

VIRGINIA:

BEFORE THE BOARD OF PHARMACY

IN RE: DANA L. POLSTON, PHARMACY TECHNICIAN
Registration No: 0230-009673

NOTICE OF HEARING

Pursuant to § 2.2-4020, § 2.2-4021, § 54.1-110, and § 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), Dana L. Polston is hereby given notice that a formal administrative hearing will be held in the presence of (a panel) of the Board of Pharmacy ("Board"). The hearing will be held on September 12, 2007, at 2:00 p.m., at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 200, Richmond, Virginia, at which time Ms. Polston will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Polston has the following rights, among others: the right to representation by counsel, the right to have witnesses subpoenaed and to present witnesses on her behalf, the right to present documentary evidence and the right to cross-examine adverse witnesses. If Ms. Polston desires any witnesses to appear on her behalf, she must notify the Director of the Administrative Proceedings Division, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon evidence that Ms. Polston may have violated certain laws governing your practice as a pharmacy technician in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that Ms. Polston diverted quantities of controlled substances for unauthorized use. Specifically, she may have violated § 54.1-3322(2) and (6) of the Code

2007, she diverted between 25 and 30 bottles of butorphanol tartrate 10mg/ml, Schedule IV. During this time period, she had been prescribed butorphanol; however, when she diverted the drug on or about July 23, 2007, she had neither a prescription nor refills remaining for this drug. An inventory for January 2006 to July 2007 disclosed a shortage of 189 bottles. As a result, she was terminated from employment.

FOR THE BOARD


Elizabeth Scott Russell
Executive Director

ENTERED: August 24, 2007