

**(FINAL/APPROVED)**  
**VIRGINIA BOARD OF PHARMACY**  
**MINUTES OF A PANEL OF THE BOARD**

Tuesday, February 23, 2021  
Commonwealth Conference Center  
Second Floor  
Board Room 2

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 meeting of a panel of the Board of Pharmacy ("Board") was called to order at 11:12 AM.

PRESIDING: Kris Ratliff, Chairman

MEMBERS PRESENT: Dale St. Clair  
Bill Lee  
Ryan Logan  
Cheryl Nelson  
Bernie Henderson  
Jim Jenkins

STAFF PRESENT: Caroline D. Juran, Executive Director  
Ellen B. Shinaberry, Deputy Executive Director  
James Rutkowski, Assistant Attorney General  
Kiara Christian, Administrative Assistant

QUORUM: With six (7) members of the Board present, a panel of the board was established.

PATIENT'S CHOICE DISCOUNT PHARMACY  
License No. 0201-004571

A formal hearing was held in the matter of Patient's Choice Discount Pharmacy to discuss allegations that Patient's Choice Discount Pharmacy may have violated certain laws and regulations governing the practice of pharmacy in Virginia.

Sean Murphy, Asst. Attorney General for the Commonwealth, presented the case with assistance from Jess Kelly, DHP Adjudication Specialist.

Preston Grobes, Owner and Pharmacist in Charge of Patient's Choice Discount Pharmacy was present and was represented by counsel Yohanna Manning, Esq and Damarius Ortez-Gonzalez, Esq.

Emily Buss, DHP Senior Pharmacy Inspector, testified by telephone on behalf of the Commonwealth.

Mr. Grobes and Timothy O'Connell, MD testified in person on behalf of Patient's Choice Discount Pharmacy.  
Willis Triplett, Pharm.D, Pharmacy consultant, and Courtney Cousineau, patient of Patient's Choice Discount Pharmacy, testified by telephone on behalf of Patient's Choice Discount Pharmacy.

CLOSED MEETING:

Upon a motion by Ms. Nelson, and duly seconded by Mr. Logan, 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 regarding the matter of Patient's Choice Discount Pharmacy. Additionally, she moved that Caroline Juran, Ellen Shinaberry, Kiara Christian and Jim 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 an open meeting and announced the decision.

DECISION:

Upon a motion by Mr. Jenkins, and duly seconded by Mr. Henderson, the panel voted 7-0 to accept the Findings and Facts and Conclusion of Law proposed by the Commonwealth and revised by the Board. Upon a motion by Mr. Lee, and duly seconded by Mr. St. Clair, the panel voted 7-0 to issue a monetary penalty and require additional unannounced inspections.

ADJOURN:

With all business concluded, the meeting adjourned at 6:39 PM.

  
Kris Ratliff, Chair

  
Caroline D. Juran  
Executive Director

3-30-21

Date