

**VIRGINIA BOARD OF PHARMACY
SPECIAL CONFERENCE COMMITTEE MINUTES**

Thursday, July 14, 2016
Commonwealth Conference Center
Second Floor
Board Room 1

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

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:

Jody H. Allen, Committee Chair

MEMBERS PRESENT:

Michael Elliott, Committee Member

STAFF PRESENT:

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

Gino J. Bortoluzzi
License Number 0202-007760

Gino J. Bortoluzzi appeared with his attorney, Hunter W. Jamerson, to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the June 14, 2016, Notice.

Closed Meeting:

Upon a motion by Mr. Elliott, and duly seconded by Ms. Allen, 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 Gino J. Bortoluzzi. Additionally, he moved that J. Samuel Johnson, Beth O'Halloran and Mykl Egan 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. Elliott, and duly seconded by Ms. Allen, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to issue an Order for a reprimand, requiring two additional continuing

education hours in the subject of fraud and imposing a \$1,500 monetary penalty.

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

Hague Pharmacy
Permit Number 0201-002286

Gino J. Bortoluzzi, Pharmacist in Charge, appeared with their attorney, Hunter W. Jamerson, to discuss allegations that Hague Pharmacy may have violated certain laws and regulations governing the conduct of pharmacy as stated in the June 14, 2016, Notice.

Closed Meeting:

Upon a motion by Ms. Allen, and duly seconded by Ms. Munden, 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 Hague Pharmacy. Additionally, he moved that J. Samuel Johnson, Beth O'Halloran and Mykl Egan 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. Elliott, and duly seconded by Ms. Allen, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to issue an Order requiring an additional three unannounced inspections over the course of two years, paid for by the licensee, and imposing a monetary penalty of \$6,500.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Hague Pharmacy, unless a written request is made to the Board requesting a formal hearing on the allegations made against it is received from Hague Pharmacy 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 12:50 p.m.

Jody H. Allen , Chair

J. Samuel Johnson
Deputy Executive Director

Date

Date

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- CALL TO ORDER:** A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 1:00 p.m.
- PRESIDING:** Jody H. Allen, Committee Chair
- MEMBERS PRESENT:** Michael Elliott, Committee Member
- STAFF PRESENT:** Cathy M. Reiniers-Day, Deputy Executive Director
Mykl D. Egan, DHP Adjudication Specialist
- David L. Keith, Jr.
Registration Number 0230-023833
- David L. Keith, Jr., did not appear to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the June 2, 2016,, Notice. The Chair of the Committee chose to proceed with the informal conference as the Notice had been sent to Mr. Keith's legal address of record.
- Closed Meeting:** Upon a motion by Mr. Elliott, and duly seconded by Ms. Allen, 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 David L. Keith, Jr. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan 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. Elliott, and duly seconded by Ms. Allen, the Committee voted to offer a Consent Order for the indefinite suspension of Mr.

Keith's right to renew his pharmacy technician registration.

ADJOURN:

With all business concluded, the meeting adjourned at 3:50 p.m.

Jody H. Allen, Chair

Cathy M. Reiniers-Day
Deputy Executive Director

Date

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