

IN THE MATTER OF
Mindy R. Hyatt
License Number 04521

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

CONSENT ORDER

On or about October 12, 2020 the Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (the “Board”), received an application for reinstatement of a Speech-Language Pathology license from Mindy R. Hyatt (the “Respondent”). The Board granted the application and reinstated the Respondent’s license on October 15, 2020. During the application process, it came to the attention of the Board that the Respondent had continued to practice Speech-Language Pathology in the State of Maryland after the expiration of her license on May 31, 2019. On November 19, 2020, the Board voted to offer a Pre-Charge Consent Order to the Respondent, in lieu of issuing charges for violations of the Maryland Audiology, Hearing Aid Dispensing, and Speech-Language Pathology Act (the “Act”), Md. Code Annotated, Health Occupations Article (“Health Occ.”), § 2-101 *et seq.* and the Code of Maryland Regulations (COMAR), Chapter 10, Subchapter 41.

As a result of that offer, the Respondent and the Board agreed to the following Consent Order.

FINDINGS OF FACT

The Board finds that:

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1. The Respondent was originally licensed to practice speech-language pathology in Maryland on November 21, 2002, under license number 04521. The Respondent's license is currently valid through May 31, 2021.

2. On or about October 12, 2020, the Respondent applied for a reinstatement of her speech-language pathology license, which had expired on May 31, 2019.

3. On October 15, 2020, the Board voted to reinstate the Respondent's license.

4. The application process revealed that the Respondent had attempted to renew her license before its May 31, 2019 expiration date, but was unable to do so due to technical problems with the Board website. The Respondent was advised to reapply after 30 days, but failed to reapply.

5. The Respondent continued to practice speech-language pathology after the expiration of her license on May 31, 2019, until September of 2020, with the exception of school vacations and closures due to the coronavirus pandemic.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that the Respondent violated Health Occ. § 2-314(12):

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:

...
(12) Violates any provision of this title...

Health Occ. § 2-301(a)(1) states

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Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual may practice audiology, hearing aid dispensing, or speech-language pathology, or assist in the practice of speech-language pathology in this State.

The Board finds that this violation of the Act and COMAR falls within category A.(12) of the Board's sanctioning guidelines. See COMAR 10.41.13.04.A(12). The recommended range for regulatory sanctions for a violation of A(12) is a reprimand up to a one-year suspension of the license and a \$1,000.00 fine. *Id.*

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that, the Respondent's license to practice speech-language pathology in the State of Maryland is hereby placed on **PROBATION** for a minimum of **ONE YEAR** subject to the following conditions:

1. The Respondent's speech-language pathology license status shall be listed on the Board's website as being on "Probation."
2. The Respondent shall provide to the Board, on a quarterly basis, written evidence of her compliance with the continuing education unit (CEU) requirements of COMAR 10.41.03.06.A. Documentation shall consist of proof of successful completion of 15 CEUs over the one-year period of probation. This documentation shall be submitted to the Board quarterly, totalling at least four (4) CEUs every three months.
3. The Respondent shall obtain documentation from any and all employers from the 2019-2020 school year indicating that the employers are aware of the Respondent's lapse in

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licensure during the school year. This documentation shall be on the employer's letterhead and provided to the Board.

4. The Respondent shall pay a fine of three thousand dollars (\$3000) to the Board no later than one year from the effective date of this Order.
5. The Respondent is responsible for the cost of compliance with the terms and conditions set forth in this order; and it is further

ORDERED that if the Respondent violates any of the terms and conditions of this probation or this Consent Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing before the Board, if there is a genuine dispute as to the material fact(s), or an opportunity for a show cause hearing before the Board, may impose any other disciplinary sanction which the Board is statutorily authorized to impose in this case under § 2-314 of the Act, including a reprimand, additional probation, suspension, or revocation, said violation being proven by a preponderance of the evidence; and be it further

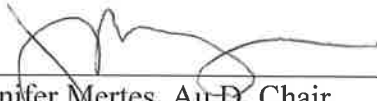
ORDERED that no earlier than **ONE YEAR** from the effective date of this Consent Order, the Board may consider a petition for termination of the Respondent's probationary status, provided that she has been satisfactorily compliant with the probationary terms of this Consent Order; and it is further

ORDERED that the Respondent shall comply with the Maryland Audiology, Hearing Aid Dispensing and Speech-Language Pathology Act, Health Occ., § 2-101 *et seq.*, and all federal and State laws and regulations governing the practice of speech-language pathology in Maryland; and it is further

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

1/14/2021
Date



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

CONSENT

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby admit the truth of the Findings of Fact and accept and submit to the foregoing Consent Order and its conditions. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent order. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222.

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I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.

12/23/20
Date

Mindy R. Hyatt
Mindy R. Hyatt, License Number 04521

NOTARIZATION

STATE: MARYLAND


CITY/COUNTY: BAITMORE

I HEREBY CERTIFY that on this 23rd day of December, 2020, before me, a Notary Public of the State and City/County aforesaid, personally appeared **Mindy R. Hyatt** and made oath in due form of law that the foregoing was the voluntary act and deed of **Mindy R. Hyatt**.

AS WITNESSETH my hand and Notarial Seal.

SEAL

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Notary Public

My Commission Expires: _____

