

(FINAL/APPROVED)

VIRGINIA BOARD OF PHARMACY
MINUTES OF TELEPHONE CONFERENCE CALL

Wednesday, March 30, 2022

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

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

TIME & PURPOSE: Pursuant to § 54.1-2400(13) of the Code of Virginia, a telephone conference call of the Virginia Board of Pharmacy ("TCC") was held on March 30, 2022, at 9:04 AM, to consider settlement proposals for Case no. 200972 and Case no. 201687.

PRESIDING: Cheryl Nelson, Chair

MEMBERS PRESENT: Cheri Garvin
Bernie Henderson
William Lee
Kristopher Ratliff
Dale St. Clair
Patricia Richards-Spruill
Glenn Bolyard
Sarah Melton

STAFF PRESENT: Caroline Juran, Executive Director
Ellen Shinaberry, Deputy Executive Director
James Rutkowski, Senior Assistant Attorney General
Sean J. Murphy, Assistant Attorney General
Jess Weber, Adjudication Specialist

POLL OF MEMBERS: The Board members were polled as to whether they could have attended a regular meeting at the office in a timely manner for the purpose of hearing evidence in a possible summary restriction case. The Board members stated that they would not have been able to attend.

QUORUM: With nine (9) members participating a quorum was established.

CASE NO. 200972 Board members Ms. Patricia Richards-Spruill and Dr. Bill Lee were recused from the conference call for discussion of this case. Sean J. Murphy, Assistant Attorney General, presented a possible settlement

proposal for case no. 200972.

CLOSED MEETING:

Upon a motion by Dr. Ratliff, and duly seconded by Mr. Bolyard, the Board 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 regarding a possible settlement in the matter of Case No 200972. Additionally, he moved that Caroline Juran, Ellen Shinaberry, and Jim 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 Board re-convened an open meeting and announced the decision (Motion by Ratliff/Second by Bolyard).

Board members Richards-Spruill and Lee rejoined the teleconference at approximately 9:54 AM.

DECISION:

Upon a motion by Mr. Henderson and duly seconded by Mr. Bolyard, the Board unanimously voted (7-0) to reject the proposed settlement agreement.

CASE NO. 201687

Board members Bolyard and St. Clair were recused from the conference call for discussion of this case. Ellen Shinaberry, Deputy Executive Director, and Jess Weber, Adjudication Specialist, presented a possible settlement proposal for case no. 201687.

CLOSED MEETING:

Upon a motion by Dr. Ratliff, and duly seconded by Mr. Henderson, the Board 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 regarding a possible settlement in the matter of Case No 201687. Additionally, he moved that Caroline Juran, Ellen Shinaberry, and Jim 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 Board re-convened an open meeting and announced the decision (Motion by Ratliff/Second by Richards-Spruill).

DECISION:

Upon a motion by Mr. Henderson and duly seconded by Ms. Richards-Spruill, the Board unanimously voted

(7-0) to reject the proposed settlement agreement.


ADJOURN:

The conference call adjourned at 10:46 AM.

ADJOURN:

With all business concluded, the meeting adjourned at 10:02 AM.


Cheryl Nelson, Chair


for Ellen B. Shinaberry, PharmD
Deputy Executive Director

6/6/2022

6-3-22
Date