(DRAFT/UNAPPROVED)

VIRGINIA BOARD OF PHARMACY
SUMMARY SUSPENSION MINUTES

Wednesday, November 30, 2011
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 quorum of the Board of Pharmacy ("Board") was called to order at 9:30 a.m.

PRESIDING: Gill B. Abernathy, Chair

MEMBERS PRESENT:
Crady Adams
Gerard Dabney
Empsy Munden
Robert M. Rhodes
Ellen B. Shinaberry

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

QUORUM: With six (6) members participating and four (4) members unable to participate, it was established that a quorum of the Board of Pharmacy ("Board") was called to order.

Closed Meeting: Ms. Shinaberry moved, and the Board voted unanimously 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 Tammy H. Irby. Additionally, she moved that Caroline D. Juran, Cathy Reiniers-Day, Howard Casway, Eusebia L. Joyner, Wayne T. Halbleib and Mykl Egan attend the closed meeting.

TAMMY H. IRBY
Pharmacy Technician
Registration Number
0230-003661

Wayne T. Halbleib, Senior Assistant Attorney General, presented a summary of the evidence in this case for the Board to consider a summary suspension. Mykl D. Egan, DHP Adjudication Specialist, was also present.

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: Mr. Rhodes moved, and the Board voted unanimously in favor of the motion that, according to the evidence presented, the continued practice by Tammy H. Irby as a pharmacy technician poses a substantial danger to the public; and therefore, the registration of Ms. Irby to practice as a pharmacy technician be summarily suspended. (Second by Mr. Dabney).

The Board unanimously voted that, with the Notice of Hearing, a Consent Order be offered to Ms. Irby for the revocation of her registration. (Motion by Ms. Shinaberry, second by Mr. Rhodes).

Adjourn: The summary suspension presentation concluded at 9:45 a.m.

Gill B. Abernathy, Chair

Cathy M. Reiniers-Day
Deputy Executive Director

Date

(DRAFT/UNAPPROVED)

VIRGINIA BOARD OF PHARMACY
FORMAL HEARING MINUTES

Wednesday, November 30, 2011
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 9:45 a.m.

PRESIDING: Gill B. Abernathy, Chair

MEMBERS PRESENT:
Crady Adams
Gerard Dabney (present for Ms. Lilliston's hearing)
David C. Kozera
Empsy Munden
Robert M. Rhodes
Ellen B. Shinaberry
Pratt P. Stelly (present for Ms. Hoerrner's hearing)

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

QUORUM: With seven (7) members participating and three (3) members unable to participate, it was established that a quorum of the Board of Pharmacy ("Board") was called to order.

TANYA P. LILLISTON
Pharmacist Reinstatement Applicant
License # 0202-010431

A formal hearing was held in the matter of Tanya P. Lilliston following the mandatory suspension of her pharmacist license by the Department of Health Professions on September 9, 2011.

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

Ms. Lilliston appeared with Jonathan M. Joseph, her attorney.

Closed Meeting:

Upon a motion by Mr. Kozera and duly seconded by Ms. Ellen, the panel voted 7-0, to convene a closed meeting pursuant to § 2.2-3711(A)(15) of the Code of Virginia ("Code"), for the purpose of consideration and discussion of medical/mental health records of Tanya P. Lilliston that are excluded from the Freedom of Information Act by Virginia Code Section 2.2-3705(A)(5). Additionally, he moved that Caroline Juran, Cathy Reiniers-Day, Howard Casway, and Eusebia Joyner attend the closed meeting.

Nicholas T. McLean-Rice, M.D., from the Eastern Shore Community Service Board, testified on behalf of the Commonwealth.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3711(A)(15) of the Code, the quorum re-convened in open meeting.

Kim Martin, DHP Senior Investigator, testified on behalf of the Commonwealth.

Closed Meeting:

Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0, 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 Tanya P. Lilliston. Additionally, he moved that Caroline Juran, Cathy Reiniers-Day, Howard Casway, and Eusebia Joyner attend the closed meeting.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3711(A)(27) 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. Munden, the panel voted 7-0 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 Ms. Shinaberry, the panel voted 7-0 that Ms. Lilliston's pharmacist license be reinstated with certain terms and conditions.

Gerald Dabney departed at 3:00 p.m. and Pratt P. Stelly arrived.

JENNIFER W. HOERRNER
Pharmacist Reinstatement Applicant
License # 0202-207347

A formal hearing was held in the matter of Jennifer W. Hoerrner following the mandatory suspension of her pharmacist license by the Department of Health Professions on August 19, 2011.

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

Kim Hood, DHP Investigative Assistant, testified on behalf of the Commonwealth.

Jennifer W. Hoerrner appeared with Christopher M. Malone, her attorney.

Closed Meeting:

Upon a motion by Mr. Kozera and duly seconded by Ms. Stelly, the panel voted 7-0, 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 Jennifer W. Hoerrner. Additionally, he moved that Caroline Juran, Cathy Reiniers-Day 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 Mr. Kozera and duly seconded by Ms. Shinaberry, the panel voted 7-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib and amended by the Board and read by Mr. Casway.

Upon a motion by Mr. Rhodes and duly seconded by Ms. Munden, the panel voted 7-0 that Ms. Hoerrner's request for reinstatement be approved and that a reprimand be issued to Ms. Hoerrner.

Adjourn:

With all business concluded, the meeting adjourned at 4:50 p.m.

Gill B. Abernathy, Chair

Cathy M. Reiniers-Day
Deputy Executive Director

Date

(DRAFT/UNAPPROVED)

VIRGINIA BOARD OF PHARMACY
MINUTES OF SPECIAL CONFERENCE COMMITTEE

Tuesday, December 6, 2011
Commonwealth Conference Center
Second Floor
Board Room 1

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

CALL TO ORDER: A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 9:00 a.m.

PRESIDING: Brandon K. Yi, Committee Chair

MEMBERS PRESENT: Jody H. Allen, Committee Member

STAFF PRESENT: Cathy M. Reiniers-Day, Deputy Executive Director
Mykl D. Egan, DHP Adjudication Specialist

ROB B. ABDELNOUR
License No. 0202-209178

Rob B. Abdelnour appeared to discuss allegations that he may have violated portions of the laws and regulations governing the practice of pharmacy as stated in the November 15, 2011, Notice.

Closed Meeting: Upon a motion by Ms. Allen, and duly seconded by Mr. Yi, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Rob B. Abdelnour. Additionally, she moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

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

Decision: Upon a motion by Ms. Allen, and duly seconded by Mr. Yi, the Committee adopts the Findings of

Facts and Conclusions of Law and unanimously voted to issue Mr. Abdelnour an Order with a reprimand.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Abdelnour, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Abdelnour within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

ADJOURN:

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

_____
Brandon K. Yi
Committee Chair

_____
Cathy M. Reiniers-Day
Deputy Executive Director

_____
Date