

**DRAFT/UNAPPROVED
VIRGINIA BOARD OF PHARMACY
MINUTES OF SPECIAL CONFERENCE COMMITTEE
INFORMAL CONFERENCE COMMITTEE**

Thursday, November 15, 2007
Second Floor
Board Room 4

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Richmond, Virginia 23233

CALL TO ORDER: A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 9:00 a.m.

PRESIDING: David C. Kozera, Committee Chairman

MEMBERS PRESENT: Brandon K. Yi

STAFF PRESENT: Cathy M. Reiniers-Day, Deputy Executive Director
Mykl D. Egan, DHP Adjudication Specialist

LARRY K. MORRISON
License #0202-003955
Larry K. Morrison appeared to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the October 18, 2007, Amended Notice.

Closed Meeting: Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.28 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Larry K. Morrison. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene: Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision: After consideration of the evidence and statements concerning the allegations, Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law

and sanctions as stated in Attachment 1.

As provided by law, this decision shall become a final Order thirty days after service of such Order on Mr. Morrison unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Morrison within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

NADER ABEDINZADEH
License #0202-015951

Nader Abedinzadeh appeared to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the October 15, 2007 Notice.

Closed Session:

Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.28 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Nader Abedinzadeh. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene:

Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements concerning the allegations, Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law and sanctions as stated in Attachment 2.

As provided by law, this decision shall become a final Order thirty days after service of such Order on Mr. Abedinzadeh unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Abedinzadeh within such time. If

service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

RAMAKRISHNA R. NERAVETLA
License #0202-206561

Ramakrishna R. Neravetla appeared to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the October 19, 2007 Notice.

Closed Meeting:

Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.28 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Ramakrishna R. Neravetla. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene:

Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements concerning the allegations, Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law and sanctions as stated in Attachment 3.

As provided by law, this decision shall become a final Order thirty days after service of such Order on Mr. Neravetla unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Neravetla within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

ELIZABETH JUERGENS
License #0202-007268

Elizabeth Juergens appeared to discuss allegations that she may have violated certain laws and regulations

governing the practice of pharmacy as stated in the October 19, 2007 Notice.

Closed Meeting:

Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.28 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Elizabeth Juergens. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene:

Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements concerning the allegations, Mr. Yi moved, and the Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law and sanctions as stated in Attachment 4.

As provided by law, this decision shall become a final Order thirty days after service of such Order on Ms. Juergens unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Juergens within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

CARLEEN C. PHILPOT
Registration No. 0230-005520

Ms. Philpot was scheduled to appear at 9:00 a.m. to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the October 15, 2007 Notice that was mailed to Ms. Philpot's legal address of record, both regular and certified mail.

The Committee recommended that this case be heard at a formal hearing.

ADJOURN:

With all business concluded, the meeting adjourned at 6:05 p.m.

Cathy M. Reiniers-Day
Deputy Executive Director

David C. Kozera, Chair

Date

Larry K. Morrison

Findings of Fact and Conclusions of Law:

- Larry K. Morrison holds license number 0202-003955 issued by the Board to practice pharmacy in the Commonwealth of Virginia.
- During the course of Mr. Morrison's employment as the pharmacist-in-charge of Manassas Pharmacy, Manassas, Virginia, a routine inspection conducted on January 9, 2007, disclosed the following deficiencies:
 - Mr. Morrison violated § 54.1-3316(7) of the Code and 18 VAC 110-20-200(D) of the Board of Pharmacy Regulations ("Regulations") in that expired medications were found in the dispensing stock.
 - Mr. Morrison violated § 54.1-3316(7) and § 54.1-3404(C) of the Code and 18 VAC 110-20-240(A)(5) of the Regulations in that the biennial inventory was not signed.
 - Mr. Morrison violated § 54.1-3316(7) of the Code and 18 VAC 110-20-280(A)(5) of the Regulations in that some of the faxed prescriptions had portions of the date and telephone number not visible on the fax. This deficiency was also noted in inspections on November 10, 2004, and April 17, 2003.
 - Mr. Morrison violated § 54.1-3316(7) of the Code and 18 VAC 110-20-330(1)(a) of the Regulations in that some of the prescription labels did not include the generic name for the drug when there is only one active ingredient. This deficiency was also noted in inspections on November 10, 2004, April 17, 2003, and December 12, 2000.
 - Mr. Morrison violated § 54.1-3316(7) and § 54.1-3468(3) of the Code in that seven of thirteen entries in the controlled substance paraphernalia sales drug log did not include the price of the item sold and five of thirteen items did not include the initials of the dispensing pharmacist.
 - Mr. Morrison violated § 54.1-3316(7) and § 54.1-3410(A)(3) and (B) of the Code in that some labels placed on the face of the hard copy of the prescription obscured required information. This deficiency was also noted in inspections on November 10, 2004, and April 17, 2003.
 - Mr. Morrison violated § 54.1-3316(7) of the Code and 18 VAC 110-20-190(B)(1) of the Regulations in that a pharmacy technician had a key to unlock the pharmacy.
- Mr. Morrison stated to the Committee that he has corrected the deficiencies cited in the January 9, 2007, inspection.
- Mr. Morrison violated § 54.1-3316(1) and (7), § 54.1-3320(A)(1) and (6), § 54.1-3457(16) and § 54.1-3462(A)(1) of the Code and 18 VAC 110-20-270(C) of the Regulations

in that on January 29, 2007, he dispensed prescription # 421908 with Coumadin 2mg (warfarin, Schedule VI) instead of the prescribed Toprol-XL 200mg (metoprolol succinate, Schedule VI). Further, the prescription bottle was mislabeled as containing Toprol-XL. Mr. Morrison self-reported this incident to the Board.

Sanction

- Larry K. Morrison be issued a REPRIMAND.
- Mr. Morrison shall successfully complete four (4) hours of continuing pharmacy education in the subject of prescription errors. These hours shall be in addition to the fifteen (15) hours required for the renewal of his license.
- Mr. Morrison shall be assessed a monetary penalty of Five Hundred Dollars (\$500.00) to be paid to the Board within ninety (90) days from the date this Order is final.

Nader Abedinzadeh

Findings of Fact and Conclusions of Law:

- Nader Abedinzadeh holds license number 0202-011595 issued by the Board to practice pharmacy in the Commonwealth of Virginia.
- During the course of Mr. Abedinzadeh's employment as pharmacist-in-charge ("PIC") of Ashburn Pharmacy, Ashburn Virginia, he violated § 54.1-3316(1) and (7), § 54.1-3320(A)(1) and (6), § 54.1-3457(16) and § 54.1-3462(A)(1) of the Code, and 18 VAC 110-20-270(C) of the Board of Pharmacy Regulations, in that on May 18, 2007, he dispensed prescription #602590R with eight dosage units of OxyContin 80mg. (oxycodone, Schedule II) instead of the prescribed 30 dosage units of Singulair 10mg. (montelukast, Schedule VI). Further, the prescription bottle was mislabeled as containing Singulair. The patient took one dosage unit of OxyContin and suffered side effects for approximately twenty-four hours to include dizziness, disorientation, lethargy and vomiting for approximately twenty-four hours.
- When the patient telephones Mr. Abedinzadeh to assist in identifying the incorrect drug that was consumed, he failed to take any of the necessary steps to identify the drug. Further, Mr. Abedinzadeh failed to contact her physician and improperly counseled the patient when he advised her to take caffeine to alleviate her symptoms.

Sanction:

- Nader Abedinzadeh be issued a REPRIMAND.
- Mr. Abedinzadeh shall successfully complete the twelve (12) hour continuing pharmacy education course from University of Florida College of Pharmacy entitled "Basic Error Prevention Techniques," ACPE #012-000-04-260-H03. These hours shall be in addition to the fifteen (15) continuing pharmacy education hours required for the renewal of his license.
 2. Mr. Abedinzadeh shall be assessed a monetary penalty of One Thousand Dollars (\$1,000.00) to be paid to the Board within ninety (90) days from the date this Order is final.

Ramakrishna R. Neravetla

Findings of Fact and Conclusions of Law:

- Ramakrishna R. Neravetla holds license number 0202-206561 issued by the Board to practice pharmacy in the Commonwealth of Virginia.
- During the course of Mr. Neravetla's employment as the pharmacist-in-charge of Reddy's Pharmacy, Richmond, Virginia, an inspection conducted on July 12, 2007, disclosed the following deficiencies:
 - Mr. Neravetla violated § 54.1-3316(7) of the Code and 18 VAC 110-20-180(4) and 18 VAC 110-20-190(B) of the Board of Pharmacy Regulations ("Regulations") in that the alarm code and the keys to the pharmacy were in the possession of a pharmacy technician, who opened the pharmacy without a pharmacist present and accepted prescriptions from customers.
 - Mr. Neravetla violated § 54.1-3316(7) of the Code and 18 VAC 110-20-190(A)(4) of the Regulations in that the door to the prescription department did not have a properly working locking device and non-licensed persons had access to the department when the pharmacist was not present.
 - Mr. Neravetla violated § 54.1-3316(7) of the Code and 18 VAC 110-20-240(A)(1) and (2) of the Regulations in that drug invoices for Schedule III to V controlled substances were maintained with invoices for Schedule II controlled substances and over the counter drug invoices.
 - Mr. Neravetla violated § 54.1-3316(7) and § 54.1-3404(C) of the Code in that several of the Schedule II through V drug invoices were not dated with the actual receipt of the drugs.
 - Mr. Neravetla violated § 54.1-3316(7) and § 54.1-3412 of the Code and 18 VAC 110-20-255 of the Regulations in that there was no record maintained for partial dispensing of prescriptions.
 - Mr. Neravetla violated § 54.1-3316(7) of the Code and 18 VAC 110-20-150(E) of the Regulations in that a lottery machine was located on the prescription department counter work space.
 - Mr. Neravetla violated § 54.1-3316(7) and § 54.1-3321(A) of the Code in that he permitted an employee to perform the duties of a pharmacy technician from May 2007, to July 12, 2007, although the employee was not registered as a pharmacy technician by the Board or enrolled in an approved training program at that time.
- Mr. Neravetla stated that the deficiencies listed above have been corrected, however, he had not moved the lottery machine. He advised the Committee that he

was willing to move the machine from the prescription department counter work space area.

Sanction:

- Ramakrishna R. Neravetla be issued a REPRIMAND.
- Mr. Neravetla shall be assessed a monetary penalty of One Hundred Dollars (\$100.00) to be paid to the Board within ninety (90) days from the date this Order is final.
- Mr. Neravetla shall relocate the lottery machine from the prescription department counter work space area within thirty (30) days of the date this Order is entered. Further, Mr. Neravetla shall submit a letter to the Board attesting to this within five (5) days of relocating the lottery machine.

Elizabeth Juergens

Findings of Fact and Conclusions of Law:

- Elizabeth J. Juergens holds license number 0202-007268 issued by the Board to practice pharmacy in the Commonwealth of Virginia.
- Ms. Juergens violated § 54.1-3316(7) and § 54.1-3303(A) and (B) of the Code, and 18 VAC 110-20-270(C) of the Board of Pharmacy Regulations in that on February 27, 2007, she dispensed to herself by fraudulently updating two of her expired prescriptions, one for diazepam 5mg (Schedule IV) and the other for hydrocodone/APAP 5/500 (Schedule III), by changing the prescriber's name and changing the date of authorization.
- Ms. Juergens never removed the medication bottles from the pharmacy and she stated that she did not consume any of the drugs.

Sanction:

- Elizabeth J. Juergens be issued a REPRIMAND.