

**VIRGINIA BOARD OF PHARMACY
SPECIAL CONFERENCE COMMITTEE MINUTES**

Wednesday, June 15, 2016
Commonwealth Conference Center
Second Floor
Board Room 3

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, 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:

Rebecca Thornbury, Committee Chair

MEMBERS PRESENT:

Melvin L. Boone, Sr., Committee Member

STAFF PRESENT:

J. Samuel Johnson, Deputy Executive Director
Mykl D. Egan, DHP Adjudication Specialist
Beth L. O'Halloran, Individual Licensing Manager

MARK BOWIE
Pharmacist License
#0202207961

Mark Bowie, Pharmacist, appeared to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Mark Bowie. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee found that no violation had occurred and unanimously voted to dismiss this matter.

BENISH QURESHI
Pharmacy Technician Registration
#0230018493

Benish Qureshi, pharmacy technician, appeared to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Benish Qureshi. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee that no violation had occurred and unanimously voted to dismiss this matter.

TAMEKA HICKS
Pharmacy Technician Registration
#0230017491

Tameka Hicks, pharmacy technician, did not appear to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Tameka Hicks. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee made certain Findings of Facts and Conclusions of Law found Tameka Hicks in violation of failing to complete required continuing pharmacy education and unanimously voted to enter an Order that imposes a \$50 monetary penalty and requires the submission of five (5) hours of continuing education.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Tameka Hicks, unless a written request is made to the Board requesting a formal hearing on the allegations made against her is received from Tameka Hicks within such time. If service of the Order is made by mail, three (3) 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.

HEATHER McINTYRE
Pharmacy Technician Registration
#0230021321

Heather McIntyre, Pharmacy Technician, did not appear to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Heather McIntyre. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee made certain Findings of Facts and Conclusions of Law found Heather McIntyre in violation of failing to complete required continuing pharmacy education and unanimously voted to enter an Order that imposes a \$50 monetary penalty and requires the submission of five (5) hours of continuing education.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Heather McIntyre, unless a written request is made to the Board requesting a formal hearing on the allegations made against her is received from Heather McIntyre within such time. If service of the Order is made by mail, three (3) 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.

LORAIN W. ROBINSON
Pharmacy Technician Registration
#0230006550

Loraine W. Robinson, Pharmacy Technician, did not appear to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Loraine W. Robinson. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee made certain Findings of Facts and Conclusions of Law found Loraine W. Robinson in violation of failing to complete required continuing pharmacy education and unanimously voted to enter an Order that imposes a \$50 monetary penalty and requires the submission of five (5) hours of continuing education.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Loraine W. Robinson, unless a written request is made to the Board requesting a formal hearing on the allegations made against her is received from Loraine W. Robinson within such time. If service of the Order is made by mail, three (3) 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.

JENEISHA SILVERA
Pharmacy Technician Registration
#0230015412

Jeneisha Silvera, Pharmacy Technician, did not appear to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Jeneisha Silvera. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee made certain Findings of Facts and Conclusions of Law found Jeneisha Silvera in violation of failing to complete required continuing pharmacy education and unanimously voted to enter an Order that imposes a \$100 monetary penalty and requires the submission of ten (10) hours of continuing education.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Jeneisha Silvera, unless a written request is made to the Board requesting a formal hearing on the allegations made against her is received from Jeneisha Silvera within such time. If service of the Order is made by mail, three (3) 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.

WALGREENS #05783
Permit# 0201003719

Brian A. Humpf, Pharmacist-In-Charge, did not appear to discuss allegations that Walgreens #05783 may have violated certain laws and regulations governing the conduct of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Walgreens #05783. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Logan, and duly seconded by Ms. Thornbury, the Committee accepts allegations #1 and #2a and b as Findings of Facts and Conclusions of Law and unanimously voted to enter an Order that imposes a \$500 monetary penalty. Additional documentation of evidence of corrective action for all violations must be submitted to the Board within 30 days.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Walgreens #05783, unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from Walgreens #05783 within such time. If service of the Order is made by mail, three (3) 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.

BATTLETOWN PHARMACY
Permit #0201004539

Patricia L. White, Pharmacist-In-Charge, appeared to discuss allegations that Battletown Pharmacy may have violated certain laws and regulations governing the conduct of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Battletown Pharmacy. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee accepts allegations #1, 2a through e, and #3 as Findings of Facts and Conclusions of Law and unanimously voted to enter an Order that imposes a \$250 monetary penalty. Additional documentation of evidence of corrective action for all violations must be submitted to the Board within 30 days.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Battletown Pharmacy, unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from Battletown Pharmacy within such time. If service of the Order is made by mail, three (3) 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.

PATIENTS CHOICE DISCOUNT
PHARMACY
Permit #0201004565

Preston Grobes, Pharmacist-In-Charge, appeared to discuss allegations that Patients Choice Discount Pharmacy may have violated certain laws and regulations governing the conduct of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Patients Choice Discount Pharmacy. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations

Reconvene:

Having certified that the matters discussed in the

preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee accepts allegations #1, #2a through f, and #3 as Findings of Facts and Conclusions of Law and unanimously voted to enter an Order that imposes a \$850 monetary penalty. Additionally documentation of corrective action for all violations shall be provided to the Board within thirty (30) days.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Patients Choice Discount Pharmacy, unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from Patients Choice Discount Pharmacy within such time. If service of the Order is made by mail, three (3) 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.

AKINA PHARMACY
Permit #0201004538

Bassem Wadid Girgis, Pharmacist-In-Charge, and Hunter W. Jamerson, Attorney for Macaulay & Jamerson, P.C., appeared to discuss allegations that Akina Pharmacy may have violated certain laws and regulations governing the conduct of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 Akina Pharmacy. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee accepts allegations #1, #2a, #2b, #2c and #3 as Findings of Facts and Conclusions of Law and unanimously voted to enter an Order that imposes a \$5,250 monetary penalty. Additionally documentation of corrective action for all violations shall be provided to the Board within thirty (30) days.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Akina Pharmacy, unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from Akina Pharmacy within such time. If service of the Order is made by mail, three (3) 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.

ACARIAHEALTH PHARMACY, INC.
Permit #0201004179

James R. Whitford, Pharmacist-In-Charge, Elizabeth A. Scully, Attorney, Lee H. Rosebush, Attorney, and Steve Cobb, VP for fulfillment AcariaHealth, appeared to discuss allegations that AcariaHealth Pharmacy, Inc. may have violated certain laws and regulations governing the conduct of pharmacy as stated in the May 4, 2016 Notice.

Closed Meeting:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee unanimously voted 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 AcariaHealth Pharmacy, Inc. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the

Committee in its deliberations

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Boone, and duly seconded by Ms. Thornbury, the Committee accepts allegations #1, #2a, #2b and #3 as Findings of Facts and Conclusions of Law and unanimously voted to enter an Order that imposes a \$5000 monetary penalty. Additionally documentation of corrective action for all violations shall be provided to the Board within thirty (30) days.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on AcariaHealth Pharmacy, Inc., unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from AcariaHealth Pharmacy, Inc. within such time. If service of the Order is made by mail, three (3) 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.

ADJOURN:

With all business concluded, the meeting adjourned at 3:00pm

Rebecca Thornbury, Chair

J. Samuel Johnson, Deputy Executive Director

Date

Date