



Senate Bill 716 (Hernandez) FAQs

What is the intent of SB 716?

SB 716 was introduced to add a pharmacy technician to the California State Board of Pharmacy (BOP). Currently, the 13-member board is comprised of seven pharmacists (licensees) and six public members. As originally introduced, SB 716 would add one pharmacy technician, creating eight licensees (seven pharmacists and one technician) and six public members.

Why did CSHP choose to sponsor this bill?

Pharmacy technicians play an important role in day to day pharmacy operations and patient care. The nature of the pharmacy profession has changed significantly over the years in response to changes in health care delivery and pharmacy practice. Recent changes in state law allowing pharmacists to engage in more direct patient care have only further advanced the types of tasks that pharmacy technicians are empowered to complete. Despite their increasingly important role in the health care delivery system, pharmacy technicians currently do not have direct representation on the BOP. Given the more than 72,000 pharmacy technicians practicing in California and the increasingly complex activities they are being asked to perform, patient safety would be greatly improved by ensuring the Board of Pharmacy has representatives that clearly understand the practice demands and safety issues for this career.

Does this bill align with CSHP Professional Policy?

Yes. Our impetus to sponsor SB 716 aligns with CSHP's Professional Policy #2012-09 which states "CSHP supports efforts by the pharmacy profession through regulatory and/or legislative changes that broaden the scope of practice for pharmacy technicians..." Adding a pharmacy technician to the BOP supports our policy, aligns with our Strategic Map, and facilitates the Evolution of Pharmacy.

How would adding a pharmacy technician enhance the California State Board of Pharmacy's Mission?

As a consumer protection and regulatory board, a pharmacy technician member will bring a new viewpoint, representing all pharmacy technicians in California to further improve patient safety. This is the necessary first step to enhance the education, training, and qualifications of all technicians to take on their expanded roles in a safe and successful manner.

Do other states have a pharmacy technician on their board?

Yes. Ten other states have a technician on their Board of Pharmacy. These states are: Arizona, Massachusetts, Michigan, Montana, North Dakota, Oregon (2 pharmacy technicians), Texas, Utah, Washington, and Wyoming.

Would this BOP pharmacy technician be required to have met specific qualifications?

Yes. The bill requires that the pharmacy technician must have at least five years of experience and shall continue to work in California as a pharmacy technician. The pharmacy technician board member shall have work experience in at least two of the following health care settings: acute care hospital, outpatient pharmacy, long-term care pharmacy or community pharmacy. The pharmacy technician shall have documented work experience in a variety of pharmacy procedures and practices, including, but not limited to, procedures and practices related to sterile compounding, medication reconciliation, medication history, and automated drug delivery devices.

How has the bill changed from its original language?

Before the bill was presented at the first policy committee, Senator Jerry Hill, chair of the Senate Business, Professions, and Economic Development Committee put forth an amendment to add an additional public member, expanding to a 15-member board composed of eight licensees (seven pharmacists, one pharmacy technician) and seven public members. Having a board with an odd number of members is optimal in alleviating tie votes.

Why was a public member added?

Senator Hill's request to add a public member is based on the Supreme Court case *North Carolina Board of Dental Examiners v. Federal Trade Commission*. In this case, the court ruled that the licensees board members have inherent biases toward the profession, placing their benefit over the public. Per the Senate Floor Analysis, the additional public member "would maintain the present bare professional majority of licensee BOP members..."

As a consumer protection board, Senator Hill's request to add an additional public member also aligns with the BOP's mission statement as their top priority is to "protect and promote the health and safety of Californians..."

What is the legislative process for this bill to become law?

SB 716 started in the Senate and passed through committees and the Senate floor with a 39-0 vote. The bill has been moved to the Assembly and will be heard July 11th in the Assembly Business and Professions Committee. Next, the bill will be sent to the Committee on Appropriations, then will be heard on the Assembly floor. Once the bill passes through the Assembly, it will be brought to the Governor's desk for a signature.