

IN THE MATTER OF	*	BEFORE THE MARYLAND
DANIEL MCTAGGART, P.D.	*	STATE BOARD OF
LICENSE NO. 14584	*	PHARMACY
Respondent	*	Case No. 12-088

* * * * *

ORDER LIFTING SUSPENSION

On March 13, 2013, Daniel McTaggart, P.D., submitted a petition to the Maryland Board of Pharmacy (the “Board”) requesting that the Board lift the suspension of his license, License No. 14584, initially set forth in a Final Decision and Order dated December 12, 2012. The Final Decision and Order provides that Mr. McTaggart may petition to lift the suspension after ninety (90) days, provided that he first comply with a number of conditions, including family therapy, random urine screens, and participation in an intensive outpatient substance abuse program. On December 21, 2012, the Board issued an Order of Modification removing the requirement that Mr. McTaggart participate in an intensive outpatient substance abuse program, provided that he attend meetings of a 12-step substance abuse support group and provide proof of attendance to the Board. On March 20, 2013, the Board, satisfied that Mr. McTaggart has demonstrated full compliance with the terms of the Final Decision and Order, voted to lift the suspension and place Mr. McTaggart on immediate probation with terms as set forth below.

ORDER

It is this 22nd day of March, 2013, by an affirmative vote of the Maryland Board of Pharmacy, hereby:

ORDERED that the suspension of Mr. McTaggart’s license be lifted; and be it further **ORDERED** that Mr. McTaggart’s license shall be placed on immediate PROBATION

for at least THREE (3) YEARS, during which:

1. As a dispensing pharmacist, Mr. McTaggart may not work night shifts;
2. Mr. McTaggart shall attend meetings of a 12-step substance abuse support group at least three (3) times per week;
3. Mr. McTaggart shall provide the Board with documentation proving his attendance at the required 12-step substance abuse support group meetings on a monthly basis; and
4. Mr. McTaggart shall submit to random, Board-ordered enhanced drug and alcohol urine screens and breathalyzer tests on a twice-monthly basis; and be it further,

ORDERED that after one (1) year of probation, Mr. McTaggart may petition the Board for modification of the probationary terms herein, provided that he has been fully compliant with the terms of probation and does not have any pending complaints filed against him; and be it further,

ORDERED that after three (3) years of probation, Mr. McTaggart may petition the Board to terminate probation, provided that he has been fully compliant with the terms of probation and does not have any pending complaints filed against him; and be it further,

ORDERED that all urine screens and breathalyzer tests submitted under this Order shall be:

1. Submitted by Mr. McTaggart within 24 hours of the Board staff instructing him to submit a urine sample;
2. Submitted at a CLIA-certified laboratory;
3. Observed; and
4. Negative for any controlled dangerous substance, narcotics, cocaine, alcohol, or

other mood-altering substances or drugs of concern, except as provided below; and be it further,

ORDERED that Mr. McTaggart shall abstain from the ingestion of controlled dangerous substances, narcotics, cocaine, alcohol, or other mood-altering substances or drugs of concern, except that Mr. McTaggart may ingest prescribed controlled dangerous substances or drugs of concern for legitimate medical reasons under the following conditions:

1. Mr. McTaggart must be a bona fide patient of a licensed Maryland prescriber who is aware of this order;

2. The medication must be lawfully prescribed by Mr. McTaggart's physician or other authorized medical practitioner; and

3. Mr. McTaggart must provide the Board, in writing, within seventy-two (72) hours of receiving the medication:

- a. The name and address of the prescriber;
- b. The illness or medical condition diagnosed;
- c. The type, strength, amount, and dosage of the medication; and
- d. A signed statement consenting to the release of all medical information about Mr. McTaggart from the prescriber to the Board; and be it further,

ORDERED that Mr. McTaggart shall at all times cooperate with the Board in the monitoring, supervision, and investigation of Mr. McTaggart's compliance with the terms and conditions of this Order; and be it further,

ORDERED that Mr. McTaggart's failure to fully cooperate with the Board shall be deemed a violation of the probationary terms and a violation of this Order; and be it further,

ORDERED that in the event the Board finds in good faith that Mr. McTaggart has violated any of the conditions of probation herein, receives credible information that Mr.

McTaggart has relapsed, or finds in good faith that Mr. McTaggart has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may take further disciplinary action against Mr. McTaggart's license, including but not limited to suspension or revocation, provided that Mr. McTaggart is first given notice and the opportunity for a hearing; and be it further,

ORDERED that Mr. McTaggart shall bear the expenses associated with this Order; and be it further,

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

3/22/13

Date

LaVerne G. Naesea

LaVerne G. Naesea, Executive Director
For
Michael Souranis, P.D.
President, Board of Pharmacy