

IN THE MATTER OF  
CARIN BEA FELDMAN  
Respondent  
License Number: 01554

\* BEFORE THE MARYLAND  
\* BOARD OF EXAMINERS FOR  
\* AUDIOLOGISTS, HEARING AID  
\* DISPENSERS & SPEECH-LANGUAGE  
\* PATHOLOGISTS  
\* Case No. AHS 10-2011

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**PRE-CHARGE CONSENT ORDER**

**PROCEDURAL BACKGROUND**

The Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (the "Board"), has voted to offer a Pre-Charge Consent Order to Carin Bea Feldman (the "Respondent"), License Number 01554, in lieu of issuing Charges for violations of the Maryland Audiology, Hearing Aid Dispensing, and Speech-Language Pathology Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") § 2-101 *et seq.* (2009 Repl. Vol.).

The pertinent provisions under § 2-314 of the Act provide the following:

Subject to the hearing provisions of § 2-315 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, licensee, or holder:

- (10) Commits any act of unprofessional conduct in the practice of...speech-language pathology...;
- (11) Violates any lawful order given or regulation adopted by the Board; and
- (12) Violates any provision of this title[;].

The provisions of the Act, which Respondent is charged with violating, are:

**HO § 2-301. License required; exceptions.**

(a) *In general.* – (1) Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual may practice...speech-language pathology...in this State.

**HO § 2-401. Practicing without license.**

(a) *In general.* – Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice...speech-language pathology...in this State unless licensed by the Board to practice...speech-language pathology...

**Code of Maryland Regulations (COMAR) 10.41.12.03E.**

A licensed...speech-language pathologist with clinical experience and credentials that meet the standards of the individual university program shall provide clinical supervision and mentoring.

Respondent was notified by first class and certified mail of the Board's vote to enter into this Pre-Charge Consent Order prior to the issuance of formal disciplinary Charges under the Act.

**FINDINGS OF FACT**

The Board makes the following findings of fact:

1. Respondent is a speech-language pathologist licensed to practice speech-language pathology in the State of Maryland.
2. Respondent was originally issued a license to practice speech-language pathology in the State of Maryland in April 1986.
3. Respondent remained licensed in Maryland through May 1998.
4. Respondent's license was reinstated in April 2007, with an expiration date of May 31, 2008.

5. Respondent failed to renew her license prior to May 31, 2008, and her license expired on that date.

6. Respondent subsequently applied for reinstatement, and the Board issued her a license, effective on April 29, 2010.

7. Respondent was unlicensed from June 1, 2008 through and including April 28, 2010.

8. Respondent practiced speech-language pathology without a license and was a supervisor at the Loyola University Clinical Center from June 1, 2008 until April 28, 2010.

### **CONCLUSIONS OF LAW**

Based on the above findings of fact, the Board concludes as a matter of law that Respondent's practicing speech-language pathology without a license constitutes:

1. An act of unprofessional conduct in the practice of speech-language pathology in violation of HO § 2-314(10);
2. Violating any lawful order given or regulation (COMAR 10.41.12.04E) adopted by the Board, in violation of HO § 2-314 (11); and
3. Violating any provision of the Board's Act, in violation of HO §§ 2-314(12), 2-310(a)(1) and 2-401(a) for practicing speech-language pathology without a license.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 18<sup>th</sup> day of November, 2010, by a majority of the full authorized membership of the Board considering this case, hereby:

**ORDERED** that Respondent's license to practice speech-language pathology shall be **REPRIMANDED**; and be it further

**ORDERED** that Respondent shall pay to the Board, for payment into the General Fund of the State, a monetary fine in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)** within sixty (60) days of the date that this Consent Order is signed by the Board; and be it further

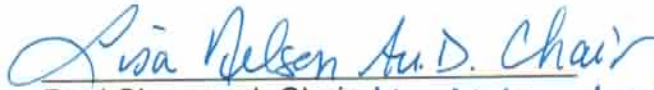
**ORDERED** that Respondent shall comply with and practice within all statutes and regulations governing the practice of speech-language pathology in the State of Maryland; and be it further

**ORDERED** that any violation of any of the terms of this Consent Order shall constitute unprofessional conduct; and be it further

**ORDERED** that if the Board has probable cause to believe that the public health, safety or welfare imperatively requires emergency action, the Board, without prior notice and an opportunity for a hearing, may summarily suspend the Respondent's license, provided that Respondent is given prompt written notice of the Board's suspension, the finding, and the reasons in support thereof, and an opportunity for a hearing in accordance with Md. State Govt. Code Ann. § 10-226(c) (2009 Repl. Vol.); and be it further

**ORDERED** that if Respondent violates any of the terms of this Consent Order, the Board, after notice and a hearing, and a determination of violation, may impose any other disciplinary sanctions it deems appropriate, said violation being proved by a preponderance of evidence; and be it further

**ORDERED** that this Pre-Charge Consent Order is a public document pursuant to Md. State Govt. Code Ann. § 10-611 *et seq.*

  
~~Paul Siegmund, Chair~~ Lisa Nelson, Au.D. Chair  
Board of Examiners for Audiologists,  
Hearing Aid Dispensers and  
Speech-Language Pathologists

**CONSENT**

I, CARIN BEA FELDMAN, acknowledge that I have been informed that I may be represented by counsel prior to signing this Consent Order and have knowingly and voluntarily elected not to be represented by counsel.

I am aware that I am entitled to a formal evidentiary hearing before an Administrative Law Judge at the Office of Administrative Hearings. I acknowledge the validity and enforceability of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other procedural and substantive protections to which I am entitled by law. I am waiving those procedural and substantive protections. I understand and agree that this Consent Order results from formal disciplinary action and is, therefore, a public document.

I voluntarily enter into and agree to abide by the foregoing Findings of Fact, Conclusions of Law and Order, and I agree to abide by the terms and conditions set forth herein as a resolution of the Board's case based on the findings set out herein. I acknowledge and understand that the Board has entered into this Consent Order in lieu of proceeding with formal Charges against me. I waive any right to contest the Findings

of Fact and Conclusions of Law, and I waive my right to a full evidentiary hearing as set forth above, and any right to appeal this Consent Order or any adverse ruling of the Board that might have followed any such hearing.

I acknowledge that by failing to abide by the conditions set forth in this Consent Order, I may be subject to disciplinary actions, which may include revocation of my license to practice speech-language pathology.

I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order, consisting of six (6) pages.

11-09-2010  
Date

Carin Bea Feldman  
Carin Bea Feldman  
Respondent

**NOTARY**

STATE OF MARYLAND  
CITY/COUNTY of Harford

I HEREBY CERTIFY that on this 9 day of November, 2010, before me, a Notary Public of the State and County aforesaid, personally appeared Carin Bea Feldman and made oath in due form of law that the foregoing was her voluntary act and deed.

**AS WITNESS** my hand and Notarial Seal.

P. Jason Peak  
Notary Public

My Commission Expires: Feb. 14, 2013



P. JASON PEAK  
Notary Public, State of Maryland  
County of Harford  
My Commission Expires February 14, 2013