(FINAL APPROVED)

VIRGINIA BOARD OF PHARMACY
MINUTES OF SPECIAL & INFORMAL CONFERENCE COMMITTEE

Tuesday, November 12, 2013
Commonwealth Conference Center
Second Floor
Board Room 2

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 9:30 a.m.
PRESIDING:	Ellen B. Shinaberry, Committee Chair
MEMBERS PRESENT:	Robert M. Rhodes, Committee Member
STAFF PRESENT:	Cathy M. Reiniers-Day, Deputy Executive Director Mykl D. Egan, DHP Adjudication Specialist
CYRUS KIRKPATRICK PHARMACY Permit No. 0201-002729	Robert S. McClelland, Pharmacist-in-Charge; Elizabeth Moody, Pharmacy Technician; and Aubrey S. Clay, Jr., Pharmacist, appeared on behalf of Cyrus Kirkpatrick Pharmacy to review allegations that Cyrus Kirkpatrick Pharmacy may have violated certain laws and regulations governing the conduct of pharmacy as stated in the October 10, 2013, Notice.
Decision:	Upon a motion by Mr. Rhodes, and duly seconded by Ms. Shinaberry, 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 Cyrus Kirkpatrick Pharmacy. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting 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.

Decision:

Upon a motion by Mr. Rhodes, and duly seconded by Ms. Shinaberry, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to offer a Consent Order to Cyrus Kirkpatrick Pharmacy, for a monetary penalty in the amount of $ 7,500.

(This Consent Order shall be effective upon endorsement by Cyrus Kirkpatrick Pharmacy and the Board of the findings of fact, conclusions of law, and terms of the Order).

J & F INTERNATIONAL D/B/A ALEXANDRIA COMPOUNDING PHARMACY
Permit No. 0201-001707

Farzana Kennedy, Pharmacist-in-Charge; Yelena Kleyner, Pharmacy Technician; and Hunter Jamerson, their attorney, appeared on behalf of J & F International d/b/a Alexandria Compounding Pharmacy to review allegations that J & F International d/b/a Alexandria Compounding Pharmacy may have violated certain laws and regulations governing the conduct of pharmacy as stated in the October 10, 2013, Notice.

Decision:

Upon a motion by Mr. Rhodes, and duly seconded by Ms. Shinaberry, 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 J & F International d/b/a Alexandria Compounding Pharmacy. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting 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.

Decision:

Upon a motion by Mr. Rhodes, and duly seconded by Ms. Shinaberry, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to offer a Consent Order to J & F International d/b/a Alexandria Compounding Pharmacy, for a monetary penalty in the amount of $ 10,000.

(This Consent Order shall be effective upon endorsement by J & F International d/b/a Alexandria Compounding Pharmacy and the Board of the findings of fact, conclusions of law, and terms of the Order).

KARE PHARMACY
Permit No. 0201-002103

Prakash K. Suthar, Pharmacist-in-Charge, appeared on behalf of Kare Pharmacy to review allegations that Kare Pharmacy may have violated certain laws and regulations governing the conduct of pharmacy as stated in the October 10, 2013, Notice.

Decision:

Upon a motion by Mr. Rhodes, and duly seconded by Ms. Shinaberry, 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 Kare Pharmacy. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting 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.

Decision:

Upon a motion by Mr. Rhodes, and duly seconded by Ms. Shinaberry, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to offer a Consent Order to Kare Pharmacy, for a monetary penalty in the amount of $ 5,750.

(This Consent Order shall be effective upon endorsement by Kare Pharmacy and the Board of the findings of fact, conclusions of law, and terms of the Order).

THE WELLNESS PHARMACY
Permit No. 0201-003469

Bruce Kowiatek, Pharmacist-in-Charge; Russell T. Lederhouse, owner; and Margaret Hardy, their Attorney, appeared on behalf of The Wellness Pharmacy to review allegations that The Wellness

Pharmacy may have violated certain laws and regulations governing the conduct of pharmacy as stated in the July 1, 2013, Notice.

Decision: Upon a motion by Mr. Rhodes, and duly seconded by Ms. Shinaberry, 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 The Wellness Pharmacy. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting 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.

Decision: Upon a motion by Mr. Rhodes, and duly seconded by Ms. Shinaberry, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to offer a Consent Order to The Wellness Pharmacy, for a monetary penalty in the amount of $ 18,250.

(This Consent Order shall be effective upon endorsement by The Wellness Pharmacy and the Board of the findings of fact, conclusions of law, and terms of the Order).

ADJOURN: With all business concluded, the meeting adjourned at 6:20 p.m.

Ellen B. Shinaberry
Chair

12/12/13
Date

Cathy M. Reiniers-Day
Deputy Executive Director