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State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN, JR.
Governor

November 20, 2012

AFL 12-44

TO: Ambulatory Surgical Centers

SUBJECT: Wholesale/Dispensary Licenses

AUTHORITY: Senate Bill (SB) 1095 (Rubio, Statutes of 2012, Chapter 454)
Health & Safety Code (HSC) Section 1248.35
Business & Professions Code (BPC) 4190, 4195

This All Facilities Letter serves as notification of changes to the Business & Professions Code (BPC) which will be effective January 1, 2013. Recently enacted legislation, SB 1095, amended Sections 4190 and 4195 of the BPC to include an accredited outpatient setting and a certified Ambulatory Surgical Center (ASC) to the definition of a clinic, for the purpose of obtaining a license from the Board of Pharmacy (BOP) to purchase drugs at wholesale for administration or dispensing.

Previously, only those clinics which were licensed by CDPH could obtain a pharmaceutical license from the BOP. The BOP has the authority to inspect those entities that it licenses at any time in order to ensure compliance with the law.

The requirements for applying for a clinic wholesale/dispensary license and the application form can be found at:

http://www.pharmacy.ca.gov/forms/clinic_app_pkt.pdf
http://www.pharmacy.ca.gov/applicants/apply_for_a_license.shtml

For additional information regarding obtaining a wholesale/ dispensary license please contact the BOP at (916) 574-7900.

The information in this AFL is a brief summary of SB 1095's changes to pharmacy license provisions in the BPC. Facilities are responsible for following all applicable laws. CDPH's failure to expressly notify facilities of legislative changes does not relieve facilities of their responsibility for following all laws and for being aware of all legislative

AFL 12-44
November 20, 2012
Page 2

changes. Facilities should refer to the full text of BPC Sections 4190 and 4195 to ensure compliance.

Sincerely,

Original signed by Debby Rogers

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Deputy Director
Center for Health Care Quality