

(DRAFT/UNAPPROVED)

VIRGINIA BOARD OF PHARMACY
MINUTES OF A PANEL OF THE BOARD

Tuesday, March 12, 2013
Commonwealth Conference Center
Second Floor
Board Room 4

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 2:30 p.m.

PRESIDING: David C. Kozera, Chair

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

STAFF PRESENT: Caroline D. Juran, Executive Director
Cathy M. Reiniers-Day, Deputy Executive Director
Heather Hurley, Administrative Assistant
Howard Casway, Senior Assistant Attorney General
Wayne T. Halbleib, Senior Assistant Attorney General
Shevaun Roukous, DHP Adjudication Specialist

QUORUM: With ten (10) members of the Board present, a panel was established.

AJANI MOORE
Registration # 0230-014090

A formal hearing was held in the matter of Ajani Moore, following the summary suspension of his pharmacy technician registration on February 11, 2013, to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy technicians in Virginia.

Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Shevaun Roukous, DHP Adjudication Specialist.

Adam Harrell, Walgreen's District Loss Prevention Manager, and Kimberly B. Lynch, DHP Senior Investigator, testified on behalf of the Commonwealth.

Closed Meeting:

Upon a motion by Ms. Allen, and duly seconded by Ms. Warriner, the panel voted 10-0, 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 Ajani Moore. Additionally, she moved that Cathy Reiniers-Day, Caroline Juran, Heather Hurley 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. Rhodes, and duly seconded by Mr. Adams, the panel voted 10-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib, amended by the panel and read by Mr. Casway.

Upon a motion by Mr. Rhodes and duly seconded by Mr. Adams, the panel voted 10-0 that Mr. Moore's registration to practice as a pharmacy technician shall be revoked.

RUSSELL STUART GATES
License #0202-009066

Mr. Halbleib presented a Consent Order to the Board regarding Mr. Gates.

Closed Meeting:

Upon a motion by Ms. Allen, and duly seconded by Ms. Shinaberry, the panel voted 10-0 to enter into a closed meeting pursuant to § 2.2-3711(A)(27) of the code of Virginia for the purpose of deliberation to reach a decision regarding a Consent Order for Russell Stuart Gates. Additionally, it was moved that Cathy Reiniers-Day, Caroline Juran, Heather Hurley, Howard Casway, Wayne Halbleib, Shevaun Roukous and Sammy Johnson 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. Adams, and duly seconded by Ms. Munden, the panel voted 9-1 (Mr. Rhodes voting nay) to accept the Consent Order as presented by Mr. Halbleib in the matter of Russell Stuart Gates.

Adjourn: With all business concluded, the meeting adjourned at 4:20 p.m.

David C. Kozera, Chair

Cathy M. Reiniers-Day
Deputy Executive Director

Date

DRAFT/NOT FOR RELEASE