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A. GENERAL INFORMATION

1. Date

October 14, 2025

2. Department

Department of Consumer Affairs, Board of Pharmacy

3. Organizational Placement (Division/Branch/Office Name)

Board of Pharmacy - Licensing Division

4. CEA Position Title

Chief of Licensing, CEA A

5. Summary of proposed position description and how it relates to the program's mission or purpose.
(2-3 sentences)

The California State Board of Pharmacy seeks to create a Chief of Licensing to oversee the Board's licensing program, assuring efficient and effective delivery of program services, compliance with statutes, regulations, and support of strategic initiatives. The Board is requesting a Chief to develop licensing policy initiatives, implement and manage policy requirements based on Proposition 34 (2024) and Assembly Bill 116 (Chapter 21, Statutes of 2025), manage and advise the Board's newly proposed Technician Advisory Committee, serve as subject matter expert to the Board's Licensing Committee, perform comprehensive review and evaluation of the Board's licensing programs and identify barriers to licensure.

6. Reports to: (Class Title/Level)

Deputy Executive Officer (CEA B)

7. Relationship with Department Director (*Select one*)

- ☒ Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- ☐ Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(*Explain*):

8. Organizational Level (*Select one*)

- ☐ 1st ☐ 2nd ☒ 3rd ☐ 4th ☐ 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

Under the direction of the Deputy Executive Officer (DEO) and may receive direction and assignments from the Executive Officer (EO) of the Board of Pharmacy, the CEA A - Chief of Licensing independently and through subordinate staff, is responsible for planning, organizing, and directing the operations of the Licensing Division. The Chief assures efficient and effective delivery of program services, compliance with statutes, regulations, and supports strategic initiatives. The incumbent is responsible for policy development, implementation, and evaluation of overall operations. The incumbent serves as principal advisor to the EO and DEO providing alternatives and recommendations regarding the program operations as required by the Legislature, Business, Consumer Services, and Housing Agency, or Department of Consumer Affairs (DCA) directive and has delegated authority to act on behalf of the Board. The incumbent is a member of the executive staff and is influential in the formation of Board policies, business process improvements, and programs.

Conducts comprehensive annual review and evaluation of four or more licensing programs within the Board to identify barriers to licensure to effectuate more effective and efficient licensing policy. Reports findings and develops policy recommendations to administer a statewide program.

Serves as Subject Matter Expert for prescription drug price manipulators (PDPMs) and Pharmacy Benefit Managers (PBMs). Implements and oversees provisions, and coordinates and collaborates with multiple state agencies, including the Attorney General, Department of Managed Healthcare, and California Department of Public Health on compliance matters pertaining to prescription drug price manipulators and pharmacy benefit managers.

Establishes and oversees the implementation of licensing policies in order to ensure goals and objectives are consistent with the Board's mission and strategic plan. Meet with the Board's Legislation Chief and bill sponsors to discuss legislation that impacts the Licensing Division. Develops licensing related statewide policies and procedures. Provides input to the Board's strategic plan and sunset report to develop, ensure, and lead initiatives that advance the organization towards fulfilling its mission to protect health care consumers and to promote access to quality pharmacy care. Implements and enforces the decisions of the Board. Ensures the Board's policies and directives are understood and used correctly.

Provides programmatic oversight to the Licensing Division. Establishes licensing unit priorities, directs accomplishment of goals and objectives and evaluates results. Coordinates, plans, organizes, and directs the activities of the Licensing Division through the direct supervision of a Staff Services Manager (SSM) II, and SSM I Specialists, and indirect supervision of SSM I and professional analytical and administrative office staff.

Serves as a member of the Board's Executive Staff: attending executive meetings, Board meetings and Committee meetings providing licensing -related information and input on board-wide policy issues and strategic planning. Assists the EO and DEO in administrative and executive action. Informs and consults with the EO and DEO on critical and current issues. Recognize changes and trends in the industry as they relate to licensing operations and recommend and/or implement appropriate courses of action. Provides expert insights, presents reports and leads discussions on relevant topics.

Responsible for preparation, development and implementation of the Board's Strategic Plan and Sunset Report as it pertains to the Licensing Division and Technician Advisory Committee.

Serves as policy and technical advisor to the Boards Technician Advisory Committee (TAC). Serves as executive lead to the Committee, working closely with the committee chair. Sets the agenda and identifies items to be discussed during meetings, provides presentations to the Committee, identifies outside speakers to give presentations before the committee and responsible for content of all items included in meeting packets. Provides presentations for the Committee. (Serves as policy and technical advisor to Board Members. Serves as Subject Matter expert for the Board's Licensing Committee.

Prepares written correspondence on complex and highly sensitive issues relating to licensing functions and the Board's mandate of consumer protection. Provides responses to questions and issues posed by stakeholders, interested parties, the media, and members of the public. Prepares and delivers high-level presentations to stakeholders, including Deans of pharmacy schools, organizations including the National Boards of Pharmacy (NABP), California Pharmacist Association (CPHA), California Society of Hospital Pharmacists (CSHP) American Society of Health Systems Pharmacists (ASHP), other state licensing boards, consumer groups, and other organizations as needed on both current and emerging licensing matters.

Serves as Subject matter expert to the Board's Licensing Committee. Advise the EO, DEO, and members on critical issues that may impact the Board and make recommendations that may result in legislation, regulations or policy adjustment.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- ☒ Program is directly related to department's primary mission and is critical to achieving the department's goals.
- ☐ Program is indirectly related to department's primary mission.
- ☐ Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: DCA's mission is to provide outstanding support services, oversight, and innovative solutions to boards and bureaus that regulate California professionals and vocations so that through this partnership all Californians are informed, empowered, and protected. The Board's work is critically needed to ensure DCA meets its mission as it pertains to Board licensees and consumers of pharmacy services. The Board protects, promotes and advocates for the health and safety of Californians by pursuing the highest quality of pharmacists' care and the appropriate use of pharmaceuticals through education, communication, licensing, legislation, regulation and enforcement. The Board's vision is healthy Californians through quality pharmacist's care.

The Board is a consumer protection agency charged with protecting the state's consumers with respect to prescription drugs and devices. The Board regulates all aspects of pharmacy practice in California and provides for protection of the public by overseeing 140,000 pharmacy practitioners and firms through more than 48 complex regulatory programs, and the enforcement and regulatory issues arising from these programs. Pharmacy law and regulations establish the minimum practice standards for all entities and individuals under the Board's jurisdiction.

The Board regulates the individuals and businesses that handle, compound, dispense, ship, distribute and store prescription drugs and devices to patients and health care practitioners within and into the state. The Board is unlike any other program or board within the DCA because of the broad spectrum of individuals and businesses that the board regulates throughout the entire drug distribution chain. All of the Board's licensees are regulated at the state level; however, because of the significant potential for consumer harm and death, board licensees must also comply with a myriad of federal and state laws. The Board regulates all businesses and personnel that touch drug product after it leaves the manufacturing site, until it reaches the ultimate consumer. As prescription drug distribution frequently occurs across state lines, the Board also licenses and regulates entities in other states.

Licensee practice information, advisories and guidelines are provided by the Board to ensure ongoing communication of competency standards to consumers, licensees, employers, educators and other regulators. Advanced practice information, advisories and guidelines are provided by the Board to ensure ongoing communication of competency standards to consumers, advanced practice pharmacists, employers, educators and other regulators.

Pursuant to the Board's Strategic Plan 2022-2026 for Licensing, the Board promotes licensing standards to protect consumers and allow reasonable access to the profession.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

Over the past decade, the Board has undergone profound transformation in both the scope and complexity of its regulatory responsibilities. In 2015, the Board regulated 20 licensure categories. By 2025, that number has more than doubled to 48 – each with its own complexities, legal frameworks, and operational demands – reflecting not only the growth of the pharmacy profession but also the increasing demands placed on the Board by the Legislature, the public, and the healthcare industry.

This expansion represents a shift in how pharmacy is practiced and regulated in California. Pharmacists are no longer limited to dispensing medications. They are now recognized as essential healthcare providers, authorized to furnish preventive therapies, administer vaccines, and manage chronic conditions. The Board's regulatory oversight has had to evolve in tandem, encompassing advanced-level practitioners, outsourcing facilities operating under federal current good manufacturing practices standards, and a wide array of automated drug delivery systems (ADDS), each with its own legal and operational framework.

In addition, recent legislative mandates have introduced entirely new areas of responsibility. Effective January 1, 2025, Proposition 34 – the “Protect Patients Now Act” – requires the Board to monitor Pharmacy Discount Program Managers (PDPMs). This includes establishing detailed reporting requirements, issuing compliance determinations, and coordinating with the Attorney General's Office, the Department of Managed Health Care (DMHC), and the California Department of Public Health (CDPH). These responsibilities are time-sensitive, politically sensitive, and highly visible.

Similarly, Assembly Bill 116 (2025) introduces oversight of Pharmacy Benefit Managers (PBMs), a controversial and complex area of pharmacy regulation. Under this law, PBMs must be licensed by DMHC, and the Board is expected to collaborate closely with the department to share data, investigate complaints, and educate pharmacists about their rights and obligations. These tasks require high-level coordination and policy expertise that current staff are not equipped to manage alone.

Additionally, Assembly Bill 1503 (Berman, Chapter 196) Statutes of 2025, establishes a Pharmacy Technician Advisory Committee. This committee would advise the Board on matters related to technician practice—a rapidly evolving area that overlaps directly with licensing policy. The Board anticipates that the majority of issues discussed in this committee will require executive-level oversight, including agenda development, stakeholder engagement, and policy implementation.

Beyond legislative mandates, the Board is increasingly called upon to address emerging public health threats. One such example is the proliferation of IV Hydration Clinics, which often operate without proper oversight, using unlicensed personnel and sourcing medications from questionable suppliers. These clinics pose serious risks to consumer safety, yet no state agency currently has clear jurisdiction. The Board proposed statutory language to regulate these facilities but was unsuccessful.

Additionally pursuant to AB 1503 (Berman, Chapter 196) Statutes of 2025, the Board is transitioning certain pharmacy services to a “Standard of Care” model for pharmacists, similar to the regulatory approach used for physicians. In practice, this means that when pharmacists furnish medications, initiate or adjust therapies, or provide clinical services previously authorized under more rigid statutes, they must do so in a manner consistent with the accepted standard of care. This shift gives pharmacists more flexibility, but it also places responsibility on them to make professional judgments consistent with peer norms in comparable situations. Under the current prescriptive model, the Board functions largely via a compliance-based method. The new model will require the Board to interpret whether a pharmacist's actions are consistent with the accepted standard of care that a prudent and reasonable pharmacist, licensed by the Board, with similar education, training, experience, resources and setting, would exercise in a similar situation, rather than simply verifying adherence to fixed requirements. As a result, the Board must provide guidance, education, and outreach to inspectors and stakeholders, and collaboration with professional associations and schools of pharmacy.

Despite these growing responsibilities, the Board currently lacks a dedicated executive to lead its licensing policy efforts. The Licensing Division is stretched thin, and the ability to conduct comprehensive evaluations of licensing program critical for ensuring efficiency, compliance, and consumer protection is severely limited. Without additional leadership, the Board risks delays in implementation, missed opportunities for reform, and diminished public trust. The CEA will serve as a SME to the Licensing Committee, lead cross-agency coordination, manage public education efforts, and conduct regular evaluations of licensing programs. The CEA will ensure that the Board can respond swiftly and effectively to legislative mandates, industry changes, and emerging threats.

The position will provide the strategic oversight and policy leadership required to navigate the evolving pharmacy landscape and fulfill the Board's core mission: protecting the health and safety of California consumers.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The Board works on highly visible and critical issues sensitive in nature that directly affect the public health and safety of California Consumers. Consequently, the Board is under scrutiny by the Legislature, industry groups, small and large pharmacies, corporations, wholesalers, hospitals, compounding facilities, outsourcing manufacturers, individual licensees, and the public. Given that the Board is the only DCA entity to regulate an entire drug distribution chain (beginning with drug wholesalers through the final dispensing of a drug product) including not only the businesses but also the individuals within each business, licensing policy, decisions, and activities of the Board are magnified, complex and the political sensitivities surrounding licensing matters are significant and cannot be overstated.

The Board does not simply regulate individual pharmacists and technicians. The Board regulates multiple Fortune 500 companies, private companies, large manufacturers, large chain pharmacies and large hospital systems, including multiple University Health Systems located in the state. Many of these large institutions are influential, with significant political acumen, financial resources, and sophisticated legal teams. Given the politically sensitive issues, powerful and vocal licensees, many issues, and inquiries to the Board's Licensing Division necessitate speedy and immediate responses from the Board. If high profile and politically sensitive inquiries and issues are not dealt with immediately, matters escalate to the Department, Business Consumer Service and Housing Agency (BCSH), Legislators, and the Administration.

The Chief has extremely high leadership responsibility, policy and decision making authority. The position will develop licensing policy recommendations necessary for program administration and ensure their implementation as directed by the board. The licensing policy initiatives developed by this position may have significant breadth and impact, given the Board's unique oversight of the entire drug distribution chain, encompassing businesses and individuals. Hence, the policy influence of this role is extensive and intricate. The Board has sensitive interaction with consumers, licensees, media, legal representatives, corporations, other agencies and the GO. The Chief's decision making and advice to the EO and DEO will influence program direction and therefore recommendations and decisions made by the Chief have a statewide impact in the development and implementation of policies that directly affect the public health and safety of California consumers.

The CEA establishes and oversees implementation of licensing policy to ensure goals and objectives are consistent with the Board's mission and Strategic Plan. The Chief provides input to Strategic Plan and Sunset Report on licensing matters, to develop, ensure and lead initiatives that advance the Board fulfilling its mandate of consumer protection and access to high quality pharmacy care and services.

The Chief serves as licensing policy and technical advisor to the EO, DEO, Committee and Board Members. The Chief will manage and serve as staff lead for the board's newly proposed Technician Advisory Committee. The Board licenses and regulates approximately 70,000 technicians statewide that serve California consumers. The position serves as advisor to the Licensing Committee.

Proposition 34 created new rules regarding specified health care entities, including pharmacies, specifically related to revenue from federal drug discount programs. The Chief will serve as SME specific to this proposal. The Chief will manage reporting requirements and issue independent written conclusions on compliance with the measure in high level coordination and collaboration with the AGO, DMHC and CDPH. The Chief will provide education through a variety of means on how the provisions in Prop 34 impact licensees and their compliance obligations.

AB116 created legislation to regulate PBMs. The Chief will serve as SME over PBMs. High level Coordination will be necessary to provide information to DHMC on PBM behavior as it relates to Board licensees. The Chief will work with DMHC to formalize ongoing data-sharing, roles and referral protocols pertaining to PBMs. The CEA will provide education through a variety of means detailing how the provisions impact Board licensees, their businesses and compliance obligations.

The Chief will conduct comprehensive oversight and evaluation of the Board's 48 licensing programs – several of which operate under separate provisions of the law. Ongoing, comprehensive evaluation of the Board's licensing programs is vital to Board policy development, given the continued evolution of pharmacy practice, the complexity of pharmacy law, including the nexus with federal law, and the number of licensing programs the Board regulates.

The Licensing Chief will be directly involved in sensitive and often controversial issues surrounding the delivery and receipt of pharmacy services provided to California consumers and must assure the delivery of these services by the most qualified and competent providers. The Chief's decision making and advice to the EO and DEO will influence program directions; therefore, recommendations and decisions made by this individual have a statewide impact in the development and implementation of policies that directly affect the public health and safety of California consumers.

The Licensing Chief will provide oversight of Licensing Division activities and ensure policies and procedures produce positive outcomes. The Chief holds a crucial position within the Board with significant impact to overall operation of the Board, the Licensing Division, and consumers.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The Chief of Licensing has full delegated authority to act on behalf of the DEO in their absence with respect to licensing related activities. The Chief is responsible for Licensing Division oversight and licensing policy development for the efficient operations of the Board. The Chief proposes solutions to challenges and issues identified through the course of the Board's licensing activities, implements them, and is responsible for their effectiveness. The Chief will provide guidance to staff, Board Members, professional organizations, licensees, educators and the public about the licensing matters of the Board.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The Chief will develop licensing policy initiatives, implement and manage policy requirements based on Proposition 34 and Assembly Bill 116, manage and advise the Board's newly proposed Technician Advisory Committee, serve as subject matter expert to the Board's Licensing Committee, perform comprehensive review and evaluation of the Board's licensing programs and identify barriers to licensure. The Chief will be responsible for overall licensing policy development and implementation activities. The Chief will provide guidance to staff, Board Members, professional organizations, licensees, educators and the public about the licensing matters of the Board. In addition, the CEA will provide programmatic oversight for the Licensing Division, interpreting policies established by the Board Members and the EO, participating in high level meetings and other forums.