

IN THE MATTER OF	*	BEFORE THE
DANIEL D. DIETRICK, M.D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D45331	*	Case Number: 2224-0048 A
* * * * *	*	* * * * *

**ORDER FOR SUMMARY SUSPENSION
OF LICENSE TO PRACTICE MEDICINE**

Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) hereby **SUMMARILY SUSPENDS** the license of **DANIEL D. DIETRICK, M.D.** (the “Respondent”), License Number D45331, to practice medicine in the State of Maryland.

Panel A takes such action pursuant to its authority under Md. Code Ann., State Gov’t § 10-226(c) (2021 Repl. Vol. & 2023 Supp.), and Md. Code Regs. (“COMAR”) 10.32.02.08B(7), concluding that the public health, safety or welfare imperatively requires emergency action.

INVESTIGATIVE FINDINGS

Based on information received by, and made known to Panel A, and the investigatory information obtained by, received by and made known to and available to Panel A, including the instances described below, Panel A has reason to believe that the following facts are true:¹

¹ The statements regarding Panel A’s investigative findings are intended to provide the Respondent with reasonable notice of the basis of the suspension. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

I. BACKGROUND

1. At all times relevant hereto, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent initially was licensed to practice medicine in Maryland on November 24, 1993, under License Number D45331. The Respondent's license expires on September 30, 2024, subject to renewal.

2. The Respondent is board-certified in Urology.

3. At all times relevant hereto, the Respondent was employed as a physician at a health care facility (the "Facility") located in Towson, Maryland.

4. On or about October 5, 2023, the Board opened an investigation of the Respondent after receiving a Mandated 10-Day Report from the Facility stating that on September 13, 2023, it summarily suspended the Respondent's Facility privileges based on the Respondent testing positive for an elevated blood alcohol level on August 28, 2023, after performing a procedure on a patient.

II. BOARD INVESTIGATION

5. As part of its investigation, the Board obtained medical and administrative records from the Facility and other health care facilities with which the Respondent was employed or associated. The Board also obtained a written response from the Respondent.

6. The Board's investigation revealed that on or about August 28, 2023, the Respondent was scheduled to perform a medical procedure on a patient at the Facility at 9:00 a.m. By 9:40 a.m. the Respondent had not arrived at the Facility, which prompted a staff member to contact him. The Respondent finally arrived at the Facility at 9:53 a.m.

7. Upon the Respondent's arrival, Facility staff members observed the Respondent to be disheveled with the bottom of his pant leg tucked into his sock, his hair unkempt and his shirt stained with deodorant. Facility staff members noticed the Respondent's speech was disjointed and slow. The Respondent proceeded to perform the scheduled procedure and was observed to be "hyperfocused on each step of the procedure, as if he was trying to remember what was to come next." The Respondent performed the procedure without any issues, but a Facility staff observed him to be rude when speaking with the patient.

8. The Facility administrative staff decided not to allow the Respondent to perform anymore procedures after the first patient. While Facility staff members were speaking with the Respondent about his behavior in a consulting room, the Respondent began retching and vomiting.

9. At approximately 1:00 p.m., the Respondent was driven by a Facility staff member to another health care facility where he submitted a blood test for toxicology screening. The result of the toxicology screening indicated that the Respondent was impaired with an elevated blood alcohol content.

10. On or about October 20, 2023, the Respondent submitted a written response to the Board in which he admitted to drinking more alcohol than he thought the night before the stated incident on August 28, 2023, and also admitted that his blood alcohol level was elevated on that date.

CONCLUSIONS OF LAW

Based upon the foregoing Investigative Findings, Panel A concludes as a matter of law that the public health, safety, or welfare imperatively requires emergency action, and that pursuant to Md. Code Ann., State Gov't § 10-226(c)(2) (2021 Repl. Vol. and 2022 Supp.) and Md. Code Regs. ("COMAR") 10.32.02.08B(7)(a), the Respondent's license is summarily suspended.

ORDER

It is, by a majority of the quorum of Panel A, hereby:

ORDERED that pursuant to the authority vested in Panel A by Md. Code Ann., State Gov't § 10-226(c)(2) and COMAR 10.32.02.08B(7)(a), the Respondent's license to practice medicine in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that, during the course of the summary suspension, the Respondent shall not practice medicine in the State of Maryland; and it is further

ORDERED that in accordance with COMAR 10.32.02.08B(7) and E, a post-deprivation hearing on the summary suspension will be held on **Wednesday, December 6, 2023, at 10:30 a.m.** before Panel A at the Board's offices, located at 4201 Patterson Avenue, Baltimore, Maryland 21215-0095; and it is further

ORDERED that at the conclusion of the post-deprivation hearing before Panel A, the Respondent, if dissatisfied with the result of the hearing, may request within ten (10) days an evidentiary hearing, such hearing to be set within thirty (30) days of the request,

before an Administrative Law Judge at the Office of Administrative Hearings, Administrative Law Building, 11101 Gilroy Road, Hunt Valley, Maryland 21031-1301; and it is further

ORDERED that a copy of this Order for Summary Suspension shall be filed with the Board in accordance with Health Occ. § 14-407 (2021 Repl. Vol. and 2023 Supp.); and it is further

ORDERED that this is an Order of Disciplinary Panel A, and as such, is a **PUBLIC DOCUMENT**. See Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Provisions § 4-333(b)(6).

11/22/2023
Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians