

(DRAFT/UNAPPROVED)

**VIRGINIA BOARD OF PHARMACY
MINUTES OF A PANEL OF THE BOARD**

Wednesday, September 8, 2010
Commonwealth Conference Center
Second Floor
Board Room 2

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233

Orders/Consent Orders referred to in these minutes are available upon request

CALL TO ORDER: A meeting of a panel of the Board of Pharmacy ("Board") was called to order at 1:45 p.m.

PRESIDING: Brandon K. Yi, Chair

MEMBERS PRESENT: Gill B. Abernathy
Jody H. Allen
John O. Beckner
Gerard Dabney
David C. Kozera
Robert M. Rhodes
Ellen B. Shinaberry
Pratt P. Stelly

STAFF PRESENT: Caroline Juran, Acting Deputy Executive Director
Cathy M. Reiniers-Day, Deputy Executive Director
Eusebia L. Joyner, Disciplinary Program Specialist
Howard Casway, Senior Assistant Attorney General
Arne Owens, Chief Deputy Director, DHP
Wayne T. Halbleib, Senior Assistant Attorney General
Mykl Egan, DHP Adjudication Specialist

QUORUM: With nine members of the Board present, a panel was established.

DORIAN A. DOWNHAM
Registration # 0230-003973

Ms. Downham did not appear at the formal hearing. The panel chose to proceed in her absence as the Notice was mailed to Ms. Downham's legal address of record, both by regular and certified mail. The panel discussed that she may have violated certain laws and regulations governing the practice of pharmacy technicians in Virginia as stated in the June 10, 2010, Notice.

Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

David Kouse, Loss Prevention Manager, Rite Aid Corporation, and Nan Dunaway, DHP Pharmacy Inspector, testified on behalf of the Commonwealth.

Closed Meeting:

Upon a motion by Mr. Beckner and duly seconded by Mr. Dabney, the panel voted 9-0, to convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia ("Code"), for the purpose of deliberation to reach a decision in the matter of Dorian A. Downham. Additionally, he moved that Caroline Juran, Cathy Reiniers-Day, Eusebia Joyner, and Howard Casway attend the closed meeting.

Reconvene:

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

Decision:

Upon a motion by Mr. Beckner and duly seconded by Mr. Kozera, the panel voted 9-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib and amended by the panel and read by Mr. Casway.

Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 9-0 that Ms. Downham's pharmacy technician registration be suspended for a period of not less than two (2) years.

LADAWN M. BODRICK
License # 0230-010742

Ms. Bodrick did not appear at the formal hearing. The panel chose to proceed in her absence as the Notice was mailed to Ms. Bodrick's legal address of record, both by regular and certified mail. The panel discussed that she may have violated certain laws and regulations governing the practice of pharmacy technicians in Virginia as stated in the June 24, 2010, Notice.

Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

Rusty Maney, Pharmacy Supervisor, Walgreen Corporation; Amy L. Burns-Schulz, Loss Prevention Supervisor, Walgreens Corporation; and Vicki G. Garrison, DHP Pharmacy Inspector, testified on behalf of the Commonwealth.

Closed Meeting: Upon a motion by Mr. Beckner and duly seconded by Mr. Kozera, the panel voted 9-0, to convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia ("Code"), for the purpose of deliberation to reach a decision in the matter of LaDawn M. Bodrick. Additionally, he moved that Caroline Juran, Cathy Reiniers-Day, Eusebia Joyner, and Howard Casway attend the closed meeting.

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

Decision: Upon a motion by Mr. Beckner and duly seconded by Mr. Kozera, the panel voted 9-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib and amended by the panel and read by Mr. Casway.

Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 9-0 that Ms. Bodrick's registration be suspended for a period of not less than two (2) years.

Adjourn: With all business concluded, the meeting adjourned at 3:10 p.m.

Cathy M. Reiniers-Day
Deputy Executive Director

Brandon K. Yi, Chair

Date