(FINAL/APPROVED 06-02-2010)

VIRGINIA BOARD OF PHARMACY
MINUTES OF SPECIAL CONFERENCE COMMITTEE

Wednesday, March 24, 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 Special Conference Committee of the Board of Pharmacy was called to order at 9:00 a.m.

PRESIDING: Brandon K. Yi, Committee Chair

MEMBERS PRESENT: Leo H. Ross, Committee Member

STAFF PRESENT: Cathy M. Reiniers-Day, Deputy Executive Director
Mykl D. Egan, DHP Adjudication Specialist

KAMRAN AGHA-AMIRI
License # 0202-012082

Kamran Agha-Amiri appeared with James E. Moore, his attorney, to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the December 29, 2009 Notice.

Closed Meeting: Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A.(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Kamran Agha-Amiri. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene: Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision: Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to reprimand Mr. Agha-Amiri and impose a monetary penalty.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Agha-Amiri, unless a written request is made to the Board requesting a formal hearing on the allegations

made against him is received from Mr. Agha-Amiri within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

JAMES V. ETTARE, II
License No. 0202-206317

James Ettare appeared with Jodi Ettare, his wife and co-owner of Valley Compounding Pharmacy, to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the January 25, 2010 Notice.

Closed Meeting:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of James Ettare. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to reprimand Mr. Ettare and impose a monetary penalty.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Ettare, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Ettare within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

JODI V. ETTARE
License No. 0202-205862

Jodi Ettare appeared with James Ettare, her husband and co-owner of Valley Compounding Pharmacy, to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated

in the January 25, 2010 Notice.

Closed Meeting:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Jodi Ettare. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to reprimand Ms. Ettare, impose a monetary penalty and to have an unannounced inspection of Valley Compounding Pharmacy with her as the pharmacist in charge and co-owner, being responsible for the cost.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Ms. Ettare, unless a written request is made to the Board requesting a formal hearing on the allegations made against her is received from Ms. Ettare within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

MARY M. ALDRICH
Registration No. 0230-008778

Mary Aldrich appeared to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the February 11, 2010 Notice.

Closed Meeting:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Mary Aldrich. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their

presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene: Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision: Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to impose no sanction with respect to Ms. Aldrich.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Ms. Aldrich, unless a written request is made to the Board requesting a formal hearing on the allegations made against her is received from Ms. Aldrich within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

DONALD M. JOHNSON
License No. 0202-004628

Donald Johnson appeared with Sarah J. Ownby, Pharmacy Technician; Beverly Morgan, CVS Pharmacy District Manager; and Donna Johnson, his wife, to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the February 11, 2010 Notice.

Closed Meeting: Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Donald Johnson. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene: Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to have Mr. Johnson obtain additional continuing pharmacy education hours.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Johnson, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Johnson within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

SARAH J. OWNBY
Registration No. 0230-002571

Sarah Ownby appeared with Donald M. Johnson, Pharmacist; and Beverly Morgan, CVS Pharmacy District Manager; to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the February 11, 2010 Notice.

Closed Meeting:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Sarah Ownby. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to have Ms. Ownby obtain additional continuing pharmacy education hours.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Ms. Ownby, unless a written request is made to the Board

requesting a formal hearing on the allegations made against her is received from Ms. Ownby within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

OLGA L. ZYTCER
License No. 0202-207370

Olga Zytcer appeared with Ari Zytcer, her husband. Additionally, Shan Wu, her attorney, participated by telephone to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the March 3, 2010 Notice.

Closed Meeting:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Olga Zytcer. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Ross, and duly seconded by Mr. Yi, the Committee closed this case as undetermined.

ADJOURN

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

Cathy M. Reiniers-Day
Deputy Executive Director

Brandon K. Yi, Chair

6/2/2010.
Date