

Mariam Chellappa, Audiologist
2415 Derby Drive
Fallston, MD 21047

Date *15 May, 2002*

A. D. Hagedorn, Jr., Chair
State Board of Audiologists,
Hearing Aid Dispensers, and
Speech-Language Pathologists
4201 Patterson Avenue
Baltimore, Maryland 21215

Re: Surrender of Audiologist License
License Number: 00511

Dear Chairperson Hagedorn, Jr., and Members of the Board:

Please be advised that I have decided to surrender my license to practice audiology in the State of Maryland, License Number 00511. I understand that I may not give audiology advice or treatment to any individual, with or without supervision and/or compensation, cannot fit people for hearing aids, or otherwise engage in the practice of audiology, as it is defined in the Audiologists Practice Act (the "Act"), Md. Health Occ. ("H.O.") Code Ann. § 2-101, *et seq.*, (2000 Repl. Vol.). In other words, as of 5/15/02 the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual.

I understand that this Letter of Surrender is a **PUBLIC** document.

My decision to surrender my license to practice audiology in Maryland has been prompted by an investigation of my licensure by the Maryland Board of Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists (the "Board").

The Board's investigation resulted in charges under the Act. Specifically, the Board charged me with the commission of prohibited acts under H.O. § 2-314.

The pertinent provision of the Act provides as follows:

Subject to the hearing provisions of § 2-315¹ of this subtitle, the Board may deny a license or limited license to any applicant, reprimand any licensee or holder of a limited license, place any licensee or holder of a limited license on probation, or suspend or revoke a license or limited license if the applicant or licensee, or holder:

- (3) Commits fraud or deceit in the practice of audiology, the provision of hearing aid services, or the practice of speech-language pathology;
- (10) Commits any act of unprofessional conduct, as defined by the regulations of the Board, or violates any code of ethics adopted by the Board;
- (11) Violates any lawful order given or regulation adopted by the Board;
- (15) Practices audiology, provides hearing aid services, or practices speech-language pathology with an unauthorized person or supervises or aids an unauthorized person in the practice of audiology, the provision of hearing aid services, or the practice of speech-language pathology;
- (19) Is professionally, physically, or mentally incompetent[;].

The Board further charges the Respondent with violating Code Md. Regs. tit. 10 § 41.02 (1997) as follows:

¹ § 2-314.9. Suspension, revocation, reprimand or probation—Additional penalties.

(a) *Imposition.*—If after a hearing under § 2-315 of this subtitle, the Board finds that there are grounds under § 2-314 of this subtitle to suspend or revoke a license or to reprimand a licensee or place a licensee on probation, the Board may impose a penalty not exceeding \$1,000 in addition to suspending or revoking the license, reprimanding the licensee, or place the licensee on probation.

(b) *Regulations.*—the Board shall adopt regulations to set standards for the imposition of penalties under this section.

(c) *Disposition of Penalties collected.*—The Board shall pay any penalty collected under this section into the General Fund of the State.

.02 Ethical Responsibilities

- A. The ethical responsibilities of the licensee require that the welfare of persons served professionally be considered paramount.
- C. Professional Conduct
- (2) The licensee shall follow acceptable patterns of professional conduct in relationship with the individuals served and engage in only the aspects of the profession that are within the scope of the licensee's competence.

. 04 Special Responsibilities.

- H. The licensee shall maintain adequate records of professional services rendered and products dispensed, and shall allow access to these records when appropriately authorized.

The Board further charges the Respondent with violating § 2-311, as follows:

- (2) Each licensee shall notify the Board in writing:
 - (i) Of the address of each place where the licensee practices or intends to practice audiology. . .; and
 - (ii) Within 30 days after the change, of any change of address[.]

In addition, the Board served me with a Violation of its Order.

I affirm that I was served with a copy of the charging document and violation and have otherwise been advised on the Board's actions through communications with representatives of the Office of the Attorney General and my legal counsel.

I have decided to surrender my license to practice audiology in Maryland to avoid further prosecution of the aforementioned charges. The basis for the charges against me include the findings of the investigations described above, and by virtue of this Letter of Surrender, I waive any right to contest those charges, violations and findings. I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender. **I understand that by executing this Letter of Surrender, I am waiving any right to contest these findings in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses**

on my own behalf and to all other substantive and procedural protections provided by law, including the right to appeal.

I hereby affirm that I have permanently terminated any practice that I had in Maryland.

I acknowledge that I have already surrendered my license to the Board. I further acknowledge that on or before the effective date of this Surrender, I will submit to the Board my Maryland wall certificate.

I understand that the Board will advise any reporting boards that it is required to report to, or in any response to inquiry, that I have surrendered my license in lieu of disciplinary action under the Act as resolution of the matters pending against me. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction, that this Letter of Surrender, and all underlying documents, may be released or published by the Board to the same extent as a final order that would result from disciplinary action pursuant to Md. State Govt. Code Ann §10-611, *et seq.*, (1999 Repl. Vol.).

I further recognize and agree that by agreeing to this Letter of Surrender that my license will remain surrendered until such time as I apply for reinstatement and comply with the terms and conditions set forth in this Letter and those determined by the case resolution conference and/or the Board subsequent to my application for reinstatement. In the event that I apply for reinstatement of my Maryland license or for the issuance of a new Maryland audiologist license, I understand that the Board may set terms and conditions that shall apply to my receiving a reinstated audiologist license or a new Maryland audiologist license. I also understand that if I apply for reinstatement or for a new Maryland audiologist license that I bear the burden of demonstrating to the Board that I am competent to practice audiology and possess good moral character, as specified in Md. Health Occ. Code Ann. 2-302.1 of the Act. I understand that if I determine that if I would like once again to practice audiology in Maryland, I will approach the Board in the same posture as one whose license has been revoked on the above charges.

I understand that the Board will only consider my petition for reinstatement if I have first met the following conditions:

1. I may not apply for reinstatement until two years after the effective date of this Letter, the effective date being the date on which the Board accepts my Letter of Surrender.
2. I must complete 50 hours of observation, focusing on appropriate

audiologist-patient interactions and proper documentation of patient records, from a mentor pre-approved by the Board.

3. I must take and pass an examination on the laws and regulations affecting the practice of audiology in Maryland.

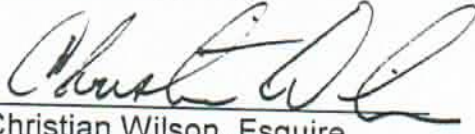
I further acknowledge that the Board may set any additional terms, e.g., probation, that it finds appropriate to ensure the safe and competent practice of audiology in Maryland.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have consulted with an attorney before signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,


Mariam Chellappa, Audiologist

Read and approved:


Christian Wilson, Esquire
Attorney for Mariam Chellappa

NOTARY

STATE OF Maryland
CITY/COUNTY OF Harford

I HEREBY CERTIFY that on this 15th day of May, 2002

before me, Yvonne Andersen a Notary Public of the State and City/Country
(Print Name)
aforesaid, personally appeared Mariam Chellappa, and declared and affirmed under
the penalties of perjury that signing the foregoing letter of surrender was her voluntary
act and deed.

AS WITNESS my hand and notarial seal.

Yvonne Andersen
Notary Public



My Commission expires: Aug 1, 2003

ACCEPTANCE

**ON BEHALF OF THE BOARD OF AUDIOLOGISTS, HEARING AID
DISPENSERS, AND SPEECH-LANGUAGE PATHOLOGISTS**, on this 23rd day of
May, 2002 I accept Mariam Chellappa's public letter of surrender of
her license to practice audiology in the State of Maryland.

A. D. Hagedorn, Jr.
A.D. Hagedorn, Jr., Chair
State Board of Audiologists,
Hearing Aid Dispensers, and
Speech-Language Pathologists

cc: Roberta Gill, Assistant Attorney General