

(FINAL/APPROVED)
VIRGINIA BOARD OF PHARMACY
MINUTES OF A QUORUM OF THE BOARD

Monday, May 23, 2022
Commonwealth Conference Center
Second Floor
Board Room 2

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

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

CALL TO ORDER: A meeting of a panel of the Board of Pharmacy ("Board") was called to order at 9:13 AM.

PRESIDING: Cheryl Nelson, Chair

MEMBERS PRESENT: Sarah Melton
Bernie Henderson
Kris Ratliff
Cheri Garvin
James Jenkins
Bill Lee
Glenn Bolyard
Dale St. Clair

STAFF PRESENT: Ellen B. Shinaberry, Deputy Executive Director
James Rutkowski, Assistant Attorney General

QUORUM: With nine (9) members of the Board present, a quorum of the board was established.

TIME & PURPOSE: James Schliessmann, Assistant Attorney General for the Case No. 214575 Commonwealth, presented evidence for a possible summary suspension. Mr. Schliessmann was assisted by Jess Weber, DHP Adjudication Specialist.

CLOSED MEETING: Upon a motion by Dr. St. Clair, and duly seconded by Mr. Jenkins, the Board voted 9-0, 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 Dina Liuzzi. Additionally, he moved that 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 reconvened an open meeting and announced the decision.

DECISION:

Upon a motion by Mr. Bolyard, and duly seconded by Ms. Garvin, the Board voted 9-0 to summarily suspend the pharmacy technician registration of Dina Liuzzi.

Upon a motion by Mr. Bolyard, and duly seconded by Ms. Garvin, the Board voted 8-1 (Henderson - Nay) to notice for a formal hearing, and offer a consent order for in lieu of the formal hearing with certain terms and conditions.

CONSIDERATION OF CONSENT
ORDERS:

CASE NO. 201687

Mr. Lee recused himself prior to the start of this presentation. Jess Weber, Adjudication Specialist, presented a consent order in the matter of case number 201687.

CLOSED MEETING:

Upon a motion by Dr. St. Clair, and duly seconded by Mr. Bolyard, the Board voted 8-0, 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 consent order. Additionally, he moved that 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. Mr. Lee returned for open session.

DECISION:

Upon a motion by Ms. Garvin, and duly seconded by Mr. Henderson, the Board voted 8-0 to deny the consent order.

CASE NO. 211648

Dr. Ratliff and Mr. Henderson recused themselves prior to the start of this presentation. Jess Weber, Adjudication Specialist, presented a consent order in the matter of case number 211648.

CLOSED MEETING:

Upon a motion by Dr. St. Clair, and duly seconded by Mr. Jenkins, 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 to reach a decision regarding the consent order. Additionally, he moved that 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. Dr. Ratliff and Mr. Henderson returned for open session.

Upon a motion by Ms. Garvin, and duly seconded by Mr. Bolyard, the Board voted 7-0 to accept the consent order.

Caroline Juran, Executive Director and Krista Samuels, Assistant Attorney General, arrived for the formal hearing for case number 201687. Mr. Lee recused himself from the formal hearing and left the building.

PASCALE EL HAYEK
License No. 0202-207815

A formal hearing was held in the matter of Pascal El Hayek to discuss allegations she may have violated certain laws and regulations governing the practice of pharmacy in Virginia.

Jess Weber, DHP Adjudication Specialist, presented the case.

Ms. El Hayek was not represented by counsel and Ms. Cotter testified on her own behalf.

Victoria McGee, DHP Inspector, testified in person for the Commonwealth.

CLOSED MEETING:

Upon a motion by Ms. Garvin, and duly seconded by Dr. St. Clair, the Board voted 8-0, 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 Pascale El Hayek. Additionally, she moved that Ellen Shinaberry, Caroline Juran, Jim Rutkowski, and Krista Samuels 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 reconvened an open meeting and announced the decision.

DECISION:

Upon a motion by Dr. St. Clair, and duly seconded by Dr. Melton, the Board voted 8-0 to accept the Findings of Fact and Conclusions of law as presented by the Commonwealth and amended by the Board.

Upon a motion by Dr. St. Clair, and duly seconded by Dr. Melton, the board voted 8-0 to revoke the pharmacist license of Pascale El Hayek.

ADJOURN:

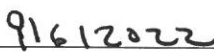
1:35 PM

Cheryl Nelson, Chair



Caroline D. Juran, Executive Director

Date



Date

