

**(FINAL/APPROVED)**

**VIRGINIA BOARD OF PHARMACY  
MINUTES OF TELEPHONE CONFERENCE CALL**

Wednesday, June 5, 2024

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

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

**TIME & PURPOSE:**

Pursuant to § 54.1-2408.1(A) of the Code of Virginia, a telephone conference call of the Virginia Board of Pharmacy ("TCC") was held on June 5, 2024, at 12:00 PM, to consider summary suspensions in case numbers 233415 and 234337.

**PRESIDING:**

Dale St. Clair, Chairman

**MEMBERS PRESENT:**

Cheri Garvin  
Kristopher Ratliff  
Sarah Thomason  
Ling Yuan  
Michelle Hoffer

**STAFF PRESENT:**

Ellen Shinaberry, Deputy Executive Director  
Mykl Egan, Discipline Case Manager  
Caroline Juran, Executive Director  
James Rutkowski, Senior Assistant Attorney General  
Sean Murphy, Assistant Attorney General  
Jess Webber, DHP Adjudication Specialist  
Rebecca Ribley, DHP Adjudication Specialist

**POLL OF MEMBERS:**

The Board members were polled prior to the telephone conference call as to whether they could have attended a regular meeting at the office in a timely manner for the purpose of hearing evidence in a possible summary suspension case. The Board members stated that they would not have been able to attend.

With six (6) members participating, it was established that a quorum could not have been convened in a regular meeting to consider this matter.

ALEXANDRIA  
COMPOUNDING PHARMACY  
Permit No. 0201-005087

Sean Murphy, Senior Assistant Attorney General, presented a summary of the evidence in case no. 233415 regarding the pharmacy permit of Alexandria Compounding Pharmacy. Mr. Murphy was assisted by Rebecca Ribley and Jess Weber, Adjudication Specialists.

CLOSED MEETING:

Upon a motion by Ms. Garvin, and duly seconded by Dr. Ratliff, the Board voted 6-0, 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 Alexandria Compounding Pharmacy. Additionally, she moved that Ellen Shinaberry, Caroline Juran, Jim Rutkowski, and Mykl Egan 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 reconvened an open meeting and announced the decision. (Garvin/Yuan)

DECISION:

Upon a motion by Dr. Ratliff and duly seconded by Ms. Hoffer, the Board unanimously voted (6-0) that, with the evidence presented, the practice of Alexandria Compounding Pharmacy poses a substantial danger to the public; and therefore, the permit shall be summarily suspended and with the Notice of formal hearing, a Consent Order shall be offered to Alexandria Compounding Pharmacy in lieu of the formal hearing.

KIMBERLY HENLEY  
License No. 0202-207272

Sean Murphy, Senior Assistant Attorney General, presented a summary of the evidence in case no. 234337 regarding the pharmacist license of Kimberly Henley. Mr. Murphy was assisted by Rebecca Ribley, Adjudication Specialist, and Jess Weber, Adjudication Specialist.

CLOSED MEETING:

Upon a motion by Ms. Garvin, and duly seconded by Ms. Hoffer, the Board voted 6-0, to convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of

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Virginia ("Code"), for the purpose of deliberation to reach a decision regarding the matter of Selena Beals. Additionally, she moved that Ellen Shinaberry, Caroline Juran, Jim Rutkowski,, and Mykl Egan 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 reconvened an open meeting and announced the decision. (Garvin/Hoffer)

DECISION:

Upon a motion by Dr. Thomason and duly seconded by Dr. Yuan, the Board unanimously voted (6-0) that, with the evidence presented, the practice as a pharmacist by Kimberly Henley poses a substantial danger to the public; and therefore, the license of Ms. Henley shall be summarily suspended and with the Notice of formal hearing, a Consent Order shall be offered to Ms. Davenport in lieu of the formal hearing.

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ADJOURN:

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With all business concluded, the meeting adjourned at 1:11 PM.

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Ellen B. Shinaberry, PharmD  
Deputy Executive Director

*Ellen B. Shinaberry* 7/1/24  
Date