

DEPARTMENT OF CONSUMER AFFAIRS
Title 16. Board of Pharmacy

PROPOSED REGULATORY LANGUAGE
Disciplinary Guidelines

Legend: **Added text is indicated with an underline.**
Deleted text is indicated by strikeout.

Amend section 1760 of Article 8 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

§ 1760. Disciplinary Guidelines.

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code sections 11400, et seq.) the ~~h~~Board shall consider the disciplinary guidelines entitled “Disciplinary Guidelines” (Rev. ~~2/2017~~1/2022), which are hereby incorporated by reference.

Deviation from these guidelines and orders, including the standard terms of probation, is appropriate where the ~~h~~Board, in its sole discretion, determines that the facts of the particular case warrant such a deviation--the presence of mitigating factors; the age of the case; evidentiary problems.

Note: Authority cited: Sections 315, 315.2, 315.4, and 4005, Business and Professions Code; and Section 11400.20, Government Code. Reference: Sections 315, 315.2, 315.4, and 4300-4313, Business and Professions Code; and Sections 11400.20 and 11425.50(e), Government Code.