(FINAL APPROVED)

VIRGINIA BOARD OF PHARMACY
MINUTES OF SPECIAL CONFERENCE COMMITTEE

Tuesday, November 6, 2012
Commonwealth Conference Center
Second Floor
Board Room 1

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

CALL TO ORDER:

A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 9:30 a.m.

PRESIDING:

Jody H. Allen, Committee Chair

MEMBERS PRESENT:

Pratt P. Stelly, Committee Member

STAFF PRESENT:

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

PATRICIA S. MUNDY
License No. 0202 006657

Patricia S. Mundy appeared with Hunter W. Jamerson, her attorney, to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the October 15, 2012, Notice.

Closed Meeting:

Upon a motion by Ms. Stelly and duly seconded by Ms. Allen, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Patricia S. Mundy. Additionally, she 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 Ms. Stelly, and duly seconded by Ms. Allen, the Committee closed this case as undetermined.

JESSICA L. MALIN
Registration No. 0230 004410

Jessica L. Malin did not appear at the informal conference. The committee chose to proceed in her absence as the notice was mailed to Ms. Malin's legal address of record. The committee discussed that she may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the October 15, 2012, Notice.

Closed Meeting:

Upon a motion by Ms. Stelly, and duly seconded by Ms. Allen, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Jessica L. Malin. Additionally, she 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 Ms. Stelly, and duly seconded by Ms. Allen, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to offer Ms. Malin a Consent Order for the indefinite suspension of her pharmacy technician registration for a period of not less than two years.

LAWRENCE D. BARLOW
License No. 0202-005311

Lawrence D. Barlow appeared with Pamela Baker, a pharmacy technician and his attorneys, Franklin A. Swartz and Jeffrey Swartz, to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the August 7, 2012, Notice.

Closed Meeting:

Upon a motion by Ms. Stelly, and duly seconded by Ms. Allen, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, for the purpose

of deliberation to reach a decision in the matter of Lawrence D. Barlow. Additionally, she 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 Ms. Stelly, and duly seconded by Ms. Allen, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to issue Mr. Barlow an Order with a reprimand and terms and conditions.

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

STEPHEN A. BROWN
Registration No. 0230 010910

Stephen A. Brown did not appear at the informal conference. The committee chose to proceed in his absence as the notice was mailed to Mr. Brown's legal address of record. The committee discussed that he may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the October 17, 2012, Notice.

Closed Meeting:

Upon a motion by Ms. Stelly, and duly seconded by Ms. Allen, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of

Stephen A. Brown. Additionally, she 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 Ms. Stelly, and duly seconded by Ms. Allen, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to issue Mr. Brown an Order to impose a monetary penalty and require him to obtain ten (10) additional hours of continuing pharmacy education.

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

ADJOURN:

With all business concluded, the meeting adjourned at 5:30 p.m.

Jody H. Allen
Committee Chair

Cathy M. Reiniers-Day
Deputy Executive Director

12/12/2012
Date

(FINAL APPROVED)

VIRGINIA BOARD OF PHARMACY
MINUTES OF INFORMAL CONFERENCE COMMITTEE

Tuesday, November 6, 2012
Commonwealth Conference Center
Second Floor
Board Room 1

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

CALL TO ORDER:	A meeting of an Informal Conference Committee of the Board of Pharmacy was called to order at 5:30 p.m.
PRESIDING:	Jody H. Allen, Committee Chair
MEMBERS PRESENT:	Pratt P. Stelly, Committee Member
STAFF PRESENT:	Cathy M. Reiniers-Day, Deputy Executive Director Mykl D. Egan, DHP Adjudication Specialist
FREE CLINIC OF FRANKLIN COUNTY Permit No. 0201-003124	Lois McDonald, Executive Director, and Duane C. Lenart, Pharmacist-in-Charge, appeared on behalf of Free Clinic of Franklin County, to review allegations that Free Clinic of Franklin County may have violated certain laws and regulations governing the conduct of pharmacy as stated in the September 26, 2012, Notice.
Decision:	Upon a motion by Ms. Stelly, and duly seconded by Ms. Allen, the Committee closed this case as no violations and requested that Ms. Reiniers-Day send a letter to the Free Clinic of Franklin County that approves the waiver request for 18 VAC 110-20-190 (C) retroactive to June 30, 2010.
ADJOURN:	With all business concluded, the meeting adjourned at 6:00 p.m.

Jody H. Allen
Committee Chair

Cathy M. Reiniers-Day
Deputy Executive Director

12/12/2012
Date