

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

Thursday, December 12, 2013
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 2:35 p.m.

PRESIDING: Jody H. Allen, Chair

MEMBERS PRESENT: David C. Kozera
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
Charis Mitchell, Assistant Attorney General
Allyson Tysinger, Senior Assistant Attorney General
Wayne T. Halbleib, Senior Assistant Attorney General
Mykl Egan, DHP Adjudication Specialist

QUORUM: With five (5) members of the Board present, a panel was established.

BENNETT'S CREEK PHARMACY
Permit No. 0201-002252

A formal hearing was held in the matter of Bennett's Creek Pharmacy. S. Christopher Jones, Pharmacist-in-Charge, appeared on behalf of Bennett's Creek Pharmacy to review allegations governing the conduct of pharmacy in Virginia.

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

Nan Dunaway, DHP Senior Inspector, testified on behalf of the Commonwealth.

Mr. Jones testified on behalf of Bennett's Creek Pharmacy.

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- Closed Meeting: Upon a motion by Mr. Kozera, and duly seconded by Ms. Warriner, the panel voted 5-0, 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 Bennett's Creek Pharmacy. Additionally, he moved that Cathy Reiniers-Day, Caroline Juran, Eusebia Joyner, Charis Mitchell and Allyson Tysinger 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. Kozera, and duly seconded by Ms. Stelly, the panel voted 5-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib, amended by the panel and read by Ms. Mitchell.
- Upon a motion by Mr. Kozera and duly seconded by Ms. Warriner, the panel determined that an Order shall be entered to include Findings of Fact and Conclusions of law with no sanction being imposed.
- Adjourn: With all business concluded, the meeting adjourned at 3:55 p.m.

Jody H. Allen, Chair

Cathy M. Reiniers-Day
Deputy Executive Director

Date