

(FINAL APPROVED)

**VIRGINIA BOARD OF PHARMACY  
MINUTES OF A PANEL OF THE BOARD**

August 16, 2011  
Second Floor  
Board Room 2

Perimeter Center  
9960 Mayland Drive  
Henrico, Virginia 23233-1463

**CALL TO ORDER:** A meeting of a panel of the Board of Pharmacy (“Board”) was called to order at 10:00 a.m.

**PRESIDING:** Gill B. Abernathy, Chair

**MEMBERS PRESENT:** Crady Adams  
Jody Allen  
Gerard Dabney  
David C. Kozera  
Empsy Munden  
Ellen B. Shinaberry

**STAFF PRESENT:** Caroline D. Juran, Executive Director  
Cathy M. Reiniers-Day, Deputy Executive Director  
Eusebia L. Joyner, Administrative Assistant  
Howard Casway, Senior Assistant Attorney General  
Wayne T. Halbleib, Senior Assistant Attorney General  
Mykl Egan, DHP Adjudication Specialist

**QUORUM:** With seven (7) members of the Board present, a panel was established.

**JAMES V. ETTARE**  
License # 0202-206317

A formal hearing was held in the matter of James V. Ettare following the summary suspension of his pharmacist license on August 1, 2011, and to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy in Virginia.

Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

Donald M. Jackson, DHP Senior Pharmacy Inspector, and Christopher Klein, Pharmacy Intern, testified on behalf of the Commonwealth.

Mr. Ettare appeared with Gerald C. Canaan II, Esquire.

**Closed Meeting:** Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0, 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 in the matter of James V. Ettare. Additionally, he moved that Cathy Reiniers-Day, Caroline Juran, Eusebia Joyner and Howard Casway 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 panel re-convened in open meeting and announced the decision.

Decision: Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib and amended by the panel and read by Mr. Casway.

Upon a motion by Mr. Kozera and duly seconded by Ms. Shinaberry, the panel voted 7-0 that Mr. Ettare's license to practice as a pharmacist be indefinitely suspended for not less than one year from the date of entry of the August 1, 2011, Order of Summary Suspension.

VALLEY COMPOUNDING  
PHARMACY  
Permit # 0201-004203

A formal hearing was held in the matter of Valley Compounding Pharmacy following the summary suspension of the permit to conduct a pharmacy on August 1, 2011, and James V. Ettare, co-owner and pharmacist-in-charge, appeared to discuss allegations that Valley Compounding Pharmacy may have violated certain laws and regulations governing the conduct of a pharmacy in Virginia.

Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

Donald M. Jackson, DHP Pharmacy Inspector, testified on behalf of the Commonwealth.

Mr. Ettare appeared with Gerald C. Canaan II, Esquire.

Closed Meeting: Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0, 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 in the matter of Valley Compounding Pharmacy. Additionally, he moved that Cathy Reiniers-Day, Caroline Juran, Eusebia Joyner, and Howard Casway 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 panel re-convened in open meeting and announced the decision.

Decision: Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib and amended by the panel and read by Mr. Casway.

Upon a motion by Mr. Kozera and duly seconded by Ms. Shinaberry, the panel voted 7-0 that Valley Compounding Pharmacy's permit to conduct a pharmacy be re-instated with certain terms and conditions.

LAURA J. GRAY  
Registration # 0230-002211

A formal hearing was held in the matter of Laura J. Gray following the summary suspension of her pharmacy technician registration on August 1, 2011, and to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy technicians in Virginia.

Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

Donald M. Jackson, DHP Senior Pharmacy Inspector, testified on behalf of the Commonwealth.

Ms. Gray appeared with Gerald C. Canaan II, Esquire.

Closed Meeting: Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0, 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 in the matter of Laura J. Gray. Additionally, he moved that Cathy Reiniers-Day, Caroline Juran, Eusebia Joyner and Howard Casway 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 panel re-convened in open meeting and announced the decision.

Decision: Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib and amended by the panel and read by Mr. Casway.

Upon a motion by Mr. Kozera and duly seconded by Ms. Allen, the panel voted 7-0 that Ms. Gray's pharmacy technician registration be reprimanded and indefinitely suspended for not less than six (6) months from the date of entry of the August 1, 2011 Order of Summary Suspension with certain terms and conditions.

AMANDA L. JENKINS  
Registration # 0230-018494

A formal hearing was held in the matter of Amanda L. Jenkins following the summary suspension of her pharmacy technician registration on August 1, 2011, and to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy technicians in Virginia.

Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

Donald M. Jackson, DHP Senior Pharmacy Inspector, testified on behalf of the Commonwealth.

Ms. Jenkins appeared with Gerald C. Canaan II, Esquire.

Closed Meeting:

Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0, 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 in the matter of Amanda L. Jenkins. Additionally, he moved that Cathy Reiniers-Day, Caroline Juran, Eusebia Joyner, and Howard Casway 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 panel re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib and amended by the panel and read by Mr. Casway.

Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel voted 7-0 that Ms. Jenkins' pharmacy technician registration be reprimanded and reinstated with certain terms and conditions.

Adjourn:

With all business concluded, the meeting adjourned at 7:00 p.m.

Gill Abernathy, ms, RPh, BCPS  
Gill Abernathy, Board Chairman

Cathy M. Reiniers-Day  
Cathy M. Reiniers-Day, Deputy Executive Director

9/20/11  
Date

20 SEPTEMBER 2011  
Date