

(FINAL APPROVED 12-15-2010)

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

Wednesday, November 10, 2010
Commonwealth Conference Center
Second Floor
Board Room 1

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

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

- CALL TO ORDER:** A meeting of a panel of the Board of Pharmacy ("Board") was called to order at 2:00 p.m.
- PRESIDING:** John O. Beckner, Vice Chair
- MEMBERS PRESENT:** Gerard Dabney
David C. Kozera
Robert M. Rhodes
Leo H. Ross
Pratt P. Stelly
- STAFF PRESENT:** Caroline Juran, Acting Deputy Executive Director
Cathy M. Reiniers-Day, Deputy Executive Director
Eusebia L. Joyner, Disciplinary Program Specialist
Howard Casway, Senior Assistant Attorney General
Wayne T. Halbleib, Senior Assistant Attorney General
Mykl Egan, DHP Adjudication Specialist
- QUORUM:** With six (6) members of the Board present, a panel was established.
- BETH A. OGDEN**
Registration # 0230-012257
- Ms. Ogden did not appear at the formal hearing. The panel proceeded in Ms. Ogden's absence as the Notice was mailed to Ms. Ogden's legal address of record, both by regular and certified mail. The panel discussed that she may have violated certain laws and regulations governing the practice of pharmacy technicians in Virginia as stated in the October 6, 2010, Notice.
- Wayne T. Halbleib, Senior Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.
- Denise Sexton, DHP Senior Investigator, testified on behalf of the Commonwealth.

Jeff Hager, Loss Prevention District Manager, K-Mart testified on behalf of the Commonwealth.

Closed Meeting:

Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel 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 Beth A. Ogden. Additionally, he moved that Caroline Juran, Cathy Reiniers-Day, 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 6-0 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 6-0 that Ms. Ogden's pharmacy technician registration be revoked.

GWENDOLYN K. FOWLER
License # 0202-206951

Ms. Fowler did not appear at the formal hearing. The panel chose to proceed in her absence as the Notice was mailed to Ms. Fowler's legal address of record, both by regular and certified mail. The panel discussed that she may have violated certain laws and regulations governing the practice of pharmacy in Virginia as stated in the October 8, 2010, Notice.

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

Debra Hay-Pierce, DHP Senior Investigator, testified on behalf of the Commonwealth.

Susan A. Beasecker, BOP Compliance Case Manager, testified on behalf of the Commonwealth.

Closed Meeting: Upon a motion by Mr. Kozera and duly seconded by Mr. Dabney, the panel 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 Gwendolyn K. Fowler. Additionally, he moved that Caroline Juran, Cathy Reiniers-Day, 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 6-0 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. Rhodes, the panel voted 6-0 that Ms. Fowler's pharmacy license be indefinitely suspended for a period of not less than two (2) years.

CHRISTY J. HART
Registration # 0230-006131

Wayne Halbleib, Senior Assistant Attorney General, presented a signed facsimile copy of the consent order received from Christy J. Hart for the indefinite suspension of her pharmacy technician registration.

Decision Upon a motion by Mr. Kozera, and duly seconded by Mr. Dabney, the panel voted unanimously in favor of the motion to accept the voluntary surrender of Ms. Hart's registration and that her registration be indefinitely suspended.

Adjourn: With all business concluded, the meeting adjourned at 4:30 p.m.


Cathy M. Reiniers-Day
Deputy Executive Director


John O. Beckner, Vice Chair

12-15-10
Date