(FINAL APPROVED)

VIRGINIA BOARD OF PHARMACY
MINUTES OF TELEPHONE CONFERENCE CALL

Monday, February 25, 2013

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

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

TIME & PURPOSE: Pursuant to § 54.1-2400(13) of the Code of Virginia, a telephone conference call of the Virginia Board of Pharmacy ("TCC") was held on February 25, 2013, at 9:00 a.m., to consider the summary suspensions of the licenses of Elizabeth S. Pence and Russell T. Lederhouse to practice as pharmacists in the Commonwealth of Virginia.

PRESIDING: David C. Kozera, Chair

MEMBERS PRESENT:
R. Crady Adams
Jody H. Allen
Empsy Munden
Ellen B. Shinaberry
Pratt P. Stelly
Rebecca Thornbury
Cynthia Warriner

STAFF PRESENT:
Caroline D. Juran, Executive Director
Cathy M. Reiniers-Day, Deputy Executive Director
Eusebia L. Joyner, Disciplinary Program Specialist
Mykl Egan, DHP Adjudication Specialist
Howard Casway, Senior Assistant Attorney General
Wayne T. Halbleib, Senior Assistant Attorney General
James T. Schliessmann, Senior Assistant Attorney General
Vicki G. Garrison, DHP Pharmacy Inspector
Nan Dunaway, DHP Pharmacy Inspector

POLL OF MEMBERS: The Board members were polled as to whether they could have attended a regular meeting at the office in a timely manner for the purpose of hearing evidence in a possible summary suspension case. The Board members stated that they would not have been able to attend.

With eight (8) members participating and two (2) members unable to participate, it was established that a quorum could not have been convened in a regular meeting to consider this matter.

ELIZABETH S. PENCE
License No. 0202 010751

James E. Schliessmann presented a summary of the evidence in this case.

Upon a motion by Ms. Stelly and duly seconded by Ms. Allen, the Board unanimously voted that, with the evidence presented, the practice as a pharmacist by Elizabeth S. Pence poses a substantial danger to the public; and therefore, the license of Ms. Pence shall be summarily suspended. Further, with the Notice of Hearing, a Consent Order shall be offered to Ms. Pence for the indefinite suspension of her license for a period of not less than two years.

RUSSELL T. LEDERHOUSE
License No. 0202 207604

Wayne T. Halbleib presented a summary of the evidence in this case. Further, Vicki G. Garrison and Nan Dunaway, answered questions from the Board members.

At approximately, 10:03 a.m., Ms. Allen departed.

Upon a motion by Ms. Shinaberry and duly seconded by Ms. Warriner, the Board voted 8-0, 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 Russell T. Lederhouse. Additionally, she 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 Board re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Ms. Warriner and duly seconded by Ms. Shinaberry, the Board unanimously voted 8-0 that, with the evidence presented, the practice as a pharmacist by Russell T. Lederhouse poses a substantial danger to the public; and therefore, the license of Mr. Lederhouse shall be summarily suspended pending a Formal Hearing.

ADJOURN: With all business concluded, the meeting adjourned at 11:30 a.m.

Cathy M. Reiniers-Day
Deputy Executive Director

for Eusebia L. Joyner
Disciplinary Program Specialist

David C. Kozera, Chair

3/12/13
Date