

**(DRAFT/UNAPPROVED)**

**VIRGINIA BOARD OF PHARMACY MINUTES**

Tuesday, July 24, 2012  
Commonwealth Conference Center  
Second Floor  
Board Room 1

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

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

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CALL TO ORDER: A Board of the Board of Pharmacy ("Board") was called to order at 10:10 a.m.

PRESIDING: David C. Kozera, Chair

MEMBERS PRESENT: Crady Adams  
Jody H. Allen  
Empsy Munden  
Robert M. Rhodes  
Cynthia Warriner

STAFF PRESENT: Caroline 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  
Corie E. Tillman Wolf, Assistant Attorney General  
Mykl Egan, DHP Adjudication Specialist

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

**SUMMARY SUSPENSION:**

JENNIFER R. CAMPBELL  
Pharmacy Technician  
Registration Number 0230-010990

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.

Motion to certify the purpose for the closed meeting:

The Board voted unanimously, that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Informal Act and only such public matters as were identified in the motion for closed meeting were

heard, discussed or considered during the closed meeting. (Motion by J. Allen, second by C. Adams).

Motion:

The Board voted unanimously in favor of the motion that, according to the evidence presented the continued practice by Jennifer R. Campbell as a pharmacy technician poses a substantial danger to the public; and therefore, Ms. Campbell's registration to practice as a pharmacy technician be summarily suspended. (Motion by J. Allen and second by C. Adams).

The Board unanimously voted that, in lieu of a hearing, a Consent Order be offered to Ms. Campbell for the indefinite suspension of her registration for a period not less than two years. (Motion by J. Allen, second by C. Adams).

**RESCISSION OF STAY OF  
INDEFINITE SUSPENSION:**

JAMES T. MORROW  
Pharmacist  
License Number 0202-012984

Wayne T. Halbleib, Senior Assistant Attorney General, presented a summary of the evidence in this case for the Board to consider a rescission of the stay of indefinite summary suspension on Mr. Morrow's pharmacist license. Mykl D. Egan, DHP Adjudication Specialist, was also present.

Motion to certify the purpose for the closed meeting:

The Board voted unanimously, that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Informal Act and only such public matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting. (Motion by J. Allen, second by C. Warriner).

Motion:

The Board unanimously voted to rescind the stayed indefinite suspension that was placed on Mr. Morrow's pharmacist license on May 22, 2006. Mr. Morrow shall be noticed to appear at a Formal Hearing however, the Board determined that a Consent Order shall be offered that indefinitely

suspends his license but stays the suspension conditioned upon entry into the Health Practitioners Monitoring Program. (Motion by J. Allen, second by C. Adams).

**APPROVAL OF CONSENT ORDER:**

The Board voted unanimously 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. Additionally, it was moved that Caroline Juran, Cathy Reiniers-Day, Eusebia Joyner and Howard Casway attend the closed meeting because their presence was deemed necessary and would aid the Board in its deliberation. (Motion by J. Allen, second by C. Adams).

**MOTION TO CERTIFY THE PURPOSE OF THE CLOSED MEETING:**

The Board voted unanimously that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for a closed meeting were heard, discussed, or considered during the closed session just concluded. (Motion by J. Allen, second by E. Munden).

**Motion:**

The Board voted unanimously to accept the Consent Order as presented by Ms. Reiniers-Day in the matter of Ronald W. Shifflett, pharmacy technician. (Motion by C. Adams, second by C. Warriner)

**PANEL FORMAL ADMINISTRATIVE HEARINGS:**

SHADAI A. MERRITT  
Registration # 0230-011054

Ms. Merritt was not present at the hearing. The Board proceeded with the hearing in Ms. Merritt's absence as the Notice of Formal Hearing dated June 25, 2012, was mailed to her legal address of record, both by regular and certified mail. Mr. Kozera ruled that adequate notice was provided to Ms. Merritt.

Corie E. Tillman Wolf, Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

Sherry Foster, DHP Investigator, testified in person on behalf of the Commonwealth; Dave Inman, CVS District Pharmacy Supervisor; and Mitch Fletcher, CVS Regional Loss Prevention Manager, testified by telephone on behalf of the Commonwealth.

Closed Meeting:

The Board voted unanimously 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 in the matter of Shadai A. Merritt. Additionally, she moved that Caroline Juran, Cathy Reiniers-Day, Eusebia Joyner and Howard Casway attend the closed meeting because their presence was deemed necessary and would aid the Board in its deliberation. (Motion by J. Allen, second by C. Warriner).

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:

The Board voted 6-0 to accept the Findings of Fact and Conclusions of Law as proposed by Ms. Tillman Wolf, amended by the Board and read by Mr. Casway. (Motion by J. Allen, second by C. Warriner).

The Board voted 6-0 that Ms. Merritt's registration to practice as a pharmacy technician be revoked. (Motion by J. Allen, second by C. Warriner).

SHANNON C. WHITE  
Registration Number 230-017782

Ms. White was not present at the hearing. The Board proceeded with the hearing in Ms. White's absence as the Notice of Formal Hearing dated March 16, 2012, was mailed to Ms. White's legal address of record, both by regular and certified mail. Mr. Kozera ruled that adequate notice was provided to Ms. White.

Corie E. Tillman Wolf, Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

Jennifer Challis, DHP Senior Investigator, testified in person on behalf of the Commonwealth; and Mitch

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Fletcher, CVS Regional Loss Prevention Manager, testified by telephone on behalf of the Commonwealth.

Closed Meeting:

The Board voted unanimously 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 in the matter of Shannon C. White. Additionally, she moved that Caroline Juran, Cathy Reiniers-Day, Eusebia Joyner and Howard Casway attend the closed meeting because their presence was deemed necessary and would aid the Board in its deliberation. (Motion by J. Allen, second by C. Warriner).

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:

The Board voted 6-0 to accept the Findings of Fact and Conclusions of Law as proposed by Ms. Tillman Wolf and amended by the Board and read by Mr. Casway. (Motion by J. Allen, second by C. Warriner).

The Board voted 6-0 that Ms. White's registration to practice as a pharmacy technician be indefinitely suspended for a period of not less than two years. (Motion by J. Allen, second by C. Warriner).

Adjourn:

With all business concluded, the meeting adjourned at 2:55 p.m.

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David C. Kozera, Chair

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Cathy M. Reiniers-Day  
Deputy Executive Director

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Date