

FINAL/APPROVED

VIRGINIA BOARD OF PHARMACY MINUTES OF A PANEL OF THE BOARD

Tuesday, September 9, 2014
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 a panel of the Board of Pharmacy ("Board") was called to order at 1:30 p.m.

PRESIDING: Ellen Shinaberry, Chair

MEMBERS PRESENT: Jody Allen
Melvin Boone
Michael Elliott
Sheila Elliott
Empsy Munden
Cindy Warriner

STAFF PRESENT: Caroline D. Juran, Executive Director
Cathy M. Reiniers-Day, Deputy Executive Director
Heather W. Hurley, Facility Licensing Specialist
Sharon Davenport, Administrative Assistant
James Rutkowski, Assistant Attorney General
Wayne T. Halbleib, Senior Assistant Attorney General
Mykl Egan, DHP Adjudication Specialist

QUORUM: With seven (7) members of the Board present, a panel was established.

MISTY DENISE SWORD WARD
License No. 0202-206495
A formal hearing was held in the matter of Misty Denise Sword Ward to discuss her petition for reinstatement of her pharmacist license following a mandatory suspension on April 2, 2014.

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

Robert Dwerkin, Rite Aid Asset Protection District Manager, and Kevin W. Almeida, DHP Senior Investigator, testified on behalf of the Commonwealth.

Ms. Ward testified on her own behalf and was represented by Richard Kennedy, Esquire.

Closed Meeting: Upon a motion by Ms. Munden, and duly seconded by Ms. Warriner, the panel voted 7-0, 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 Misty Denise Sword Ward. Additionally, she moved that Cathy Reiniers-Day, Caroline Juran, Heather W. Hurley and James Rutkowski 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 Ms. Warriner, and duly seconded by Ms. Allen, the panel voted 7-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib, amended by the Board and read by Mr. Rutkowski.

Upon a motion by Ms. Warriner and duly seconded by Ms. Allen, the panel voted 7-0 to grant the application of Misty Denise Sword Ward for the reinstatement of her pharmacist license and that the license shall be placed on probation with terms and conditions.

CAROLYN A. FIELDS
Registration No. 0230-010118

A formal hearing was held in the matter of Carolyn A. Fields, following the summary suspension of her pharmacy technician registration on August 5, 2014, to discuss allegations governing the practice of pharmacy technicians in Virginia.

Ms. Fields was not present at the hearing. The Board proceeded with the hearing in Ms. Fields' absence as the Notice of Hearing dated August 5, 2014, was mailed to her legal address of record, both by regular and certified mail. Ms. Shinaberry ruled that adequate notice was provided to Ms. Fields.

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

Robert Dworkin, Rite Aid Asset Protection District Manager, and Denise Sexton, DHP Senior Investigator, testified on behalf of the Commonwealth.

Closed Meeting:

Upon a motion by Ms. Munden, and duly seconded by Mr. Elliott, the panel voted 7-0, 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 Carolyn A. Fields. Additionally, she moved that Cathy Reiniers-Day, Caroline Juran, Sharon Davenport, and James Rutkowski 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:

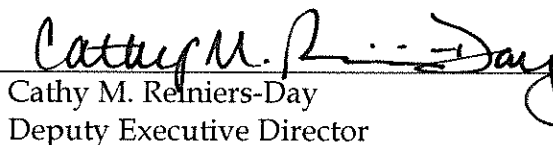
Upon a motion by Ms. Warriner, and duly seconded by Ms. Elliott, the panel voted 7-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Halbleib, amended by the Board and read by Mr. Rutkowski.

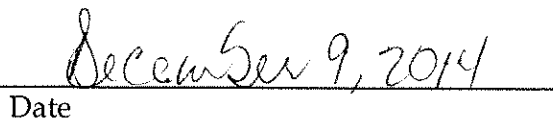
Upon a motion by Ms. Warriner and duly seconded by Ms. Elliott, the panel voted 8-0 to revoke Ms. Fields registration to practice as a pharmacy technician.

Adjourn:

With all business concluded, the meeting adjourned at 5:10 p.m.


Ellen Shinaberry, Chair


Cathy M. Reiniers-Day
Deputy Executive Director


Date