



## AB-529 Pharmacy: declared state of emergency. (2025-2026)

SHARE THIS:



Date Published: 02/11/2025 09:00 PM

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

### ASSEMBLY BILL

NO. 529

Introduced by Assembly Member Ahrens

February 11, 2025

An act to amend Section 4062 of the Business and Professions Code, relating to healing arts.

### LEGISLATIVE COUNSEL'S DIGEST

AB 529, as introduced, Ahrens. Pharmacy: declared state of emergency.

The Pharmacy Law requires the California State Board of Pharmacy within the Department of Consumer Affairs to license and regulate the practice of pharmacy, including pharmacists, pharmacy technicians, and pharmacies. The Pharmacy Law authorizes the board, during a declared federal, state, or local emergency, to waive application of any provision of the Pharmacy Law or the regulations adopted pursuant to it, if, in the board's opinion, the waiver will aid in the protection of public health or the provision of patient care. Existing law authorizes the board to elect to continue to waive application of any provision of the Pharmacy Law for up to 90 days following the termination of a declared public emergency if, in the board's opinion, the continued waiver will aid in the protection of public health or the provision of patient care.

This bill would instead authorize the board to elect to continue to waive application of any provision of the Pharmacy Law for up to 120 days following the termination of a declared emergency.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 4062 of the Business and Professions Code is amended to read:

**4062.** (a) Notwithstanding Section 4059 or any other law, a pharmacist or a clinic licensed and acting under Section 4180 may, in good faith, furnish a dangerous drug or dangerous device in reasonable quantities without a prescription during a federal, state, or local emergency, to further the health and safety of the public. A record containing the date, name, and address of the person to whom the drug or device is furnished, and the name, strength, and quantity of the drug or device furnished shall be maintained. The pharmacist or clinic shall communicate this information to the patient's attending physician as soon as possible.

Notwithstanding Section 4060 or any other law, a person may possess a dangerous drug or dangerous device furnished without prescription pursuant to this section.

(b) During a declared federal, state, or local emergency, the board may waive application of any provisions of this chapter or the regulations adopted pursuant to it if, in the board's opinion, the waiver will aid in the protection of public health or the provision of patient care.

(c) During a declared federal, state, or local emergency, the board shall allow for the employment of a mobile pharmacy or clinic in impacted areas in order to ensure the continuity of patient care, if all of the following conditions are met:

(1) The mobile pharmacy or clinic shares common ownership with at least one currently licensed pharmacy or clinic in good standing.

(2) The mobile pharmacy or clinic retains records of dispensing, as required by subdivision (a).

(3) A licensed pharmacist, or, in the case of a clinic, a professional director, is on the premises and the mobile pharmacy is under the control and management of a pharmacist, or, in the case of a clinic, a professional director, while the drugs are being dispensed.

(4) Reasonable security measures are taken to safeguard the drug supply maintained in the mobile pharmacy or clinic.

(5) The mobile pharmacy or clinic is located within the declared emergency area or affected areas.

(6) The mobile pharmacy or clinic ceases the provision of services within 48 hours following the termination of the declared emergency.

(d) Notwithstanding any other law, the board may elect to continue to waive application of any provision of this chapter for up to ~~90~~ 120 days following the termination of the declared emergency if, in the board's opinion, the continued waiver will aid in the protection of the public health or in the provision of patient care.

(e) (1) A pharmacy that is destroyed or severely damaged as a result of a natural disaster or due to events that led to a declared federal, state, or local emergency, may be relocated. The relocation shall not be considered a transfer of ownership or location under Section 4110, if no changes are made to the management and control, or ownership, of the pharmacy and all applicable laws and regulations are followed. Notification of the relocation shall be provided to the board immediately upon identification of the new location.

(2) For purposes of this section, "severely damaged" means damage that renders the premises unsafe or unfit for entry or occupation.