

**IN THE MATTER OF
TYREE ANTONIO HUDDLESTON
License Number 02813**

*** BEFORE THE MARYLAND
* BOARD OF EXAMINERS FOR
* AUDIOLOGISTS, HEARING AID
* DISPENSERS AND SPEECH-
* LANGUAGE PATHOLOGISTS**

* * * * *

**FINAL ORDER OF SUSPENSION OF HEARING AID DISPENSER LIMITED
LICENSE FOR DELINQUENT CHILD SUPPORT**

On or about May 10, 2019, the Maryland State Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (the “Board”) received a written request from the Maryland Department of Human Resources, Child Support Enforcement Administration (the “Administration”) to suspend the hearing aid dispenser limited license (hereinafter “limited license”) of Tyree Antonio Huddleston (the “Respondent”), license number 02813 for delinquent child support by authority of the Annotated Code of Maryland, Family Law Article, § 10-119.3 which provides in pertinent part:

(e)(2) Except as provided in paragraph (3) of this subsection, upon notification by the Administration under this section, a licensing authority^[1] shall:

(i) suspend an individual’s license;^[2] or

(ii) deny the license of an individual who is an applicant for a license from the licensing authority.

¹ The Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists is a unit within the Maryland Department of Health. Md. Health-General Article § 2-101 & 2-106(b) and a “licensing authority” within the meaning of Md. Code Ann., Family Law Article § 10-119.3(a)(3)(i)-(ii)(2)(“Licensing authority means a department, unit of a department, commission, board, office, or court of this State. Licensing authority includes: . . . the Department of Health.”).

² “License” means any “*license, limited license, registration, permit, or other authorization*” that is issued by the Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists. Md. Code Ann., Family Law Article § 10-119.3(a)(2) (emphasis added).

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...

(h) *Right to contest identity.* – (1) Except as provided in paragraph (2) of this subsection, prior to the suspension or denial of a license under subsection (e) of this section, a licensing authority shall send written notice of the proposed action to the individual whose license is subject to suspension or denial, including notice of an individual’s right to contest the identity of the individual whose license or application is to be suspended or denied.

...

(i) *Appeal; hearing.* –(1)(i) Except as provided in paragraph (2) of this subsection, an individual may appeal a decision of a licensing authority to suspend or deny the individual’s license in accordance with Title 10, Subtitle 2 of the State Government Article.

(ii) At a hearing under this paragraph, the issue shall be limited to whether the Administration has mistaken the identity of the individual whose license has been suspended or denied.

...

(k) *Reinstatement of license—Duty of licensing authority.* – A licensing authority shall immediately reinstate any license suspended, or process an application for any license denied, under this section if:

- (1) notified by the Administration that the license should be reinstated; and
- (2) the individual otherwise qualifies for the license.

On May 23, 2019, the Board sent an unexecuted copy of this Final Order of Suspension of Hearing Aid Dispenser Limited License for Delinquent Child Support to the Respondent’s last known address registered with the Board. Accompanying the unexecuted Order was a cover letter giving the Respondent written notice of the Respondent’s right to contest in writing within thirty days of the date of the letter, the Respondent’s identity, that is, to contest that the Respondent was not the Tyree Antonio Huddleston, limited license number 02813 named by the Administration as the individual whose limited license should be suspended for delinquent child support. In addition, the letter also gave the Respondent written notice that if the Respondent did not submit to the Board a written contest of mistaken identity on or before June 24, 2019, the

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Board would execute this Order as written. The Respondent did not submit a written contest regarding mistaken identity to the Board by June 24, 2019.

FINDINGS OF FACT

1. The Board issued a limited license to practice as a hearing aid dispenser to the Respondent on August 2, 2018. The Respondent's limited license is currently active and will expire on August 2, 2019.

2. On or about May 10, 2019, the Board received a written request from the Administration entitled "Request to Suspend or Deny License for Delinquent Child Support" (hereinafter "Request to Suspend"), which requested that the Board suspend the Respondent's limited license to practice as a hearing aid dispenser for delinquent child support under the authority of Md. Code Ann., Family Law Article § 10-119.3. According to the Request to Suspend, the Respondent had an arrearage in separate Administration case number 760161242 with the arrearage amount totaling \$4,429.57.

3. Md. Code Ann., Family Article § 10-119.3(e)(2) & (h)(1) requires that the Board suspend the license and/or limited license of a person upon notification by the Administration and after sending written notice to that person of the proposed suspension of the person's license and/or limited license and notice of the person's right "to contest the identity of the individual whose license is proposed to be suspended."

4. On May 23, 2019, the Board sent an unexecuted copy of this Final Order of Suspension of Hearing Aid Dispenser Limited License for Delinquent Child Support to the Respondent's last known address registered with the Board. Included with the unexecuted Final Order was a letter giving the Respondent's written notice of the Respondent's right to contest, in

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writing to the Board within thirty days of the date of the letter, the Respondent's identity, that is, to contest that the Respondent was not the Tyree Antonio Huddleston, limited license number 02813 named by the Administration as the individual whose registration should be suspended for delinquent child support. In addition, the letter also gave the Respondent written notice that if the Respondent did not submit to the Board a written contest of mistaken identity on or before June 24, 2019, the Board would execute this Order as written.

5. The Respondent did not submit to the Board a written contest regarding mistaken identity by June 24, 2019.

6. Having given the Respondent the statutorily required written notice of the Board's intent to suspend the Respondent's limited license and of the Respondent's right to contest identity pursuant to Md. Code Ann., Family Law Article § 10-119.3(h)(1) and receiving no written response or contest from the Respondent regarding mistaken identity, the Board is statutorily required by Md. Code Ann., Family Law Article § 10-119.3(e)(2) to suspend the Respondent's limited license to practice as a hearing aid dispenser in the State of Maryland.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that it is statutorily required, pursuant to Md. Code Ann., Family Law Article § 10-119.3(e)(2)(i), to suspend the Respondent's limited license to practice as a hearing aid dispenser until the Board receives notification from the Administration that the Respondent's limited license should be reinstated and the Respondent is otherwise qualified to be licensed, pursuant to Md. Code Ann., Family Law Article § 10-119.3(k)(1)-(2).

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ORDER

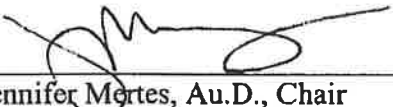
It is this hereby:

ORDERED that pursuant to the Md. Code Ann., Family Law Article, the limited license of the Respondent, Tyree Antonio Huddleston, limited license number 02813 to practice as a hearing aid dispenser in the State of Maryland is hereby **SUSPENDED**; and it is further

ORDERED that the Respondent's limited license shall remain suspended until the Board receives notification from the Child Support Enforcement Administration of the Department of Human Resources that the Respondent's limited license should be reinstated pursuant to Md. Code Ann., Family Law Article § 10-119.3(k)(1) and (2).

ORDERED that this is a Final Decision and Order of the Board and, as such, is a **PUBLIC DOCUMENT** pursuant to Md. Code Annotated, General Provisions Article § 4-101 *et seq.*

7/8/19
Date



Jennifer Mertes, Au.D., Chair
Maryland State Board of Examiners for Audiologists,
Hearing Aid Dispensers and Speech-Language Pathologists

NOTICE OF APPEAL RIGHTS

The Respondent has a right to appeal this final decision of the Board pursuant to Md. Code Ann., Family Law Article § 10-119.3(i), which provides as follows:

(i) *Appeal; hearing.*—(1)(i) Except as provided in paragraph (2) of this subsection, an individual may appeal a decision of a licensing authority to suspend or deny the individual's license in accordance with Title 10, Subtitle 2 of the State Government Article.

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(ii) At a hearing under this paragraph, the issue shall be limited to whether the Administration has mistaken the identity of the individual whose license has been suspended or denied.