(DRAFT/UNAPPROVED)

VIRGINIA BOARD OF PHARMACY
MINUTES OF TELEPHONE CONFERENCE CALL

Wednesday, March 6, 2013

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

Orders/Consent Orders referred to in these minutes are available upon request

TIME & PURPOSE: Pursuant to § 54.1-2400(13) of the Code of Virginia, a telephone conference call of the Virginia Board of Pharmacy ("TCC") was held at 1:10 p.m., on March 6, 2013, to consider the summary restriction of the license of Richard B. Rice, Jr., to practice as a pharmacist in the Commonwealth of Virginia.

PRESIDING: David C. Kozera, Chair

MEMBERS PRESENT:
R. Crady Adams
Dinny Li
Ellen B. Shinaberry
Pratt P. Stelly
Rebecca Thornbury

STAFF PRESENT:
Caroline D. Juran, Executive Director
Cathy M. Reiniers-Day, Deputy Executive Director
Mykl Egan, DHP Adjudication Specialist
Howard Casway, Senior Assistant Attorney General
Wayne T. Halbleib, Senior Assistant Attorney General
Nan Dunaway, DHP Pharmacy Inspector
Vicki Garrison, DHP Pharmacy Inspector

POLL OF MEMBERS: The Board members were polled as to whether they could have attended a regular meeting at the office in a timely manner for the purpose of hearing evidence in a possible summary suspension case. The Board members stated that they would not have been able to attend.

With six (6) members participating and four (4) members unable to participate, it was established that a quorum could not have been convened in a regular meeting to consider this matter.

RICHARD B. RICE, JR.
License No. 0202 011551

Wayne T. Halbleib presented a summary of the evidence in this case.

Upon a motion by Ms. Shinaberry and duly seconded by Ms. Stelly, the Board voted 6-0, 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 Richard B. Rice, Jr. Additionally, she moved that Caroline Juran, Cathy Reiniers-Day 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 Board re-convened in open meeting and announced the decision.

Decision: Upon a motion by Mr. Adams and duly seconded by Ms. Shinaberry, the Board unanimously voted 6-0 that, with the evidence presented, the practice as a pharmacist by Richard B. Rice poses a substantial danger to the public; and therefore, said license to practice pharmacy in the Commonwealth of Virginia be and hereby is Restricted.

Upon a motion by Mr. Adams and seconded by Ms. Stelly, the Board voted that a Consent Order for a stay of the restriction with certain terms and conditions be offered to Mr. Rice.

ADJOURN: With all business concluded, the meeting adjourned at 2:50 p.m.

Cathy M. Reiniers-Day
Deputy Executive Director

David C. Kozera, Chair

Date