

(FINAL/APPROVED)

VIRGINIA BOARD OF PHARMACY  
SPECIAL CONFERENCE COMMITTEE MINUTES

Wednesday, June 16, 2015  
Commonwealth Conference Center  
Second Floor  
Board Room 4

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

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CALL TO ORDER: A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 9:30 a.m.

PRESIDING: Rebecca Thornbury, Committee Chair

MEMBERS PRESENT: Ryan K. Logan, Committee Member

STAFF PRESENT: J. Samuel Johnson, Deputy Executive Director  
Mykl D. Egan, DHP Adjudication Specialist  
Beth L. O'Halloran, Individual Licensing Manager

CARDINAL HEALTH 414, LLC  
Permit Number 0201001970 Richard L Green, Director of Radiopharmacy Practice, appeared with Michael A. Mone, V.P. Associate General Counsel, to discuss allegations that Cardinal Health 414, LLC may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 15, 2015 Notice.

Closed Meeting: Upon a motion by Mr. Logan, and duly seconded by Ms. Thornbury, 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 Cardinal Health 414, LLC. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran 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 Mr. Logan, and duly seconded by Ms. Thornbury, the Committee accepts allegation #2a and #2b as a Findings of Fact and

Conclusions of Law, unanimously voted to enter an Order that imposed a \$2,000 monetary penalty.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Cardinal Health 414, LLC, unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from Cardinal Health 414, LLC 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.

WEGMANS FOOD MARKETS, INC.  
Permit Number 0201004223

T.J. Yantsides, Pharmacy Operations Manager, appeared to discuss allegations that Wegmans Food Markets, Inc. may have violated certain laws and regulations governing the conduct of pharmacy as stated in the May 15, 2015 Notice.

Closed Meeting

Upon a motion by Mr. Logan, and duly seconded by Ms. Thornbury, 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 Wegmans Food Markets Inc. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran 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 Mr. Logan, and duly seconded by Ms. Thornbury, the Committee accepts allegation #2a and #2b as Findings of Facts and Conclusions of Law and unanimously voted to enter an Order that imposes a \$250 monetary penalty.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Wegmans Food Markets, Inc., unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from Wegmans Food Markets Inc. 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.

SHAYNA W. COBB  
Pharmacist license #0202207592

Shayna W. Cobb, Pharmacist, appeared to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 15, 2015 Notice.

Closed Meeting

Upon a motion by Mr. Logan, and duly seconded by Ms. Thornbury, 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 Shayna W. Cobb. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran 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 Mr. Logan, and duly seconded by Ms. Thornbury, the Committee unanimously voted to dismiss this matter.

ALICIA H. IRBY  
Pharmacy Technician Registration  
#0230018973

Alicia H. Irby, Pharmacy Technician, did not appear to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 15, 2015 Notice. The Chair of the Committee chose to proceed with the informal conference as the Notice had been sent to Ms. Irby's legal address of record.

Closed Meeting

Upon a motion by Mr. Logan, and duly seconded by Ms. Thornbury, 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 Alicia H. Irby. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran 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. Logan, and duly seconded by Ms. Thornbury, the Committee made certain Findings of Facts and Conclusions of Law found Alicia Irby in violation of failing to complete required continuing pharmacy education and unanimously voted to enter an Order that imposes a \$100 monetary penalty and requires the submission of nine hours of additional continuing education.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Alicia H. Irby, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Alicia H. Irby 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

MATTHEW R. THOMPSON  
Pharmacy Technician  
Registration Number 0230010690

shall be vacated.

Matthew R. Thompson, Pharmacy Technician, did not appear to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 15, 2015 Notice. The Chair of the Committee chose to proceed with the informal conference as the Notice had been sent to Mr. Thompson's legal address of record.

Closed Meeting

Upon a motion by Mr. Logan, and duly seconded by Ms. Thornbury, 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 Matthew R. Thompson. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran 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 Mr. Logan, and duly seconded by Ms. Thornbury, the Committee accepts all allegations as Findings of Facts and Conclusions of Law and unanimously voted to enter an Order that imposes a \$100 monetary penalty and requires the submission of ten additional hours of continuing education.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Thompson, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Thompson 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.

FOOD LION PHARMACY #2620  
Pharmacy Permit #0201004006

John Bednarz, Manager, Nicole Y Smith, Pharmacy Operations Manager, Mark Polli, Director, Pharmacy Government & Regulatory Affairs, and Jessica Carr, Pharmacist In Charge appeared to discuss allegations Food Lion Pharmacy #2620 may have violated certain laws and regulations governing the conduct of pharmacy as stated in the May 15, 2015 Notice.

Closed Meeting

Upon a motion by Mr. Logan, and duly seconded by Ms. Thornbury, 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 Food Lion Pharmacy #2620. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran 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 Mr. Logan, and duly seconded by Ms. Thornbury, the Committee accepts allegation #2 as a Finding of Fact and Conclusion of Law and unanimously voted to enter an Order that imposes a \$250 monetary penalty.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Food Lion Pharmacy #2620, unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from Food Lion Pharmacy #2620 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.

NAI SATURN EASTERN, LLC d/b/a/  
SAFEWAY PHARMACY #1431  
Pharmacy Permit #0201003218

Grubinder Saini, Pharmacist-In-Charge, did not appear to discuss allegations that NAI Saturn Eastern, LLC d/b/a/ Safeway Pharmacy #1431 may have violated certain laws and regulations governing the conduct of pharmacy as stated in the May 15, 2015 Notice. Mr. Saini indicated that he would not appear at the informal conference and provided the Committee with additional documentation.

Closed Meeting

Upon a motion by Mr. Logan, and duly seconded by Ms. Thornbury, 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 NAI Saturn Eastern, LLC d/b/a/ Safeway Pharmacy #1431. Additionally, he moved that J. Samuel Johnson, Mykl D. Egan and Beth L. O'Halloran 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

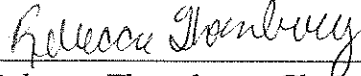
Upon a motion by Mr. Logan, and duly seconded by Ms. Thornbury, the Committee accepts all allegations as Findings of Facts and Conclusions of Law and unanimously voted to enter an Order that imposes a \$1,250 monetary penalty.


As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on NAI Saturn Eastern, LLC d/b/a/ Safeway Pharmacy #1431, unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from NAI Saturn Eastern, LLC d/b/a/ Safeway Pharmacy #1431 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 2:10pm

  
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Rebecca Thornbury, Chair

  
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J. Samuel Johnson  
Deputy Executive Director

9-29-15  
\_\_\_\_\_  
Date