



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

Maryland Board of Pharmacy

Neil Leikach, RPh, MSc, Board President
Deena Speights-Napata, M.A., Executive Director
4201 Patterson Avenue
Baltimore, MD 21215-2299

November 2, 2023

**VIA REGULAR AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE#: 7014 2570 0000 4732 2377**

Daniel Iseminger, R.Ph.
312 State St
Everett, PA 15537

Re: License No. 20582
Case No. 23-182
Notice of Recommended Civil Penalty

Dear Mr. Iseminger:

The Board of Pharmacy (the “Board”) conducted an annual inspection of your pharmacy employer (“Pharmacy A”) in Cumberland, Maryland, on June 9, 2022. During that inspection, it was noted that you administered vaccinations but did not possess an active CPR certification obtained through in-person classroom instruction as required in order to administer vaccinations under the authority of your pharmacist’s license. The Pharmacy subsequently provided information indicating that you administered approximately 28 vaccinations without an active CPR certification. The Board’s records reflect that you subsequently obtained an updated CPR certification on June 28, 2022.

I. FINDINGS AND CONCLUSION

The Board finds that you administered vaccinations without having active CPR training through in-person classroom instruction as required in order to administer vaccinations under the authority of your pharmacist’s license.

A pharmacist must be registered with the Board and maintain active CPR certification through in-person classroom instruction in order to register to administer vaccinations in accordance with the Maryland Pharmacy Act, Health Occ. Art. § 12-508(b)(2) and COMAR 10.34.32.03.

II. RECOMMENDED CIVIL MONETARY PENALTY

Under Maryland Health Occupations Article § 12-314 and COMAR 10.34.11, the Board of Pharmacy has the authority to impose a civil monetary penalty based upon violations of the Maryland Pharmacy Act.

Based upon the findings and conclusions above, the Board hereby recommends the imposition of a **civil monetary penalty of \$250.00**.

In determining the recommended civil monetary penalty, the Board took into consideration the aggregating and mitigating factors outlined in COMAR 10.34.11.04.

III. OPPORTUNITY FOR HEARING

If you dispute the findings, conclusions or the recommended civil monetary penalty, you may request an evidentiary hearing on the Board's decision in this matter. In the event that you request an evidentiary hearing, the Board shall initiate formal proceedings which will include notice and an opportunity for a full evidentiary hearing. The hearing will be held in accordance with the Administrative Procedure Act, Md. Code Ann., State Gov't § 10-201 *et seq.*, and COMAR 10.34.01. Any request for a hearing must be submitted in writing to Donna Goldberg, R.Ph., J.D., Maryland Board of Pharmacy, 4201 Patterson Ave., 5th Floor, Baltimore, Maryland 21215, **no later than thirty (30) days of the date of this Notice**.

Please be advised that at the hearing you would have the following rights: to be represented by counsel, to subpoena witnesses, to call witnesses on your own behalf, to present evidence, to cross-examine witnesses, to testify, and to present summation and argument. Should the Board find you in violation of the Maryland Pharmacy Act, the Board may impose formal public disciplinary action against your license such as a reprimand, placing your license on probation, suspension, or revocation. The Board may also impose a civil penalty against your license not to exceed \$10,000. If you request a hearing but fail to appear, the Board may nevertheless hear and determine the matter in your absence.

IV. OPTION TO PAY RECOMMENDED MONETARY PENALTY/FOLLOW-UP ACTION

Alternatively, you may pay the recommended civil monetary penalty **within thirty (30) days** of the date of this Notice, in the form of a certified check or money order made payable to the Maryland Board of Pharmacy.

Please mail the check or money order to:

Wells Fargo Bank
Attn: State of Maryland - Board of Pharmacy
Lockbox 2051
401 Market Street
Philadelphia, PA 19106

NOTE: Please include the Case Number 23-182 on your check or money order to ensure proper assignment to your case.

Upon your payment of the recommended civil monetary penalty, this Notice will constitute the Board's final action with respect to this matter, and shall constitute a final and public order under the Maryland Public Information Act, General Provisions Art. § 4-333, and be posted on the Board's website in accordance with Health Occ. § 1-607, and reported in accordance with State and federal laws.

If you have any questions concerning the instructions contained in this letter, please contact Donna Goldberg, R.Ph., J.D., at 410-764-3768.

Sincerely,



Deena Speights-Napata, M.A.
Executive Director