

AMENDED IN ASSEMBLY AUGUST 5, 2013

AMENDED IN ASSEMBLY JULY 3, 2013

AMENDED IN ASSEMBLY JUNE 24, 2013

AMENDED IN SENATE MAY 28, 2013

**SENATE BILL**

**No. 294**

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**Introduced by Senator Emmerson**

February 15, 2013

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An act to amend the heading of Article 7.5 (commencing with Section 4127) of Chapter 9 of Division 2 of, and to amend, repeal, and add Sections 4127, 4127.1, 4127.2, and 4400 of, the Business and Professions Code, relating to pharmacy.

LEGISLATIVE COUNSEL'S DIGEST

SB 294, as amended, Emmerson. Sterile drug products.

(1) The Pharmacy Law provides for the licensure and regulation of pharmacists and pharmacy corporations in this state by the California State Board of Pharmacy. Existing law requires the board to adopt regulations establishing standards for compounding injectable sterile drug products in a pharmacy. Existing law requires pharmacies to obtain a license from the board, subject to annual renewal, in order to compound injectable sterile drug products. A similar licensing requirement applies to nonresident pharmacies compounding injectable sterile drug products for shipment into California. A violation of the Pharmacy Law is a crime.

This bill, commencing July 1, 2014, would expand these provisions to prohibit a pharmacy from compounding or dispensing, and a nonresident pharmacy from compounding for shipment into this state, sterile drug products for injection, administration into the eye, or

inhalation, unless the pharmacy has obtained a sterile compounding pharmacy license from the board. The bill, commencing July 1, 2014, would specify requirements for the board for the issuance or renewal of a license, and requirements for the pharmacy as a licensee. The bill would require the board to adopt regulations to implement these provisions, as specified. By adding additional requirements to the Pharmacy Law concerning sterile drug products, the violation of which is a crime, the bill would impose a state-mandated local program.

(2) Existing law specifies the fee for issuance or renewal of a nongovernmental license to compound sterile drug products.

This bill, commencing July 1, 2014, would establish the fee for the issuance or renewal of a nonresident sterile compounding pharmacy license in the amount of \$780 and would require the applicant to deposit a reasonable amount, as determined by the board, necessary to cover the board’s estimated cost of performing an inspection of the nonresident pharmacy location, as specified.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The heading of Article 7.5 (commencing with  
2 Section 4127) of Chapter 9 of Division 2 of the Business and  
3 Professions Code is amended to read:

4  
5 Article 7.5. Sterile Drug Products

6  
7 SEC. 2. Section 4127 of the Business and Professions Code is  
8 amended to read:

9 4127. (a) The board shall adopt regulations establishing  
10 standards for compounding injectable sterile drug products in a  
11 pharmacy.

12 (b) The board shall adopt emergency regulations in accordance  
13 with the Administrative Procedure Act (Chapter 3.5 (commencing  
14 with Section 11340) of Part 1 of Division 3 of Title 2 of the

1 Government Code) to establish policies, guidelines, and procedures  
2 to initially implement the provisions of this article that become  
3 operative on July 1, 2014, ~~including, but not limited to, building~~  
4 ~~standards adopted pursuant to Part 2.5 (commencing with Section~~  
5 ~~18901) of Division 13 of the Health and Safety Code. 2014.~~ The  
6 initial adoption, amendment, or repeal of a regulation authorized  
7 by this section is deemed to address an emergency for purposes  
8 of Sections 11346.1 and 11346.6 of the Government Code, and  
9 the board is hereby exempted for that purpose from the  
10 requirements of subdivision (b) of Section 11346.1 of the  
11 Government Code. After the initial adoption, amendment, or repeal  
12 of an emergency regulation pursuant to this section, the board may  
13 request approval from the Office of Administrative Law to readopt  
14 the regulation as an emergency regulation pursuant to Section  
15 11346.1 of the Government Code.

16 (c) This section shall become inoperative on July 1, 2014, and,  
17 as of January 1, 2015, is repealed, unless a later enacted statute,  
18 that becomes operative on or before January 1, 2015, deletes or  
19 extends the dates on which it becomes inoperative and is repealed.

20 SEC. 3. Section 4127 is added to the Business and Professions  
21 Code, to read:

22 4127. (a) A pharmacy that compounds sterile drug products  
23 for injection, administration into the eye, or inhalation shall possess  
24 a sterile compounding pharmacy license as provided in this article.

25 (b) The board shall adopt regulations in accordance with the  
26 Administrative Procedure Act (Chapter 3.5 (commencing with  
27 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
28 Code) to establish policies, guidelines, and procedures to  
29 implement this ~~article, including, but not limited to, building~~  
30 ~~standards adopted pursuant to Part 2.5 (commencing with Section~~  
31 ~~18901) of Division 13 of the Health and Safety Code. article.~~

32 (c) This section shall become operative on July 1, 2014.

33 SEC. 4. Section 4127.1 of the Business and Professions Code  
34 is amended to read:

35 4127.1. (a) A pharmacy shall not compound injectable sterile  
36 drug products in this state unless the pharmacy has obtained a  
37 license from the board pursuant to this section. The license shall  
38 be renewed annually and is not transferable.

39 (b) A license to compound injectable sterile drug products may  
40 only be issued for a location that is licensed as a pharmacy.

1 Furthermore, the license to compound injectable sterile drug  
2 products may only be issued to the owner of the pharmacy license  
3 at that location. A license to compound injectable sterile drug  
4 products may not be issued until the location is inspected by the  
5 board and found in compliance with this article and regulations  
6 adopted by the board.

7 (c) A license to compound injectable sterile drug products may  
8 not be renewed until the location has been inspected by the board  
9 and found to be in compliance with this article and regulations  
10 adopted by the board.

11 (d) Pharmacies operated by entities that are licensed by either  
12 the board or the State Department of Public Health and that have  
13 current accreditation from the Joint Commission on Accreditation  
14 of Healthcare Organizations, or other private accreditation agencies  
15 approved by the board, are exempt from the requirement to obtain  
16 a license pursuant to this section.

17 (e) The reconstitution of a sterile powder shall not require a  
18 license pursuant to this section if both of the following are met:

19 (1) The sterile powder was obtained from a manufacturer.

20 (2) The drug is reconstituted for administration to patients by  
21 a health care professional licensed to administer drugs by injection  
22 pursuant to this division.

23 (f) This section shall become inoperative on July 1, 2014, and,  
24 as of January 1, 2015, is repealed, unless a later enacted statute,  
25 that becomes operative on or before January 1, 2015, deletes or  
26 extends the dates on which it becomes inoperative and is repealed.

27 SEC. 5. Section 4127.1 is added to the Business and Professions  
28 Code, to read:

29 4127.1. (a) A pharmacy shall not compound sterile drug  
30 products unless the pharmacy has obtained a sterile compounding  
31 pharmacy license from the board pursuant to this section. The  
32 license shall be renewed annually and is not transferable.

33 (b) A license to compound sterile drug products shall be issued  
34 only to a location that is licensed as a pharmacy and shall be issued  
35 only to the owner of the pharmacy licensed at that location.

36 (c) A license to compound sterile drug products shall not be  
37 issued or renewed until the location is inspected by the board and  
38 found in compliance with this article and regulations adopted by  
39 the board.

1 (d) A license to compound sterile drug products shall not be  
2 issued or renewed until the board does all of the following:

3 (1) Reviews a current copy of the pharmacy's policies and  
4 procedures for sterile compounding.

5 (2) Reviews the pharmacy's completed self-assessment form  
6 required by Section 1735.2 of Title 16 of the California Code of  
7 Regulations.

8 (3) Is provided with copies of all inspection reports conducted  
9 of the pharmacy's premises, and any reports from a private  
10 accrediting agency, conducted in the prior 12 months documenting  
11 the pharmacy's operations.

12 (4) Receives a list of all sterile medications compounded by the  
13 pharmacy since the last license renewal.

14 (e) A pharmacy licensed pursuant to this section shall do all of  
15 the following:

16 (1) Provide to the board a copy of any disciplinary or other  
17 action taken by another state within 10 days of the action.

18 (2) Notify the board within 10 days of the suspension of any  
19 accreditation held by the pharmacy.

20 (3) Provide to the board, within 12 hours, any recall notice  
21 issued by the pharmacy for sterile drug products it has  
22 compounded.

23 (f) Adverse effects reported or potentially attributable to a  
24 pharmacy's sterile drug product shall be immediately reported to  
25 the board and the MedWatch program of the federal Food and  
26 Drug Administration.

27 (g) The reconstitution of a sterile powder shall not require a  
28 license pursuant to this section if both of the following  
29 requirements are met:

30 (1) The sterile powder was obtained from a manufacturer.

31 (2) The drug is reconstituted for administration to patients by  
32 a health care professional licensed to administer drugs by injection  
33 pursuant to this division.

34 (h) This section shall become operative on July 1, 2014.

35 SEC. 6. Section 4127.2 of the Business and Professions Code  
36 is amended to read:

37 4127.2. (a) A nonresident pharmacy shall not compound  
38 injectable sterile drug products for shipment into the State of  
39 California without a license issued by the board pursuant to this

1 section. The license shall be renewed annually and shall not be  
2 transferable.

3 (b) A license to compound injectable sterile drug products may  
4 only be issued for a location that is licensed as a nonresident  
5 pharmacy. Furthermore, the license to compound injectable sterile  
6 drug products may only be issued to the owner of the nonresident  
7 pharmacy license at that location. A license to compound injectable  
8 sterile drug products may not be issued or renewed until the board  
9 receives the following from the nonresident pharmacy:

10 (1) A copy of an inspection report issued by the pharmacy's  
11 licensing agency, or a report from a private accrediting agency  
12 approved by the board, in the prior 12 months documenting the  
13 pharmacy's compliance with board regulations regarding the  
14 compounding of injectable sterile drug products.

15 (2) A copy of the nonresident pharmacy's proposed policies  
16 and procedures for sterile compounding.

17 (c) Nonresident pharmacies operated by entities that are licensed  
18 as a hospital, home health agency, or a skilled nursing facility and  
19 have current accreditation from the Joint Commission on  
20 Accreditation of Healthcare Organizations, or other private  
21 accreditation agencies approved by the board, are exempt from  
22 the requirement to obtain a license pursuant to this section.

23 (d) This section shall become inoperative on July 1, 2014, and,  
24 as of January 1, 2015, is repealed, unless a later enacted statute,  
25 that becomes operative on or before January 1, 2015, deletes or  
26 extends the dates on which it becomes inoperative and is repealed.

27 SEC. 7. Section 4127.2 is added to the Business and Professions  
28 Code, to read:

29 4127.2. (a) A nonresident pharmacy shall not compound sterile  
30 drug products for shipment into this state without a sterile  
31 compounding pharmacy license issued by the board pursuant to  
32 this section. The license shall be renewed annually and shall not  
33 be transferable.

34 (b) A license to compound sterile drug products shall be issued  
35 only to a location that is licensed as a nonresident pharmacy and  
36 shall be issued only to the owner of the nonresident pharmacy  
37 licensed at that location.

38 (c) A license to compound sterile drug products shall not be  
39 issued or renewed until the location is inspected by the board and  
40 found in compliance with this article and any regulations adopted

1 by the board. The nonresident pharmacy shall reimburse the board  
2 for all actual and necessary costs incurred by the board in  
3 conducting an inspection of the pharmacy at least once annually  
4 pursuant to subdivision (v) of Section 4400.

5 (d) A license to compound sterile drug products shall not be  
6 issued or renewed until the board does all of the following:

7 (1) Reviews a current copy of the nonresident pharmacy's  
8 policies and procedures for sterile compounding.

9 (2) Reviews the pharmacy's completed self-assessment form  
10 required by Section 1735.2 of Title 16 of the California Code of  
11 Regulations.

12 (3) Is provided with copies of all inspection reports conducted  
13 of the nonresident pharmacy's premises, and any reports from a  
14 private accrediting agency, conducted in the prior 12 months  
15 documenting the nonresident pharmacy's operations.

16 (4) Receives a list of all sterile drug products compounded by  
17 the pharmacy within the prior 12 months.

18 (e) A pharmacy licensed pursuant to this section shall do all of  
19 the following:

20 (1) Provide to the board a copy of any disciplinary or other  
21 action taken by its state of residence or another state within 10  
22 days of the action.

23 (2) Notify the board within 10 days of the suspension of any  
24 accreditation held by the pharmacy.

25 (3) Provide to the board, within 12 hours, any recall notice  
26 issued by the pharmacy for sterile drug products it has compounded  
27 that have been shipped into, or dispensed in, California.

28 (4) Advise the board of any complaint it receives from a  
29 provider, pharmacy, or patient in California.

30 (f) Adverse effects reported or potentially attributable to a  
31 nonresident pharmacy's sterile compounded drug product shall be  
32 immediately reported to the board and the MedWatch program of  
33 the federal Food and Drug Administration.

34 (g) This section shall become operative on July 1, 2014.

35 SEC. 8. Section 4400 of the Business and Professions Code is  
36 amended to read:

37 4400. The amount of fees and penalties prescribed by this  
38 chapter, except as otherwise provided, is that fixed by the board  
39 according to the following schedule:

1 (a) The fee for a nongovernmental pharmacy license shall be  
2 four hundred dollars (\$400) and may be increased to five hundred  
3 twenty dollars (\$520). The fee for the issuance of a temporary  
4 nongovernmental pharmacy permit shall be two hundred fifty  
5 dollars (\$250) and may be increased to three hundred twenty-five  
6 dollars (\$325).

7 (b) The fee for a nongovernmental pharmacy license annual  
8 renewal shall be two hundred fifty dollars (\$250) and may be  
9 increased to three hundred twenty-five dollars (\$325).

10 (c) The fee for the pharmacist application and examination shall  
11 be two hundred dollars (\$200) and may be increased to two  
12 hundred sixty dollars (\$260).

13 (d) The fee for regrading an examination shall be ninety dollars  
14 (\$90) and may be increased to one hundred fifteen dollars (\$115).  
15 If an error in grading is found and the applicant passes the  
16 examination, the regrading fee shall be refunded.

17 (e) The fee for a pharmacist license and biennial renewal shall  
18 be one hundred fifty dollars (\$150) and may be increased to one  
19 hundred ninety-five dollars (\$195).

20 (f) The fee for a nongovernmental wholesaler license and annual  
21 renewal shall be six hundred dollars (\$600), and may be increased  
22 to seven hundred eighty dollars (\$780). The application fee for  
23 any additional location after licensure of the first 20 locations shall  
24 be two hundred twenty-five dollars (\$225) and may be increased  
25 to three hundred dollars (\$300). A temporary license fee shall be  
26 five hundred fifty dollars (\$550) and may be increased to seven  
27 hundred fifteen dollars (\$715).

28 (g) The fee for a hypodermic license and renewal shall be one  
29 hundred twenty-five dollars (\$125) and may be increased to one  
30 hundred sixty-five dollars (\$165).

31 (h) (1) The fee for application, investigation, and issuance of  
32 license as a designated representative pursuant to Section 4053  
33 shall be two hundred fifty-five dollars (\$255) and may be increased  
34 to three hundred thirty dollars (\$330).

35 (2) The fee for the annual renewal of a license as a designated  
36 representative shall be one hundred fifty dollars (\$150) and may  
37 be increased to one hundred ninety-five dollars (\$195).

38 (i) (1) The fee for the application, investigation, and issuance  
39 of a license as a designated representative for a veterinary  
40 food-animal drug retailer pursuant to Section 4053 shall be two

1 hundred fifty-five dollars (\$255) and may be increased to three  
2 hundred thirty dollars (\$330).

3 (2) The fee for the annual renewal of a license as a designated  
4 representative for a veterinary food-animal drug retailer shall be  
5 one hundred fifty dollars (\$150) and may be increased to one  
6 hundred ninety-five dollars (\$195).

7 (j) (1) The application fee for a nonresident wholesaler's license  
8 issued pursuant to Section 4161 shall be six hundred dollars (\$600)  
9 and may be increased to seven hundred eighty dollars (\$780).

10 (2) For nonresident wholesalers who have 21 or more facilities  
11 operating nationwide the application fees for the first 20 locations  
12 shall be six hundred dollars (\$600) and may be increased to seven  
13 hundred eighty dollars (\$780). The application fee for any  
14 additional location after licensure of the first 20 locations shall be  
15 two hundred twenty-five dollars (\$225) and may be increased to  
16 three hundred dollars (\$300). A temporary license fee shall be five  
17 hundred fifty dollars (\$550) and may be increased to seven hundred  
18 fifteen dollars (\$715).

19 (3) The annual renewal fee for a nonresident wholesaler's license  
20 issued pursuant to Section 4161 shall be six hundred dollars (\$600)  
21 and may be increased to seven hundred eighty dollars (\$780).

22 (k) The fee for evaluation of continuing education courses for  
23 accreditation shall be set by the board at an amount not to exceed  
24 forty dollars (\$40) per course hour.

25 (l) The fee for an intern pharmacist license shall be ninety dollars  
26 (\$90) and may be increased to one hundred fifteen dollars (\$115).  
27 The fee for transfer of intern hours or verification of licensure to  
28 another state shall be twenty-five dollars (\$25) and may be  
29 increased to thirty dollars (\$30).

30 (m) The board may waive or refund the additional fee for the  
31 issuance of a license where the license is issued less than 45 days  
32 before the next regular renewal date.

33 (n) The fee for the reissuance of any license, or renewal thereof,  
34 that has been lost or destroyed or reissued due to a name change  
35 shall be thirty-five dollars (\$35) and may be increased to forty-five  
36 dollars (\$45).

37 (o) The fee for the reissuance of any license, or renewal thereof,  
38 that must be reissued because of a change in the information, shall  
39 be one hundred dollars (\$100) and may be increased to one hundred  
40 thirty dollars (\$130).

1 (p) It is the intent of the Legislature that, in setting fees pursuant  
2 to this section, the board shall seek to maintain a reserve in the  
3 Pharmacy Board Contingent Fund equal to approximately one  
4 year’s operating expenditures.

5 (q) The fee for any applicant for a nongovernmental clinic  
6 license shall be four hundred dollars (\$400) and may be increased  
7 to five hundred twenty dollars (\$520) for each license. The annual  
8 fee for renewal of the license shall be two hundred fifty dollars  
9 (\$250) and may be increased to three hundred twenty-five dollars  
10 (\$325) for each license.

11 (r) The fee for the issuance of a pharmacy technician license  
12 shall be eighty dollars (\$80) and may be increased to one hundred  
13 five dollars (\$105). The fee for renewal of a pharmacy technician  
14 license shall be one hundred dollars (\$100) and may be increased  
15 to one hundred thirty dollars (\$130).

16 (s) The fee for a veterinary food-animal drug retailer license  
17 shall be four hundred five dollars (\$405) and may be increased to  
18 four hundred twenty-five dollars (\$425). The annual renewal fee  
19 for a veterinary food-animal drug retailer license shall be two  
20 hundred fifty dollars (\$250) and may be increased to three hundred  
21 twenty-five dollars (\$325).

22 (t) The fee for issuance of a retired license pursuant to Section  
23 4200.5 shall be thirty-five dollars (\$35) and may be increased to  
24 forty-five dollars (\$45).

25 (u) The fee for issuance or renewal of a nongovernmental license  
26 to compound sterile drug products shall be six hundred dollars  
27 (\$600) and may be increased to seven hundred eighty dollars  
28 (\$780). The fee for a temporary license shall be five hundred fifty  
29 dollars (\$550) and may be increased to seven hundred fifteen  
30 dollars (\$715).

31 (v) This section shall become inoperative on July 1, 2014, and,  
32 as of January 1, 2015, is repealed, unless a later enacted statute,  
33 that becomes operative on or before January 1, 2015, deletes or  
34 extends the dates on which it becomes inoperative and is repealed.

35 SEC. 9. Section 4400 is added to the Business and Professions  
36 Code, to read:

37 4400. The amount of fees and penalties prescribed by this  
38 chapter, except as otherwise provided, is that fixed by the board  
39 according to the following schedule:

1 (a) The fee for a nongovernmental pharmacy license shall be  
2 four hundred dollars (\$400) and may be increased to five hundred  
3 twenty dollars (\$520). The fee for the issuance of a temporary  
4 nongovernmental pharmacy permit shall be two hundred fifty  
5 dollars (\$250) and may be increased to three hundred twenty-five  
6 dollars (\$325).

7 (b) The fee for a nongovernmental pharmacy license annual  
8 renewal shall be two hundred fifty dollars (\$250) and may be  
9 increased to three hundred twenty-five dollars (\$325).

10 (c) The fee for the pharmacist application and examination shall  
11 be two hundred dollars (\$200) and may be increased to two  
12 hundred sixty dollars (\$260).

13 (d) The fee for regrading an examination shall be ninety dollars  
14 (\$90) and may be increased to one hundred fifteen dollars (\$115).  
15 If an error in grading is found and the applicant passes the  
16 examination, the regrading fee shall be refunded.

17 (e) The fee for a pharmacist license and biennial renewal shall  
18 be one hundred fifty dollars (\$150) and may be increased to one  
19 hundred ninety-five dollars (\$195).

20 (f) The fee for a nongovernmental wholesaler license and annual  
21 renewal shall be six hundred dollars (\$600), and may be increased  
22 to seven hundred eighty dollars (\$780). The application fee for  
23 any additional location after licensure of the first 20 locations shall  
24 be two hundred twenty-five dollars (\$225) and may be increased  
25 to three hundred dollars (\$300). A temporary license fee shall be  
26 five hundred fifty dollars (\$550) and may be increased to seven  
27 hundred fifteen dollars (\$715).

28 (g) The fee for a hypodermic license and renewal shall be one  
29 hundred twenty-five dollars (\$125) and may be increased to one  
30 hundred sixty-five dollars (\$165).

31 (h) (1) The fee for application, investigation, and issuance of  
32 license as a designated representative pursuant to Section 4053  
33 shall be two hundred fifty-five dollars (\$255) and may be increased  
34 to three hundred thirty dollars (\$330).

35 (2) The fee for the annual renewal of a license as a designated  
36 representative shall be one hundred fifty dollars (\$150) and may  
37 be increased to one hundred ninety-five dollars (\$195).

38 (i) (1) The fee for the application, investigation, and issuance  
39 of a license as a designated representative for a veterinary  
40 food-animal drug retailer pursuant to Section 4053 shall be two

1 hundred fifty-five dollars (\$255) and may be increased to three  
2 hundred thirty dollars (\$330).

3 (2) The fee for the annual renewal of a license as a designated  
4 representative for a veterinary food-animal drug retailer shall be  
5 one hundred fifty dollars (\$150) and may be increased to one  
6 hundred ninety-five dollars (\$195).

7 (j) (1) The application fee for a nonresident wholesaler's license  
8 issued pursuant to Section 4161 shall be six hundred dollars (\$600)  
9 and may be increased to seven hundred eighty dollars (\$780).

10 (2) For nonresident wholesalers who have 21 or more facilities  
11 operating nationwide the application fees for the first 20 locations  
12 shall be six hundred dollars (\$600) and may be increased to seven  
13 hundred eighty dollars (\$780). The application fee for any  
14 additional location after licensure of the first 20 locations shall be  
15 two hundred twenty-five dollars (\$225) and may be increased to  
16 three hundred dollars (\$300). A temporary license fee shall be five  
17 hundred fifty dollars (\$550) and may be increased to seven hundred  
18 fifteen dollars (\$715).

19 (3) The annual renewal fee for a nonresident wholesaler's license  
20 issued pursuant to Section 4161 shall be six hundred dollars (\$600)  
21 and may be increased to seven hundred eighty dollars (\$780).

22 (k) The fee for evaluation of continuing education courses for  
23 accreditation shall be set by the board at an amount not to exceed  
24 forty dollars (\$40) per course hour.

25 (l) The fee for an intern pharmacist license shall be ninety dollars  
26 (\$90) and may be increased to one hundred fifteen dollars (\$115).  
27 The fee for transfer of intern hours or verification of licensure to  
28 another state shall be twenty-five dollars (\$25) and may be  
29 increased to thirty dollars (\$30).

30 (m) The board may waive or refund the additional fee for the  
31 issuance of a license where the license is issued less than 45 days  
32 before the next regular renewal date.

33 (n) The fee for the reissuance of any license, or renewal thereof,  
34 that has been lost or destroyed or reissued due to a name change  
35 shall be thirty-five dollars (\$35) and may be increased to forty-five  
36 dollars (\$45).

37 (o) The fee for the reissuance of any license, or renewal thereof,  
38 that must be reissued because of a change in the information, shall  
39 be one hundred dollars (\$100) and may be increased to one hundred  
40 thirty dollars (\$130).

1 (p) It is the intent of the Legislature that, in setting fees pursuant  
2 to this section, the board shall seek to maintain a reserve in the  
3 Pharmacy Board Contingent Fund equal to approximately one  
4 year's operating expenditures.

5 (q) The fee for any applicant for a nongovernmental clinic  
6 license shall be four hundred dollars (\$400) and may be increased  
7 to five hundred twenty dollars (\$520) for each license. The annual  
8 fee for renewal of the license shall be two hundred fifty dollars  
9 (\$250) and may be increased to three hundred twenty-five dollars  
10 (\$325) for each license.

11 (r) The fee for the issuance of a pharmacy technician license  
12 shall be eighty dollars (\$80) and may be increased to one hundred  
13 five dollars (\$105). The fee for renewal of a pharmacy technician  
14 license shall be one hundred dollars (\$100) and may be increased  
15 to one hundred thirty dollars (\$130).

16 (s) The fee for a veterinary food-animal drug retailer license  
17 shall be four hundred five dollars (\$405) and may be increased to  
18 four hundred twenty-five dollars (\$425). The annual renewal fee  
19 for a veterinary food-animal drug retailer license shall be two  
20 hundred fifty dollars (\$250) and may be increased to three hundred  
21 twenty-five dollars (\$325).

22 (t) The fee for issuance of a retired license pursuant to Section  
23 4200.5 shall be thirty-five dollars (\$35) and may be increased to  
24 forty-five dollars (\$45).

25 (u) The fee for issuance or renewal of a nongovernmental sterile  
26 compounding pharmacy license shall be six hundred dollars (\$600)  
27 and may be increased to seven hundred eighty dollars (\$780). The  
28 fee for a temporary license shall be five hundred fifty dollars (\$550)  
29 and may be increased to seven hundred fifteen dollars (\$715).

30 (v) The fee for the issuance or renewal of a nonresident sterile  
31 compounding pharmacy license shall be seven hundred eighty  
32 dollars (\$780). In addition to paying that application fee, the  
33 nonresident sterile compounding pharmacy shall deposit, when  
34 submitting the application, a reasonable amount, as determined by  
35 the board, necessary to cover the board's estimated cost of  
36 performing the inspection required by Section 4127.2. If the  
37 required deposit is not submitted with the application, the  
38 application shall be deemed to be incomplete. If the actual cost of  
39 the inspection exceeds the amount deposited, the board shall  
40 provide to the applicant a written invoice for the remaining amount

1 and shall not take action on the application until the full amount  
2 has been paid to the board. If the amount deposited exceeds the  
3 amount of actual and necessary costs incurred, the board shall  
4 remit the difference to the applicant.

5 (w) This section shall become operative on July 1, 2014.

6 SEC. 10. No reimbursement is required by this act pursuant to  
7 Section 6 of Article XIII B of the California Constitution because  
8 the only costs that may be incurred by a local agency or school  
9 district will be incurred because this act creates a new crime or  
10 infraction, eliminates a crime or infraction, or changes the penalty  
11 for a crime or infraction, within the meaning of Section 17556 of  
12 the Government Code, or changes the definition of a crime within  
13 the meaning of Section 6 of Article XIII B of the California  
14 Constitution.