(FINAL/APPROVED)
VIRGINIA BOARD OF PHARMACY
MINUTES OF FULL BOARD MEETING

Tuesday, June 13, 2023
Commonwealth Conference Center
Second Floor
Board Room 2

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

CALL TO ORDER:	A full board meeting was called to order at 9:05am.
PRESIDING:	Dale St. Clair, PharmD, Chairman
MEMBERS PRESENT:	William Lee, DPh, Vice Chairman Cheri Garvin, RPh Larry Kocot, JD Sarah Melton, PharmD Wendy Nash, PharmD Kristopher Ratliff, DPh Patricia Richards-Spruill, RPh
MEMBERS ABSENT:	Ling Yuan, PharmD
STAFF PRESENT:	Caroline D. Juran, RPh, Executive Director Annette Kelley, Deputy Executive Director Ryan Logan, Deputy Executive Director Beth O'Halloran, Deputy Executive Director Ellen B. Shinaberry, PharmD, Deputy Executive Director Arne W. Owens, DHP Agency Director James Jenkins Jr, RN, DHP Chief Deputy Erin Barrett, JD, DHP Director of Legislative and Regulatory Affairs James Rutkowski, Senior Assistant Attorney General Sorayah Haden, Executive Assistant
PHARMACISTS AWARDED 1-HOUR OF LIVE OR REAL-TIME INTERACTIVE CONTINUING EDUCATION FOR ATTENDING MEETING:	Natalie Nguyen
QUORUM:	With 8 members present, a quorum was established.
APPROVAL OF AGENDA:	An amended agenda was provided to the Board as a handout. It included two new topics added under the Legislative/Regulatory/Guidance section: Amend

Electronic Participation Meeting Policy and Use of Drones to Deliver Prescription Drugs.

MOTION **The amended agenda was adopted as presented. (motion by Ratliff, seconded by Garvin)**

APPROVAL OF PREVIOUS BOARD MEETING MINUTES

MOTION: **The Board voted unanimously to adopt the minutes for the meetings held between March 21, 2023 and May 24, 2023 as presented and amended as follows:**

- **Name correction for meeting chair and header date for the Innovative Pilot Program meeting held on May 18, 2023 on page 28 (motion by Ratliff, seconded by Garvin)**

PUBLIC COMMENT: On behalf of the Virginia Society of Health-Systems Pharmacists (VSHP), Natalie Nguyen, PharmD, provided public comment regarding several matters. Staff provided a copy of her written comments to the Board members later during the meeting to review during discussions. Among her comments, she indicated VSHP is supportive of additional duties for pharmacy technicians, expressed concern for drug shortages, and provided feedback on Guidance Documents 110-36 and 110-9.

Karen Winslow, PharmD, Interim Executive Director, Virginia Pharmacists Association (VPhA), commented that VPhA hopes to fill the executive director position in September. She urged the Board to adopt a uniform credentialing process for reimbursement. She indicated that pharmacy access continues to be a concern and that VPhA is hosting the Pizza and Policy educational program that evening.

DHP DIRECTOR'S REPORT: Mr. Arne Owens, Director, DHP provided agency updates. The Conference Center has ongoing renovations taking place. There is ongoing budget prep for the time period of 2024-2026. He stated the agency is currently collecting legislative proposals for 2024. He indicated that the Commonwealth will soon receive healthcare workforce recommendations from a study performed by the Rand Corporation. James Jenkins, Jr, RN, DHP Chief Deputy has been working with the subject of healthcare workforce and behavioral health reform. He commented that the memorandum of understanding previously signed in November 2022 with the Department of Labor and Industry and Department of Education regarding work agreements for pharmacy technician trainees who are minors has been cancelled. If the pharmacy technician trainees who are minors do not mix drugs together to prepare a compounded drug and only learn compounding through simulation or the mixing of inert ingredients, then no work agreement is necessary.

LEGISLATIVE/
REGULATORY/GUIDANCE

CHART OF REGULATORY ACTIONS

Ms. Barrett briefly reviewed the chart in the agenda packet and provided updated information. She stated the Secretary's Office hopes to address any backlogs this summer.

RECOMMENDATION TO AMEND GUIDANCE DOCUMENT 110-45: APPROVED CHEMICALS FOR USE AS HYDROCARBON OR OTHER FLAMMABLE SOLVENTS BY PHARMACEUTICAL PROCESSORS

The Board discussed the recommended revision of the previously adopted, but not yet effective, guidance document on hydrocarbon solvents.

ACTION ITEM:

The Board voted unanimously to accept the amendment to Guidance Document 110-45 to include butane and propane as recommended by the Regulation Committee.

RECOMMENDATION TO ADOPT GUIDANCE DOCUMENT 110-50 CANNABIS PRODUCT PACKAGING REQUIREMENTS

The Board discussed the adoption of new Guidance Document 110-50 regarding cannabis product packaging requirements.

MOTION:

The Board voted unanimously to adopt Guidance Document 110-50 *Cannabis Product Packaging Requirements* as recommended by the Regulation Committee.

RECONSIDER AMENDMENT OF 18VAC110-20-555 REGARDING EXEMPTION OF ADDs STOCKED SOLELY WITH STAT-USE OR EMERGENCY DRUGS

The Board discussed the reconsideration of the amendment of 18VAC110-20-555. A handout consisting of a letter from PharmScript dated June 9, 2023 and recommended amendments to 18VAC110-20-555 were reviewed by the Board. Pharmscript's proposed amendments removed the requirement for the pharmacist to electronically authorize access to a drug that would be stocked in an emergency kit or stat drug box, but maintained the general requirement for the pharmacist to receive the prescription.

MOTION:

The Board voted unanimously to amend the proposed language of 18VAC110-20-555 regarding use of automated dispensing devices as follows:

- **In 4a, strike ", including a drug that would be stocked in a stat drug box pursuant to subsection B of 18VAC110-20-550,";**
- **In 4c, after "18VAC110-20-540", insert "or a stat drug box pursuant to subsection B of 18VAC110-20-550" and after "patients", insert "or a delay in the administration of the drugs could result in harm to the patient." (motion by Nash, seconded by Richards-Spruill)**

DISCUSSION REGARDING NUMBER AND LOCATION OF PHARMACY PERMITS IN RECENT YEARS

An update on the Regulation Committee's discussion on this topic was provided. Per the DHP Biennial Report, on June 30, 2012 there were 1,754 current active in-state pharmacy permits in Virginia. As of June 30, 2016, the number of pharmacy permits had increased by 100. Between June 30, 2016 and June 30, 2022, the number of in-state pharmacy permits had declined by 86 for a total of 1,768. Because the Board issues only one type of pharmacy permit and cannot easily discern the number of pharmacy permits operating as community pharmacies, the Regulation Committee had asked staff to research the ability for pharmacies to self-identify its practice setting during the renewal process. Ms. Juran reported that IT staff informed her that they would need to research further its ability to collect information on the renewal software platform and have it auto-populate into the licensing software platform. Additionally, the next renewal cycle for pharmacy permits would not open until March 2024. Alternatively, Ms. Juran stated that staff could attempt to identify the pharmacy practice settings, manually record the information in the licensing software, and ask pharmacies to self-identify on new pharmacy permit applications going forward. Mr. Kocot noted that the data represents net results for pharmacy permit openings and closings.

ACTION ITEM:

Send findings of the Virginia Health Workforce Development Authority study to the Board.

ACTION ITEM:

Research ability to identify locations of the 86 closed pharmacy permits between 2016 and 2022 and new permits issued during this period.

RECOMMENDATION OF 2024 LEGISLATIVE PROPOSALS:

- PHARMACY TECHNICIANS ACCEPTING REFILL AUTHORIZATIONS FOR SCHEDULES III-VI PRESCRIPTIONS AND CLARIFICATION OF QUANTITY/REFILLS

The Board discussed the recommendation of the Regulation Committee to adopt the legislative proposal as presented. Dr. Ratliff and Ms. Garvin suggested that an ability to electronically transfer prescriptions may be beneficial. Staff indicated the 2021 Pharmacy Technician Workgroup that met to consider additional duties for pharmacy technicians offered similar recommendations.

FOR SCHEDULE VI PRESCRIPTIONS

MOTION:

The Board voted unanimously to adopt the legislative proposal as presented and amended to 1) authorize pharmacy technicians to accept clarification of quantity or refills from a prescriber or prescriber's agent for a Schedule VI prescription, 2) insert a definition of "on hold prescription", and 3) allow pharmacy technicians to electronically transfer a prescription for a Schedule VI drug, that is not an on-hold prescription, when authorized by the pharmacist-in-charge or pharmacist on duty. (motion by Nash, seconded by Garvin)

- REQUIRING FEDERAL CRIMINAL BACKGROUND CHECK FOR RESIDENT AND NONRESIDENT WHOLESALE DISTRIBUTORS AND THIRD-PARTY LOGISTICS PROVIDERS

The Board discussed the Regulation Committee's recommendation to adopt a legislative proposal requiring the responsible party of a wholesale distributor, nonresident wholesale distributor, third-party logistics provider, and nonresident third-party logistics providers to submit a federal criminal history record check with the facility application. Staff indicated that while 18VAC110-50-80 C4 has required this for several years, the FBI will not perform such background check without authorizing language in the Virginia Code.

MOTION:

The Board voted unanimously to adopt a legislative proposal requiring the responsible party of a wholesale distributor, nonresident wholesale distributor, third-party logistics provider, and nonresident third-party logistics providers to submit a federal criminal history record check with the facility application. (motion by Ratliff, seconded by Melton)

- CLARIFYING COMPOUNDING OF ESSENTIALLY COPIES OF COMMERICALLY AVAILABLE DRUG PRODUCTS

The Board discussed the Regulation Committee's recommendation to adopt the legislative proposal regarding pharmacy compounding as presented. Ms. Garvin suggested that the pharmacist be also authorized to record the prescriber's indication regarding significant difference between the compounded drug and the comparable commercially available drug in the prescription notes since there is no ability for the pharmacist to record information on the prescription if transmitted electronically.

MOTION:

The Board voted unanimously to accept the Regulation Committee's recommendation to adopt the legislative proposal to clarify compounding of essentially copies of commercially available drug products as presented and amended by inserting an ability for the pharmacist to also record the prescriber's indication regarding significant difference between the compounded drug and the comparable commercially available drug in the prescription record. (motion by Ratliff, seconded

by Richards-Spruill)

RECOMMENDATION TO AMEND GUIDANCE DOCUMENTS 110-36 AND 110-9 REGARDING USP REVISIONS

The Board discussed the Regulation Committee's recommendation to amend Guidance Documents 110-36 and 110-9 based on USP revisions effective November 1, 2023. The Board also considered the written public comment provided by VSHP earlier in the meeting.

ACTION ITEM:

Staff to research with USP, if necessary, and determine if frequently asked questions are needed in Guidance Document 110-36 to clarify expectations for completing media-fill testing and gloved fingertip testing when providing direct oversight of compounding and under what conditions cameras can be used to verify product.

ACTION ITEM:

Staff to research with USP if the pharmacist verifying the dispensing of a compounded product that was previously verified for compounding accuracy must complete any personnel testing related to compounding.

MOTION

The Board voted unanimously to accept the Regulation Committee's recommendation to amend Guidance Document 110-36 as presented and amended as follows:

- **Insert "gloved fingertip testing and garbing" in the newly proposed FAQ #3 to read, "Should compounding personnel who work in multiple pharmacies, to include pharmacy interns on rotations, pass a media-fill test, gloved fingertip test, and garbing test at each pharmacy where they will prepare CSPs? Yes, all compounding personnel working in multiple pharmacies, to include pharmacy interns on rotations, should pass a media-fill test, gloved fingertip test, and garbing test at each pharmacy prior to performing sterile compounding."; and,**
- **In the newly proposed FAQ #5 "May a pharmacist provide a compounded drug to another pharmacy or veterinarian who will then dispense the drug to his client?", the second paragraph of the response should be amended to conform to current law. (motion by Ratliff, seconded by Garvin)**

Ms. Garvin and Dr. St. Clair offered recommendations to Guidance Document 110-9 for consideration.

MOTION

The Board voted unanimously to accept the Regulation Committee's recommendation to amend Guidance Document 110-9 as presented and amended as follows:

- **Deficiency #15 – Under "Conditions", in the third sentence, replace "drugs" with "reconciliations" so that it reads "Deficiency if more than 5 reconciliations not compliant.";**

- **Deficiency #25 – Under "Deficiency", replace "assigned inappropriate beyond use date (BUD)" with "when required by USP";**
- **Deficiency #25c – Insert a new deficiency 25c to read "Category 1 or 2 CSPs intended for use are improperly stored" and impose a $500 monetary penalty; change the numbering of the current 25c to 25d.**
- **Deficiency #33a – Insert new deficiency to read "Category 3 CSPs assigned inappropriate BUD" and impose $5,000 monetary penalty; and,**
- **#149 – Insert new deficiency to read "Surface sample testing not being performed". (motion by Garvin, seconded by Richards-Spruill)**

Based on public comment from VSHP recommending the formation of a workgroup to discuss the upcoming revised USP chapters, the Board decided to reassess if this was warranted later in the year. The Board encouraged the public to send questions, that are not already addressed in the FAQs published by USP, to the Board and staff will attempt to research the subject with USP.

USE OF DRONES TO DELIVER PRESCRIPTION DRUGS

Prior to a meeting break, the Board decided it would discuss use of drones next. The Board reviewed a handout consisting of 54.1-3420.2 (A) of the Code of Virginia and a 2015 Board Order issued to Mountain Care Center approving an innovative pilot program for delivering meds via drone. Ms. Juran reported that she has been contacted recently by parties interested in using drones to deliver prescription drugs. Staff is seeking guidance as to whether such activity warrants a pilot or if it is simply a "delivery service" as authorized in 54.1-3420.2 of the Code. She is aware of such activity in other states. Additionally, in Virginia, some pharmacies are currently using drones to deliver non-prescription items. There was discussion regarding FAA oversight of drones, that most drones have a limited flight radius, and pharmacy responsibility for reporting a theft or loss of drug, including when lost in transit, regardless of delivery method. It was also discussed that drug may not be stored overnight or for any significant length of time in an unlicensed facility during the delivery process but can pass through as part of the delivery process.

MOTION

The Board voted unanimously that use of a drone to deliver a dispensed prescription drug is a permissible "delivery service" as authorized in 54.1-3420.2 of the Code of Virginia and does not necessitate an innovative pilot when otherwise compliant with the Code of Virginia and Board regulation. (motion by Ratliff, seconded by Garvin)

RECOMMENDATIONS TO ACCEPT OUTSOURCING FACILITY INSPECTIONS PERFORMED BY CALIFORNIA AND FLORIDA

The Board discussed the Regulation Committee's recommendation to accept outsourcing facility inspections performed by California and Florida when a current FDA inspection was unavailable.

MOTION

The Board voted unanimously to approve the recommendation of the Regulation Committee to accept an outsourcing facility inspection report indicating compliance with cGMP when performed by Florida Department of Health or California Board of Pharmacy, if the outsourcing facility has not been inspected by the US Food and Drug Administration within the required period. (motion by Richards-Spruill, seconded by Nash)

ADOPTION OF EXEMPT REGULATIONS – ADDITION OF CHEMICALS FROM SCHEDULE I

MOTION

The Board voted unanimously to adopt exempt changes to 18VAC110-20-322 to add the following chemicals to Schedule I as recommended by the Department of Forensic Science:

The following compound is classified as a synthetic opioid. Compounds of this type have been placed in Schedule I (§ 54.1-3446(1)) in previous legislative sessions.

1. **N,N-diethyl-2-[5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl]ethanamine (other name: Protonitazene), its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation.**

Based on their chemical structures, the following compounds are expected to have hallucinogenic properties. Compounds of this type have been placed in Schedule I (§ 54.1-3446(3)) in previous legislative sessions.

2. **1-(1,3-benzodioxol-5-yl)-2-(cyclohexylamino)butan-1-one (other names: Cybutylone, N-cyclohexyl Butylone), its salts, isomers (optical, position, and geometric), and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.**

Based on its chemical structure, the following compound is expected to have depressant properties. Compounds of this type have been placed in Schedule I (§ 54.1-3446(4)) in previous legislative sessions.

3. **8-bromo-6-(2-chlorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (other names: Clobromazolam, Phenazolam), its salts, isomers (optical, position, and geometric), and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.**

The following compounds are classified as cannabimimetic agents. Compounds of this type have been placed in Schedule I (§ 54.1-3446(6)) in previous legislative sessions.

4. **5-bromo-N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1H-indazole-3-carboxamide (other name: ADB-5Br-INACA), its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.**

5. **N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-5-bromo-1-butylindazole-3-carboxamide (other name: ADB-5'Br-BUTINACA), its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation. (motion by Nash, seconded by Kocot)**

ADOPTION OF PROPOSED REGULATIONS – IMPLEMENTATION OF 2022 LEGISLATION FOR PHARMACISTS INITIATING TREATMENT

The Board discussed the adoption of proposed regulations regarding the implementation of 2022 legislation for pharmacists initiating treatment.

MOTION

The Board voted unanimously to adopt proposed regulatory changes to 18VAC110-21-46 as presented to implement Chapter 791 of the 2022 Acts of Assembly regarding pharmacists initiating treatment which will replace the current emergency regulations once effective. (motion by Melton, seconded by Garvin)

AMEND NALOXONE PROTOCOL

The Board discussed the revision of Guidance Document 110-44, Naloxone Protocol, pursuant to the passing of SB1415 and SB1424. As required by law, the amendments were shared with VDH and the Board of Medicine. Revisions from VDH were shared as a handout with the Board and this

version was considered for adoption, in lieu of the version in the agenda packet.

MOTION

The Board voted unanimously to amend Guidance Document 110-44 as presented in the handout. (motion by Melton, seconded by Garvin)

ADOPTION OF EXEMPT REGULATORY CHANGES PURSUANT TO 2023 SCHEDULING ACTIONS OF THE GENERAL ASSEMBLY

The Board discussed the adoption of exempt regulatory changes pursuant to 2023 scheduling actions of the General Assembly.

MOTION

The Board voted unanimously to adopt exempt regulatory changes as presented to remove drugs and chemicals from 18VAC110-20-322 that were placed in law pursuant to HB2364. (motion by Nash, seconded by Garvin)

ADOPTION OF FAST-TRACK REGULATORY ACTION TO AMEND 18VAC110-20-735 Requirements for dispensing of naloxone by trained individuals

The Board discussed the adoption of fast-track regulatory action to amend 18VAC110-20-735 to clarify that the requirements in (A) apply only to individuals dispensing injectable formulations of naloxone under Virginia Code 54.1-3408(Y).

MOTION

The Board voted unanimously to adopt the proposed amendment to 18VAC110-20-735 as a fast-track regulatory action. (motion by Richards-Spruill, seconded by Kocot)

AMEND ELECTRONIC PARTICIPATION MEETING POLICY

The Board discussed the adoption of a revised policy on meetings held with electronic participation pursuant to recent statutory changes. The proposed revised electronic participation policy and Virginia Code §2.2-3708.3 were provided as handouts.

MOTION

The Board voted unanimously to revise the policy on meetings held with electronic participation as presented (motion by Garvin, seconded by Ratliff)

NEW BUSINESS:

ELECTIONS OF CHAIRMAN AND VICE-CHAIRMAN – JULY 1, 2023 THROUGH JUNE 30, 2024

NOMINATIONS FOR CHAIRMAN:	Mrs. Richards-Spruill nominated Dr. Dale St. Clair to be re-elected for 2023-2024 Chairman of the Virginia Board of Pharmacy. Dr. Ratliff nominated Dr. William Lee for 2023-2024 Chairman of the Virginia Board of Pharmacy.
MOTION:	**The Board voted unanimously to close the nominations for the position of Chairman. (motion by Garvin, seconded by Nash)**
ELECTION RESULTS:	**Ms. Juran and Ms. Hayden tallied the written ballots. Dr. St. Clair announced the results indicating that he had been re-elected Chairman of the Virginia Board of Pharmacy for the term July 1, 2023 through June 30, 2024. (motion by Garvin, seconded by Nash)**
NOMINATIONS FOR VICE-CHAIRMAN:	Dr. Melton nominated Ms. Garvin as the 2023-2024 Vice-Chairman of the Virginia Board of Pharmacy. Dr. Lee nominated Dr. Ratliff as 2023-2024 Vice-Chairman of the Virginia Board of Pharmacy.
MOTION	**The Board voted unanimously to close the nominations for the position of Vice-Chairman. (motion by Nash, seconded by Richards-Spruill)**
ELECTION RESULTS:	**Ms. Juran and Ms. Hayden tallied the written ballots. Dr. St. Clair announced the results indicating that Cheri Garvin had been elected Vice-Chairman of the Virginia Board of Pharmacy for the term July 1, 2023 through June 30, 2024.**
SCHEDULE 2024 FULL BOARD MEETING DATES	The Board chose the following dates for full board meetings in 2024: March 28, June 25, September 24, and December 17.
REPORTS:	
CHAIRMAN'S REPORT	Dr. St. Clair expressed appreciation for the opportunity to serve as Chairman over the past year. He additionally provided updates on his attendance at the NABP Annual Meeting in May in Nashville where he represented District 2 on the Resolution Committee.
BOARD OF HEALTH PROFESSIONS	Dr. Melton reported the Board of Health Professions has not met since she provided the last update.
LICENSURE OF INDIVIDUALS AND IN-STATE FACILITIES	Mr. Logan presented the Licensing Report of Individuals and In-State Facilities which included data from November 2021 through May 2023. As of May 1, 2023 the Virginia Board of Pharmacy has a total of 43,677 active individual and in-state facilities licensed.

LICENSURE OF NONRESIDENT FACILITIES

Ms. O'Halloran presented the Licensing Report of Nonresident Facilities which included data from November 2021 through May 2023. As of May 22, 2023, the Virginia Board of Pharmacy has a total of 2,487 active nonresident facilities licensed.

ACTION ITEMS:

Dr. Nash and Dr. St. Clair requested staff research if they can provide licensing counts over the last 5 quarters to more easily detect trends, the number of pharmacists with Virginia addresses vs. out-of-state addresses, and if Virginia is seeing an increase in the number of nonresident pharmacy registrations vs. in-state pharmacy permits.

INSPECTION PROGRAM

Enforcement was unable to provide an inspection report prior to the meeting. Ms. O'Halloran provided brief comments regarding recruitment.

PHARMACEUTICAL PROCESSORS

Ms. Kelley presented the Pharmaceutical Processors Report. Three additional cannabis dispensing facility haves been permitted during the last quarter, for a total of 16 cannabis dispensing facilities. The Virginia Court of Appeals ruled in favor of the Board of Pharmacy on the PharmaCann appeal. With the July 1, 2022 change to the requirement for patients/parents/legal guardians to register with the Board, the number of applications received has decreased significantly. The Board has seen an 89% decrease in patient applications. Registration renewals have also significantly decreased.

DISCIPLINARY PROGRAM

Dr. Shinaberry presented the Disciplinary Program Report. As of May 17, 2023, the Virginia Board of Pharmacy has a total of 424 open cases consisting of 188 patient care cases and 236 non-patient care cases.

EXECUTIVE DIRECTOR'S REPORT

Ms. Juran provided an Executive Director's report detailing recently attended and upcoming meetings. She provided an updated on the ongoing recruitment process to fill a vacant licensing administrative staff position and a new disciplinary administrative staff position. She indicated that certain staff members and inspectors will soon be completing training on the upcoming USP revisions on compounding. She stated that the transition of the medical cannabis program to the VCCA as of July 1, 2024 is a primary focus. She announced that the September 2023 board meeting will be rescheduled to September 26, 2023 and the tentative workgroup for translated directions for use of prescriptions will be scheduled for September 28, 2023. This is a change from what was listed in her report in the agenda packet.

CONSIDERATION OF CONSENT ORDERS, SUMARY SUSPENSIONS, OR SUMMARY RESTRICTIONS

CVS PHARMACY #2691 0201-003705	Sean Murphy, Assistant Attorney General presented a consent order for Board consideration regarding CVS Pharmacy #2691.
CLOSED MEETING	Upon a motion by Lee, and duly seconded by Kocot, the Board voted unanimously to convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia ("Code") to reach a decision regarding the matter of CVS Pharmacy #2691. Additionally, he moved that Caroline Juran, James Rutkowski, Sorayah Haden and Ellen Shinaberry attend the closed meeting because their presence was deemed necessary and would aid the Board in its deliberations.
RECONVENE	Upon a motion by Lee, and duly seconded by Richards-Spruill, having certified that the matters discussed in the closed meeting met the requirements of §2.2-3712 of the Code, the Board voted 7:0 with one abstention (Kocot) to reconvene an open meeting and announce the decision.
DECISION	Upon a motion by Nash, and duly seconded by Melton, the Board voted 7-0 with one abstention (Kocot) to reject the consent order and authorize the Chair to negotiate for the Board, in lieu of a formal hearing for CVS Pharmacy #2691.
CAROLINE BENTLEY #0230-008523	David Robinson, Assistant Attorney General presented a possible summary suspension for Board consideration regarding Caroline Bentley (#0230-008523).
DECISION	Upon a motion by Ratliff, and duly seconded by Melton, the Board voted unanimously to summarily suspend the pharmacy technician registration issued to Caroline Bentley (#0230-008523) and offer her a consent order for indefinite suspension for no less than 2 years, in lieu of a formal hearing.
MEETING ADJOURNED:	With all business completed, the Board adjourned at 4:24pm.

Caroline Juran, RPh
Executive Director

9/26/2023
DATE: