motion was made.

**Motion:** 1. Accept the Board staff recommended initial comment responses (from 45-day comment period and hearing) and updated supplemental responses as provided.

2. Approve the recommended updated modified regulation text as directed by the Board for a 15-day comment period, repeal sections 1708.3, 1708.4, 1735 et seq and 1751 et seq of the Board's current regulations, and add sections 1735 et seq, 1736 et seq, 1737 et seq, and 1738 et seq.

3. Additionally, should additional comments be received during the comment period, delegate to Members Serpa and Barker authority to review the comments with staff to present recommended changes to the Board in response to the additional comments.

4. Further, should no adverse comments be received during the comment period, authorize the executive officer to take all steps necessary to adopt the proposed regulations at sections 1735 et seq, 1736 et seq, 1737 et seq, and 1738 et seq and complete the rulemaking process. Finally, delegate to the executive officer the authority to make technical or nonsubstantive changes as may be required by the Control agencies to complete the rulemaking file.

**M/S:** Barker/Crowley

Members of the public were provided the opportunity to comment via WebEx.

Multiple comments were received from members of the public stating there was still not a clear path forward for the public to receive glutathione and methylcobalamin for patients suffering from chronic illness and preventing cancer.

Representatives from stopthebop; Alliance for Pharmacy Compounding; Kaiser Permanente; Cloverdale City Council; Cedar Sinai; Sutter Health; Pacific Compounding Pharmacy; UCSD Health; Integrated Healers Action Network;

Huntington Health commented in favor of aligning with USP standards only. Comments also suggested that the Board has failed to provide evidence proving that the proposed regulations are necessary, and requested an extended comment period beyond 15 days.

A representative of the California Orthopedic Association requested clarification if these proposed regulations would apply to orthopedic surgeons mixing medications for joint injections.

Comments were also received requesting technical changes to certain of the proposed sections:

- Requested clarification if building requirements would be required related to the secondary engineering control and allowed for retrofitting or mitigating factors.
- 1735.4(b) recommended aligning with USP 795.
- 1736.1(b) would force the nurses to do the compounding noting 24 hours would not allow for weekends to be addressed.
- Identified as unacceptable to require reporting of each instance of immediate use compounding associated with an engineering control failure to the Board which has no benefit or value to adding safety to the public and would result in unintended consequences of having nurses conducting the compounding.
- 1736.1(b)(2) commented the Board will miss the intent of maintaining public safety with this requirement as compounding would be forced to nurses.
- 1736.2(d) commented for compounders to cease compounding if any component of training and competency evaluation was failed could lead to dangerous scenarios and requested leniency.
- 1736.9(e)(2)(ii) recommended removing the word "required."
- 1736.12(c) recommended the Board add a period after "has established in USP" and delete "Chapter 85 Bacterial Endotoxins" to facilitate a seamless transition when USP Chapter 86 becomes compendial.

The Board took a break from 10:38 a.m. to 10:55 a.m. Roll call was taken. The following Board members were physically present in Sacramento: Jessi Crowley, PharmD, Licensee Member; Renee Barker, PharmD, Licensee Member; Jeff Hughes, Public Member; KK Jha, RPh, Licensee Member; Satinder Sandhu, PharmD, Licensee Member; Maria Serpa, PharmD, Licensee Member; and Seung Oh, PharmD, Licensee Member. Nicole Thibeau, PharmD, Licensee Member participated via WebEx. Dr. Thibeau disclosed that no persons over 18 years old were present in the room with them as they participated in the meeting remotely via WebEx. A quorum was established.

Member Chandler returned to the meeting at approximately 11:04 a.m.

Members of the public in Sacramento were provided the opportunity to comment.

Multiple comments were received from members of the public stating there was still not a clear path forward for the public to receive glutathione and methylcobalamin for patients suffering from chronic illness and preventing cancer.

Representatives from CVS Health; Walgreens; lymedisease.org; California Naturopathic Doctors Association; California Society of Dermatology and Dermatologic Surgery; and Volunteer Fire Foundation commented in favor of aligning with USP standards only. Comments also suggested that the Board has failed to provide evidence proving that the proposed regulations are necessary, and requested an extended comment period beyond 15 days.

Comments were received requesting technical changes to the proposed sections:

- Reference to AMDUCA would serve to prohibit the compounding of animal preparations from bulk API in California which would devastate the veterinary community and severely limit animal patients' access to life-saving compounded medications.
- Hazardous drug section pertains to only compounding and not handling or other manipulations that was added without discussion.
- 1735.12(b) issue regarding potential quality issues were too extreme.
- 1737.9 requested to abandon or limit the training requirements.

A representative of the California Society of Dermatology and Dermatologic Surgery requested clarification if the proposed regulations applied to dermatologists and dermatologist surgeons.

A representative of CMA requested the Board not adopt the regulations without an amendment to explicitly exclude physician compounding.

Members were provided the opportunity to comment.

Members discussed the importance of ensuring that bulk drug substances that are still under review by the FDA, such as glutathione and methylcobalamin, are free from toxins and contaminates. Members stated that there have been documented cases of patient injury from APIs containing toxins, and as written the proposed regulations include testing requirements that will help protect patients. It was asked why the proposed regulations were above USP standards. Members discussed the Board has had a long history of higher standards than USP. Some members also expressed a desire to have a longer comment period, while others stated that action was the critical next step as current Board regulations and USP standards were in conflict which was confusing to the regulated public. Members discussed the proposed language was reordered to align with USP and included new language to allow for compounding of Category 1 bulk substances. Members also discussed 24-hour compounding in a health care setting when there is a breakdown of equipment, and

enhancements added in addition to clarifying requirements of USP. Members discussed why 24 hours was required for immediate use and how the Board needed feedback from the regulated public on the need for more than 24 hours. Members discussed the AMDUCA reference and how the Board worked with the California Veterinary Medical Board and CVMA to incorporate adjustments requested during previous written comment period. Members thought it would be helpful identify the sections that exceed current California law. Concerns were also raised that there were so many public comments against the proposed language. Members discussed the importance of ensuring the proposed regulations were written to ensure patient safety regardless of the time required.

Members discussed the possibility of relying solely on USP but were advised USP doesn't speak to what is used to compound as that was regulated by the FDA. USP only speaks about how to compound. Members discussed the current regulations and USP do not provide for access to FDA Category 1 bulk drug substances whereas the proposed regulations provide a pathway for access. A question was raised about what other states do. Members discussed holding high standards for compounding in California. Members discussed their responsibility for approving regulations that protected the public from unsafe compounding . Members discussed the dangers to patients when multiple sources provide these ingredients, which have no USP drug monograph, with unknown quantities and qualities of excipients. When these ingredients are compounded into a product for a patient who already has higher than normal amount of toxic exposure, the ingredient and the process should be known before compounding. Members expressed a desire to receive scientific data and information about standards that exist as well as the possibility of delayed implementation. It was confirmed that the two areas that have potential impact on institutions have delayed implementation written into the regulations. Members discussed how the policy statement includes enforcement discretion.

Members discussed what would happen if the proposed language wasn't advanced. The Board's current regulations would continue to be in conflict with current USP effective November 2023 and the confusion would continue to exist. They discussed the regulatory process that allowed changes through the comment period and allowed for staff to collect information requested by the Board. Members were concerned 15 days would not be enough time. Counsel noted the Legislature determined that a15-day comment period for modified text was sufficient. Additionally, there can be multiple modified text comment periods.

**Support: 3 Oppose: 6 Abstain: 0 Not Present: 3**

| Board Member | Vote |
|---|---|
| Barker | Support |
| Cameron-Banks | Not Present |
| Chandler | Oppose |
| Crowley | Support |
| Hughes | Oppose |
| Jha | Oppose |
| Newell | Not Present |
| Oh | Oppose |
| Sandhu | Oppose |
| Serpa | Support |
| Thibeau | Oppose |
| Weisz | Not Present |

The motion having failed, Member Chandler made the following motion:

**Motion:** Send the proposed language back to Committee

**M/S:** Chandler/

Members discussed process issues with sending it back to Committee as well as the desire to have the full Board participate in the discussion. No second on the motion was made. Member Serpa then proposed a different motion as follows:

**Motion:** 1. Accept the Board staff recommended initial comment responses (from 45-day comment period and hearing) and updated supplemental responses as provided.

2. Approve the recommended updated modified regulation text as directed by the Board for a 30-day comment period, repeal sections 1708.3, 1708.4, 1735 et seq and 1751 et seq of the Board's current regulations, and add sections 1735 et seq, 1736 et seq, 1737 et seq, and 1738 et seq.

3. Additionally, should additional comments be received during the comment period, delegate to Members Serpa and Barker authority to review the comments with staff to present recommended changes to the Board in response to the additional comments.

4. Further, should no adverse comments be received during the comment period, authorize the executive officer to take all steps necessary to adopt the proposed regulations at sections 1735 et seq, 1736 et seq, 1737 et seq, and 1738 et seq and

complete the rulemaking process. Finally, delegate to the executive officer the authority to make technical or nonsubstantive changes as may be required by the Control agencies to complete the rulemaking file.

**M/S:** Serpa/Jha

Members of the public were provided the opportunity to comment via WebEx.

Comments were received from members of the public requesting assembling a stakeholder task force; providing evidence from the Board staff; and recommending collaborating with other states.

Representatives from Kaiser Permanente; Pacific Compounding Pharmacy; Sutter Health; stopthebop; Alliance for Pharmacy Compounding; and Cloverdale City Council commented in favor of aligning with USP standards only without providing evidence for proposed regulations. Comments also encouraged the Board to vote down the motion.

A comment was received asking if the California restrictions helped the consumers of California.

A representative of CSHP commented California regulations restricting compounding into California does make a difference. The commenter stated it did because contaminated product was not allowed to come into California from the NECC disaster where 100 people died. This was prevented because of the Walnut Creek pharmacy compounding issue in California 10 years before NECC where four people died. After that tragic event, California State Board of Pharmacy took action and promulgated the existing sterile compounding regulations. The commenter concluded the increased standards for California did make a difference.

Members of the public were provided the opportunity to comment in Sacramento.

Comments were received from members of the public including wanting to make their own choice on what chemicals they put into their bodies; respecting right to make a decision for their body; sending back to Committee and adopting USP; and understanding why 49 states only follow USP.

Representatives from Walgreens and California Naturopathic Doctors Association commented in favor of aligning with USP standards only without providing evidence for proposed regulations.

Members were provided an opportunity to comment.

Members discussed how the new language impacted the enforcement of the compounding of glutathione but that was difficult to determine as the language had not been finalized. Counsel provided there was not a lot of clarity in the current regulations and as it stands cases are being decided in context of case specific adjudications. Members discussed having a special meeting to discuss this topic and reviewed the value of the regulatory process that allows the Board to respond to the public comment in writing. Members also discussed adding additional subject matter experts and collaborating with other states.

**Support: 2 Oppose: 7 Abstain: 0 Not Present: 3**

| Board Member | Vote |
|---|---|
| Barker | Support |
| Cameron-Banks | Not Present |
| Chandler | Oppose |
| Crowley | Oppose |
| Hughes | Oppose |
| Jha | Oppose |
| Newell | Not Present |
| Oh | Oppose |
| Sandhu | Oppose |
| Serpa | Support |
| Thibeau | Oppose |
| Weisz | Not Present |

The Board took a lunch break from 1:05 p.m. to 1:50 p.m. Roll call was taken. The following Board members were physically present in Sacramento: Jessi Crowley, PharmD, Licensee Member; Trevor Chandler, Public Member; Renee Barker, PharmD, Licensee Member; Jeff Hughes, Public Member; KK Jha, RPh, Licensee Member; Satinder Sandhu, PharmD, Licensee Member; Maria Serpa, PharmD, Licensee Member; and Seung Oh, PharmD, Licensee Member. Nicole Thibeau, PharmD, Licensee Member participated via WebEx.

President Oh thanked everyone for their participation. Dr. Oh advised in an effort to provide additional education, the discussion would be continued at the November 2024 Board meeting.

## II. Public Comment on Items Not on the Agenda/Agenda Items for Future Meetings

President Oh announced the Board would now accept public comment for items not on the agenda and provided instructions on how the public could provide comment.

Members of the public participating through WebEx were provided the opportunity to comment.

A representative of CSHP requested exploring reimbursements for pharmacists practicing outside of a pharmacy.

A representative of Pacific Compounding Pharmacy asked if the Board would be willing to consider as an agenda item requiring wholesalers of APIs to provide the manufacturer of the API on their COAs.

A representative of stopthebop commented about requests for reasonable accommodations.

A member of the public agreed with the previous commenter and requested glutathione be available to the public.

Members of the public in Sacramento were provided the opportunity to comment.

A member of the public asked why the discussion regarding compounding was being moved to the November 2024 Board Meeting.

Members were provided the opportunity to comment. Members wished to see discussion on a future agenda regarding AB 317 implementation and the potential to broaden reimbursement to pharmacists practicing outside of a pharmacy; delays of patients getting time sensitive medication because of auditing by the PBMs related to PEP; and wholesalers being required to provide the manufacturer of APIs on COAs.

## III. Recognition and Celebration of Pharmacists Licensed in California for 40 Years

President Oh reminded those present that the Board recognizes pharmacists that have been licensed for 40 or more years by posting the information on the Board's website and providing pharmacists with a certificate.

President Oh invited pharmacists licensed for 40 years or more to identify themselves and be recognized by the Board. There were no pharmacists identifying themselves to be recognized for 40 years of service as a pharmacist. President Oh thanked and congratulated pharmacists who had been licensed as a pharmacist for over 40-years. Dr. Oh thanked all pharmacy staff who worked in pharmacy serving the consumers of California.

## IV. Discussion and Possible Action Related to Awarding Contract for Medication Error Reporting Consistent with Provisions of Business and Professions Code Section 4113.1

President Oh reminded those present that, as required by Business and Professions Code section 4113.1, the Board must approve an entity to receive reports of medication errors from community pharmacies. Consistent with the state contracting process, following discussion at several public meetings, a Request for Proposal, or RFP, was finalized and posted in July 2024. Following the due date for proposal submission as established in the RFP, responses received were evaluated based on the evaluation criteria set forth in the RFP.

Dr. Oh advised it was his understanding the proposals were recently scored and a vendor was selected. Consistent with the statute, before a contract can be awarded, the Board must formally approve the vendor. Dr. Oh advised the successful vendor through the competitive bidding process was ISMP. He thanked Dr. Serpa for representing the Board through the process.

Members were provided the opportunity to comment and requested additional information on the process. Counsel provided information regarding the process regarding adherence to the state contracting process and evaluation criteria used through consensus.

**Motion:** Approve ISMP as the entity approved by the Board under Business and Professions Code section 4113.1.

**M/S:** Serpa/Chandler

Members of the public were provided the opportunity to comment via WebEx.

A representative of CSHP applauded the Board for their selection.

Members of the public in Sacramento were provided the opportunity to comment; however, no comments were made.

**Support: 9 Oppose: 0 Abstain: 0 Not Present: 3**

| Board Member | Vote |
|---|---|
| Barker | Support |
| Cameron-Banks | Not Present |
| Chandler | Support |
| Crowley | Support |
| Hughes | Support |
| Jha | Support |
| Newell | Not Present |
| Oh | Support |
| Sandhu | Support |
| Serpa | Support |
| Thibeau | Support |
| Weisz | Not Present |

## V. Discussion and Possible Action Related to Proposed Amendment to California Code of Regulations, Title 16, Section 1749(c), Pharmacy Technician Fee Schedule

Dr. Oh referenced meeting materials including background on the Board's proposed changes to California Code of Regulations, title 16, section 1749(c) related to pharmacy technician fees. He noted the 45-day comment period ended on September 9, 2024. As no comments were received, no action was required by the Board.

Members were provided the opportunity to comment; however, no comments were made.

Members of the public in Sacramento and via WebEx were provided the opportunity to comment; however, no comments were made.

## VII. Closed Session

Open session concluded at approximately 2:17 p.m. Following a break, the Board entered closed session at approximately 2:30 p.m.

## VIII. Reconvene in Open Session to Adjourn the Meeting

The Board reconvened into open session and adjourned the meeting at 2:48 p.m.