

**(FINAL/APPROVED)**

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

February 1, 2017  
Commonwealth Conference Center  
Second Floor  
Board Room 2

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

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Orders/Consent Orders referred to in these minutes are available upon request

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**CALL TO ORDER:** A meeting of a panel of the Board of Pharmacy (“Board”) was called to order at 10:35 a.m.

**PRESIDING:** Jody Allen, Board Member

**MEMBERS PRESENT:** Melvin L. Boone, Sr. (arrived 1:55 p.m.)  
Michael I. Elliott  
Sheila K. W. Elliott (departed 2:15 p.m.)  
Freeda Cathcart  
Ellen Shinaberry

**STAFF PRESENT:** Caroline D. Juran, Executive Director  
Kennia Butler, Disciplinary Program Specialist  
James Rutkowski, Assistant Attorney General  
Wayne T. Halbleib, Senior Assistant Attorney General  
Mykl Egan, DHP Adjudication Specialist

**QUORUM:** With five members of the Board present, a quorum was established.

**ACARIAHEALTH PHARMACY, INC.**  
Permit No. 0201-004179

A formal hearing was held in the matter of AcariaHealth Pharmacy, Inc. to discuss allegations that they may have violated certain laws and regulations governing the conduct of a pharmacy in Virginia.

Wayne T. Halbleib, Senior Assistant Attorney General, was present to prosecute the case with the assistance of Mykl Egan, DHP Adjudication Specialist.

AcariaHealth Pharmacy, Inc. was represented by Elizabeth A. Scully, Lee Rosebush. James Whitford, Pharmacist-in-Charge, testified on behalf of the respondent.

Susan Beckmann, DHP Inspector, testified on behalf of the Commonwealth.

**CLOSED MEETING:** Upon a motion by Mr. Elliott, and duly seconded by Ms. Elliott, the panel voted 5-0, 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 regarding the matter of AcariaHealth Pharmacy, Inc.

Additionally, he moved that Caroline Juran, Kennia Butler and James Rutowski 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 quorum re-convened in open meeting and announced the decision.

DECISION:

Upon a motion by Mr. Elliott, and duly seconded by Ms. Shinaberry, the panel voted 5-0 to impose a monetary penalty of \$5,000 to be paid within 30 days from the date of the Order.

Mr. Boone was recused from the case involving AcariaHealth Pharmacy, Inc. He arrived at 1:55p.m. to participate in the subsequent cases.

SUMMARY SUSPENSION:

DANIEL PATRICK WILSON  
Registration No.: 0230-020006

Wayne Halbleib, 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 Mr. Elliott, 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 Daniel Patrick Wilson, as a pharmacy technician poses a substantial danger to the public; and therefore, Daniel Patrick Wilson's right to renew his registration to practice as a pharmacy technician be summarily suspended. Further, in lieu of a formal hearing, a Consent Order shall be offered to Mr. Wilson for the indefinite suspension of his right to renew his pharmacy technician registration for not less than two years.

Ms. Elliott departed at 2:15 p.m.

SHERRI KNOX  
Registration No.: 0230-008921

A formal hearing was held in the matter of Sherri Knox to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy technicians in Virginia.

Wayne T. Halbleib, Senior Assistant Attorney General, was present to prosecute the case with the assistance of Mykl Egan, DHP Adjudication Specialist.

Patricia Harte-Byers, DHP Senior Investigator; Richard Waddell, Walgreens Asset Protection Manager; Schrie Askew, Walgreens Pharmacist-in-Charge; and Maura Keene, Walgreens Store Manager, testified on behalf of the Commonwealth.

Ms. Knox testified on her own behalf.

CLOSED MEETING:

Upon a motion by Mr. Elliott, and duly seconded by Mr. Cathcart, 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 regarding the case of Sherri Knox. Additionally, he moved that Caroline Juran, Kennia Butler and James Rutowski attend the closed meeting.

RECONVENE:

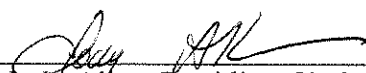
Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the panel re-convened in open meeting and announced the decision.

DECISION:

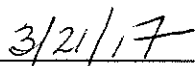
Upon a motion by Ms. Cathcart, and duly seconded by Mr. Boone, the panel voted 6-0 to dismiss case.

ADJOURN:

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

  
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Jody Allen, Presiding Chair

  
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Caroline D. Juran, Executive Director

  
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Date