

FINAL/APPROVED

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

Thursday, February 5, 2015
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 11:00 a.m.

PRESIDING: Ellen Shinaberry, Chair

MEMBERS PRESENT: Jody Allen
Melvin Boone
Empsy Munden
Rebecca Thornbury
Cindy Warriner

STAFF PRESENT: Caroline D. Juran, Executive Director
Cathy M. Reiniers-Day, Deputy Executive Director
Sharon Davenport, Administrative Assistant
James Rutkowski, Assistant Attorney General
James Schliessmann, Senior Assistant Attorney General
Mykl D. Egan, DHP Adjudication Specialist

QUORUM: With six (6) members of the Board present, a panel was established.

JEANN LEE GILLESPIE
License No. 0202-211184
A formal hearing was held in the matter of Jeann Lee Gillespie to discuss allegations that she may have violated the laws and regulations governing the practice of pharmacy in Virginia.

Ms. Gillespie was not present at the hearing. The Board proceeded with the hearing in Ms. Gillespie's absence as the Notice of Hearing, dated January 8, 2015, was mailed to her legal address of record, both by regular and certified mail. Ms. Shinaberry ruled that adequate notice was provided to Ms. Gillespie.

James Schliessmann, Senior Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

Michele Crone, DHP Senior Investigator, testified on behalf of the Commonwealth.

Closed Meeting: Upon a motion by Ms. Munden, and duly seconded by Ms. Warriner, 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 Jeann Lee Gillespie. 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. Munden, the panel voted 6-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Schliessmann and read by Mr. Rutkowski.

Upon a motion by Ms. Warriner and duly seconded by Ms. Munden, the panel voted 6-0 to indefinitely suspend Jeann Lee Gillespie's right to renew her license to practice pharmacy.

STEPHANIE REYNOLDS
Registration No: 0230-023121

James Schliessmann, Senior Assistant Attorney General, presented a summary of the evidence in the case for the Board to consider a summary suspension. Mykl D. Egan, DHP Adjudication Specialist, was also present.

Upon a motion by Ms. Warriner, and duly seconded by Mr. Boone, the Board voted 6-0 in favor of the motion that, according to the evidence presented, the continued practice by Stephanie Reynolds as a pharmacy technician poses a substantial danger to the public; and therefore, the registration of Stephanie Reynolds to practice as a pharmacy technician be summarily suspended. Further, in lieu of a formal hearing, a Consent Order shall be offered to Ms. Reynolds for the indefinite suspension of her pharmacy technician registration for one year.

CONSIDERATION OF CONSENT ORDERS

Closed Meeting: Upon a motion by Ms. Munden, and duly seconded by Ms. Thornbury, the Board voted 6-0 to convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of

Virginia for the purpose of deliberation to reach a decision in the matter of Consent Orders. Additionally, she moved that Cathy M. Reiniers-Day, Caroline D. Juran, Sharon Davenport and James Rutkowski attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

Reconvene

The Board voted unanimously that only public business matters lawfully exempt from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

MOTION:
Registration No. 0230-019341

Upon a motion by Ms. Thornbury and duly seconded by Ms. Warriner, the Board voted 6-0 in favor of accepting the Consent Order as presented by Ms. Reiniers-Day in the matter of Rianna L. Hodgen, a pharmacy technician.

MOTION:
Registration No. 0230-008907

Upon a motion by Mr. Boone and duly seconded by Ms. Warriner, the Board voted 6-0 in favor of accepting the Consent Order as presented by Ms. Reiniers-Day in the matter of Jerri D. Mallory, a pharmacy technician.

MOTION:
License No. 0202-210861

Upon a motion by Ms. Allen and duly seconded by Ms. Warriner, the Board voted 6-0 in favor of accepting the Consent Order as presented by Ms. Reiniers-Day in the matter of Dale A. Moore, a pharmacist.

JENNIFER D. WHITE
Registration No. 0230-018248

A formal hearing was held in the matter of Jennifer D. White to discuss her petition for reinstatement of her pharmacy technician registration following a mandatory suspension on March 13, 2014.

James Schliessmann, Senior Assistant Attorney General, prosecuted the case with the assistance of Mykl D. Egan, DHP Adjudication Specialist.

An Affidavit signed by Gayle Miller, Senior Investigator, was presented by Mr. Schliessmann and accepted by Ms. Shinaberry. Further, Pat Sheehan, DHP Senior Investigator, and George Fetko, a pharmacist and Ms. White's former employer, testified on behalf of the Commonwealth.

Ms. White testified on her own behalf.

Closed Meeting:

Upon a motion by Ms. Munden, and duly seconded by Mr. Boone, 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 Jennifer D. White. 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:

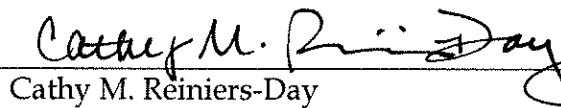
Upon a motion by Ms. Warriner, and duly seconded by Ms. Munden, the panel voted 6-0 to accept the Findings of Fact and Conclusions of Law as proposed by Mr. Schliessmann, amended by the Board and read by Mr. Rutkowski.

Upon a motion by Ms. Warriner and duly seconded by Ms. Munden, the panel voted 6-0 to deny Ms. White's petition for reinstatement of her pharmacy technician registration.

Adjourn:

With all business concluded, the meeting adjourned at 2:40 p.m.


Ellen Shinaberry, Chair


Cathy M. Reiniers-Day
Deputy Executive Director

3/24/15

Date