

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

Tuesday, October 28, 2014
Commonwealth Conference Center
Second Floor
Board Room 2

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

CALL TO ORDER: A meeting of a panel of the Board of Pharmacy ("Board") was called to order at 1:30 p.m.

PRESIDING: Ellen Shinaberry, Chair

MEMBERS PRESENT: Melvin Boone
Dinny Li
Empsy Munden
Cindy Warriner

STAFF PRESENT: Caroline D. Juran, Executive Director
Cathy M. Reiniers-Day, Deputy Executive Director
Sharon Davenport, Administrative Assistant
James Rutkowski, Assistant Attorney General
Corie Tillman Wolf, Assistant Attorney General
Wayne T. Halbleib, Senior Assistant Attorney General
Anne Joseph, Deputy Director, APD

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

TIHESA N. ELLIOTT
Registration No. 0230-014828

A formal hearing was held in the matter of Tihesa N. Elliott following the summary suspension of her pharmacy technician registration on September 24, 2014, to discuss allegations governing the practice of pharmacy technicians in Virginia.

Ms. Elliott was not present at the hearing. The Board proceeded with the hearing in Ms. Elliott's absence as the Notice of Hearing dated September 24, 2014, was mailed to her legal address of record, both by regular and certified mail. Ms. Shinaberry ruled that adequate notice was provided to Ms. Elliott.

Corie Tillman Wolf, Assistant Attorney General, prosecuted the case with the assistance of Anne Joseph, Deputy Director, APD.

Ray Hernandez, Pharmacist in Charge, Walgreens Pharmacy #04616; Richie Waddell, Walgreens District Loss Prevention Manager; and John Turner, DHP Senior Investigator, testified on behalf of the Commonwealth.

Closed Meeting:

Upon a motion by Ms. Munden, 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 Tihsa N. Elliott. Additionally, she moved that Cathy Reiniers-Day, Caroline Juran, Sharon Davenport and James Rutkowski 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 Ms. Warriner, and duly seconded by Mr. Boone, the panel voted 5-0 to accept the Findings of Fact and Conclusions of Law as proposed by Ms. Tillman Wolf, amended by the Board and read by Mr. Rutkowski.

Upon a motion by Ms. Warriner and duly seconded by Mr. Boone, the panel voted 5-0 to revoke the pharmacy technician registration of Tihsa N. Elliott.

DAVID O. COX
Registration No: 0230-

A formal hearing was held in the matter of David O. Cox, following the summary suspension of his pharmacy technician registration on September 24, 2014, to discuss allegations governing the practice of pharmacy technicians in Virginia.

Mr. Cox was not present at the hearing. The Board proceeded with the hearing in Mr. Cox' absence as the Notice of Hearing dated September 24, 2014, was mailed to his legal address of record, both by regular and certified mail. Ms. Shinaberry ruled that adequate notice was provided to Mr. Cox.

Corie Tillman Wolf, Assistant Attorney General, prosecuted the case with the assistance of Anne Joseph, Deputy Director, APD.

Laura Pezzulo, DHP Senior Investigator, testified via video telephone conference call; Andy Inge, DHP Investigation Assistant testified in person; and Tabitha Lemon, Pharmacy Technician, and Jason Lotts, CVS Loss Prevention Manager, testified via telephone on behalf of the Commonwealth.

Closed Meeting:

Upon a motion by Ms. Munden, and duly seconded by Mr. Boone, 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 David O. Cox. Additionally, she moved that Cathy Reiniers-Day, Caroline Juran, Sharon Davenport, and James Rutkowski 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 Ms. Warriner, and duly seconded by Mr. Boone, the panel voted 5-0 to accept the Findings of Fact and Conclusions of Law as proposed by Ms. Tillman Wolf and read by Mr. Rutkowski.

Upon a motion by Ms. Munden and duly seconded by Ms. Li, the panel voted 5-0 to indefinitely suspend for not less than two years Mr. Cox' registration to practice as a pharmacy technician.

EVERETTE G. RICHARDSON
Registration No: 0230-

A formal hearing was held in the matter of Everette G. Richardson to discuss allegations that he may have violated the January 3, 2013 Order and certain laws and regulations governing the practice of pharmacy technicians in Virginia.

Mr. Richardson was not present at the hearing. The Board proceeded with the hearing in Mr. Richardson's absence as the Notice of Hearing dated October 6, 2014, was mailed to his legal address of record, both by regular and certified mail. Ms. Shinaberry ruled that adequate notice was provided to Mr. Richardson.

Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Anne Joseph, Deputy Director, APD.

Rose E. DeMatteo, BOP Compliance Case Manager, and Jennifer Challis, DHP Senior Investigator, testified on behalf of the Commonwealth.

Closed Meeting:

Upon a motion by Ms. Munden, and duly seconded by Ms. Li, 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 Everette G. Richardson. Additionally, she moved that Cathy Reiniers-Day, Caroline Juran, Sharon Davenport, and James Rutkowski 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 Ms. Warriner, and duly seconded by Mr. Boone, the panel voted 5-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib and read by Mr. Rutkowski.

Upon a motion by Ms. Li and duly seconded by Ms. Munden, the panel voted 5-0 to revoke Mr. Richardson's right to renew his registration to practice as a pharmacy technician.

Ms. Juran departed at approximately 1:40 p.m.

CANDACE D. RATTAN
Registration No: 0230-

A formal hearing was held in the matter of Candace D. Rattan to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy technicians in Virginia.

Ms. Rattan was not present at the hearing. The Board proceeded with the hearing in Ms. Rattan's absence as the Notice of Hearing dated October 6, 2014, was mailed to her legal address of record, both by regular and certified mail. Ms. Shinaberry ruled that adequate notice was provided to Ms. Rattan.

Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Anne Joseph, Deputy Director, APD.

Nancy Moughon, Pharmacy Supervisor, Prince William Hospital Pharmacy; and Cheryl Hodgson, DHP Senior Investigator, testified on behalf of the Commonwealth.

Closed Meeting:

Upon a motion by Ms. Munden, and duly seconded by Ms. Li, 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 Candice D. Rattan. Additionally, she moved that Cathy Reiniers-Day, Sharon Davenport, and James Rutkowski 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 Ms. Warriner, and duly seconded by Mr. Boone, the panel voted 5-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib and read by Mr. Rutkowski.

Upon a motion by Ms. Li and duly seconded by Ms. Munden, the panel voted 5-0 to revoke Ms. Rattan's right to renew her registration to practice as a pharmacy technician.

Adjourn:

With all business concluded, the meeting adjourned at 2:20 p.m.

Ellen Shinaberry, Chair

Cathy M. Reiniers-Day
Deputy Executive Director

Date