



TEXAS STATE BOARD OF PHARMACY

April 22, 2015

**Minutes of the Second Temporary Suspension Hearing
of RX Max Pharmacy (Pharmacy License #27883);
Shlonda Fay Williams (Pharmacist License #47063); and
Chukwuma U. Anyanwu (Pharmacist License #52885)**

Chair Jeanne D. Waggener, R.Ph., called the meeting to order at 9:07 a.m., in conference room number 400A, Tower II, 333 Guadalupe Street, Austin, Texas 78701. Board Members, Joyce A. Tipton, R.Ph., and Phyllis A. Stine were also present.

Staff present: Kerstin E. Arnold, General Counsel; Caroline K. Hotchkiss, Assistant General Counsel; John Hargis, Chief Investigator; Iona Grant, R.Ph., Senior Compliance Officer; and Kate Hayden, Legal Assistant.

Respondents: RX Max Pharmacy (Pharmacy License #27883), represented by Don E. Lewis; Shlonda Fay Williams (Pharmacist License #47063) (was not present); and Chukwuma U. Anyanwu (Pharmacist License #52885), represented by Eddie M. Pope.

Court Reporter: Renea Seggern, Ken Owen & Associates, L.P.

A. Opening:

The Chair called the case of the Petition for the Temporary Suspension in the Matters of RX Max Pharmacy (Pharmacy License #27883); Shlonda Fay Williams (Pharmacist License #47063); and Chukwuma U. Anyanwu (Pharmacist License #52885). She inquired into whether or not a panel member wished to be recused. All panel members responded negatively.

The Chair requested the parties to go on record stating their names and who they are representing.

Board Staff: Caroline K. Hotchkiss, attorney for the Board staff.

Respondent: Don E. Lewis, attorney for RX Max Pharmacy; Eddie M. Pope, attorney for Chukwuma U. Anyanwu; Shlonda Fay Williams was not in attendance for the hearing today.

B. Presentation by Board's Attorney, Caroline K. Hotchkiss:

1. Verbal synopsis of allegations.
2. Introduction of documents into evidence. All admitted.
3. Testimony of Board witnesses: Iona Grant, John Hargis, and Kate Hayden.
4. Cross examination of Chukwuma U. Anyanwu.
5. Closing statement.

C. Presentation by Respondent's Attorney, Eddie M. Pope:

1. Opening statement.
2. Introduction of documents into evidence. All admitted.
3. Testimony of Chukwuma U. Anyanwu.
4. Cross examination of John Hargis and Iona Grant.
5. Closing statement.

D. Presentation by Respondent's Attorney, Don E. Lewis:

1. Opening statement.
2. Introduction of documents into evidence. All admitted.
3. Cross examination of Iona Grant, John Hargis, and Kate Hayden.
4. Closing statement.

E. Motions:

1. A motion was made by Ms. Tipton that the Petition for the Temporary Suspension of Shlonda Fay Williams (Pharmacist License #47063) be granted on a default basis, in that the evidence and information indicates that the Respondent's practice of pharmacy poses a continuing threat to the public welfare. Ms. Tipton further moved that the staff proposed Temporary Suspension Order be adopted, that Respondent's pharmacist license be suspended and shall continue in effect, pending a hearing on the suspended license, until further Order of the Board, in accordance with the Administrative Procedure Act and the Board's rules. Ms. Stine seconded the motion. The motion passed unanimously with the Temporary Suspension Order being effective immediately.
2. A motion was made by Ms. Tipton to go into Executive Session pursuant to the Open Meetings Act, Section 551.071 of the Government Code, and Section 552.011 of the Texas Pharmacy Act to consult with counsel regarding pending disciplinary actions against the Respondent at 3:03 p.m. Ms. Stine seconded the motion. The motion passed unanimously.

The panel members went into Executive Session.

The Chair reconvened the meeting at 3:25 p.m., and announced that no action was taken during Executive Session.

3. A motion was made by Ms. Tipton that the Petitions for the Temporary Suspension of RX Max Pharmacy (Pharmacy License #27883) and Chukwuma U. Anyanwu (Pharmacist License #52885) be granted, in that the evidence and information indicates that the Respondents' operation as a pharmacy and practice as a pharmacist pose a continuing threat to the public welfare. Ms. Tipton further moved that the staff proposed Temporary Suspension Order be adopted, that Respondents' pharmacy and pharmacist licenses be suspended and shall continue in effect, pending a hearing on the suspended licenses, until further Order of the Board, in accordance with the Administrative Procedure Act and the Board's rules. Ms. Stine seconded the motion. The motion passed unanimously with the Temporary Suspension Order being effective immediately.

The Chair announced that the Petitions for Temporary Suspension of RX Max Pharmacy and Chukwuma U. Anyanwu were granted.

Chair Waggener adjourned the hearing at 3:37 p.m.

APPROVED:

Jeanne D. Waggener, R.Ph.
Chair

Gay Dodson, R.Ph.
Executive Director/Secretary