

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

Tuesday, October 18, 2022
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 9:10 AM.

PRESIDING: Dale St. Clair, PharmD, Chair

MEMBERS PRESENT: Patricia Richards-Spruill, RPh
Cheri Garvin, RPh
Bill Lee, PharmD
Ling Yuan, PharmD
Wendy Nash, PharmD

STAFF PRESENT: Caroline Juran, RPh, Executive Director, Board of Pharmacy
James Rutkowski, JD, Assistant Attorney General

QUORUM: With 6 members of the Board present, a panel of the board was established.

CVS PHARMACY #7558
02001-002605

A formal hearing was held in the matter of CVS Pharmacy #7558 to discuss violations of certain laws and regulations governing the practice of pharmacy in Virginia and to consider the summary restriction of its virtual verification process.

Sean Murphy, Assistant Attorney General, presented the case on behalf of the Commonwealth. He was assisted by David Robinson, DHP Adjudication Specialist.

CVS Pharmacy #7558 was represented by Joe Levino, Sr. Legal Counsel for CVS. CVS Pharmacy #7558 was legally represented by Roger Morris, Esq., who was assisted by Alex Cooper, Esq.

Tim Reilly, DHP Senior Investigator, testified in person on behalf of the Commonwealth. Nancy Frye, pharmacist and PIC of CVS Pharmacy #7558, testified in person for the Commonwealth along with Shawnita Robinson, pharmacy technician at CVS Pharmacy #7558, and John Sofay, staff pharmacist at CVS Pharmacy #7558.

Joe Levino testified in person for CVS Pharmacy #7558, along with Jacob Sicinski, CVS pharmacist in northern Virginia, and Sarah Sanders, pharmacist and PIC at CVS Pharmacy in Glen Allen, VA. Todd Carter, Assistant Professor, Appalachian College of Pharmacy, appeared in person and served as an

expert witness for CVS Pharmacy #7558.

CLOSED MEETING:

Upon a motion by Cheri Garvin, and duly seconded by Patricia Richards-Spruill, 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 regarding the matter of CVS Pharmacy #7558. Additionally, she moved that Caroline Juran and James Rutkowski attend the closed meeting.

RECONVENE:

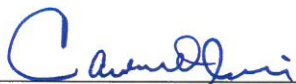
Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the panel re-convened an open meeting and announced the decision. (Motion by Garvin, second by Nash).

DECISION:

Upon a motion by Bill Lee and duly seconded by Ling Yuan, the Board unanimously voted to issue a monetary penalty and to rescind the summary restriction of the virtual verification process with certain terms and conditions.

ADJOURN:

With all business concluded, the meeting adjourned at 7:56 PM.



Caroline Juran, Executive Director

12/6/2022

Date