

IN THE MATTER OF  
KIRSTEN CAMERON JOHNSON  
APPLICANT

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

\* \* \* \* \*

**ORDER OF DENIAL OF APPLICATION FOR LICENSURE**

The State Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists ("the Board") notified **Kirsten Cameron Johnson**, ("**the Applicant**"), **D.O.B. 03/09/72**, of the Board's intent to **DENY** her application for a license to practice speech-language pathology under the Maryland Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists Act ("the Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 2-101 *et seq.* (2005 Repl. Vol.). The pertinent provisions state:

**§ 2-302.2. Qualifications – Speech-language pathologists.**

(a) *In general.* - To qualify for a license to practice speech-language pathology, an applicant shall be an individual who meets the requirements of this section.

(b) *Moral character.* - The applicant shall be of good moral character.

**§ 2-314. Denials, reprimands, suspensions, and revocations-  
Grounds.**

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:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license or limited license for the applicant, licensee, or holder or for another;
- (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 in the practice of audiology, the provision of hearing aid services, or the practice of speech-language pathology;
- (14) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under this section;

### FINDINGS OF FACT<sup>1</sup>

The Board finds that:

1. In or around September 2006, the Board received the Applicant's application for a license to practice speech-language pathology (a copy of the Applicant's application dated September 11, 2006 and the Applicant's letter dated September 7, 2006, are attached hereto and incorporated herein as **Exhibit A**).
2. The Applicant indicated on her application for licensure that she was licensed to practice speech-language pathology in Indiana and California.
3. On her Maryland application for licensure, the Applicant answered "yes" to question #10 "Has any disciplinary action been taken against your license in any other jurisdiction?"

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<sup>1</sup> The statements made herein with respect to the Applicant's conduct are intended to provide the Applicant with notice. 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 Applicant.

4. In her written explanation to question #10, the Applicant stated that she had been disciplined by the Indiana Speech-Language Pathology and Audiology Board.

5. The Applicant also indicated in her written explanation to question #10 that she was "licensed and practicing in California." The Applicant did not indicate on her application or in her written explanation that she also had been disciplined by the State of California in June 2006.

6. Further investigation by the Board revealed the following:

**Disciplinary action taken by the Indiana Speech-Language Pathology and Audiology Board.**

7. The Applicant was originally licensed as a speech-language pathologist in the State of Indiana on August 12, 1997, having been issued license number 22003108A.

8. In or around January 15, 2004, the Applicant completed the renewal of her Indiana speech-language pathology license online. The Applicant swore under the penalties of perjury that her answers were true to the best of her knowledge.

9. The Applicant falsely answered "No" to question #5 on her Indiana renewal application which stated:

"Have you been denied staff membership or privileges in any hospital or health care facility or, have staff membership or privileges been revoked, suspended or subjected to any restriction, probation, or other type or discipline or limitation?"

10. In or around March 2005, the Indiana Speech-Language Pathology and Audiology Board ("Indiana Board") filed a complaint against the Applicant. The Indiana Board complaint alleged the following:

11. On or around August 17, 2002, the Applicant began employment as a home visiting speech-language pathologist at Home Based Rehab ("HBR") located in Indianapolis, Indiana.

12. In or around August 27 2002, HBR received complaints from patients and their attending physician concerning the Applicant's failure to appear for appointments.

13. HBR staff made numerous attempts and left several messages on the Applicant's answering machine asking that she contact HBR staff about the complaints. HRB staff did not hear from the Applicant.

14. On or about August 19, 2002, the Applicant began employment as a speech-language pathologist at Hendricks Community Hospital ("Hendricks") located in Indiana.

15. In or around September 2002, the Applicant was terminated from Hendricks for failing to comply with tuberculosis testing requirements and for failing to return communication with the department director.

16. In or around March 2005, The Indiana Board charged the Applicant with one (1) count of violating Indiana Code § 25-1-9-4(a)(1)(A), for failing to disclose her loss of staff membership from Hendricks when she renewed her speech pathologist license in 2004; three (3) counts of violating Indiana Code § 25-1-9-4(a)(3), to wit: 880 IAC 1-1-6(4), 880 IAC 1-1-7(b), and 800 IAC-1-7(b)(3) for failing to reschedule appointments while she was employed with HBR and failing to notify HBR that she was unable to care for patients that were assigned to her, (a copy of the complaint in *State of Indiana v Kirsten Cameron Johnson, S.L.P, License No. 22003108A*, is attached hereto and incorporated herein as **Exhibit B**).

17. On or about May 6, 2005, the Indiana Board issued an Order approving and adopting, in full, a Proposed Settlement Agreement that was entered into by the Applicant (a copy of the Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order and the Proposed Settlement Agreement in *State of Indiana v Kirsten Cameron Johnson, S.L.P, License No. 22003108A*, are attached hereto and incorporated herein as **Exhibit C**).

18. The Indiana Board found that the Applicant engaged in or knowingly cooperated in fraud or material deception, in order to obtain a license to practice, in violation of Indiana Code §25-1-9-4(a)(1)(A)<sup>2</sup>.

19. The Indiana Board further found the Applicant in violation of two (2) counts of Indiana Code §25-1-9-4(a) (3), in that, the Applicant knowingly violated a state statute or rule, or federal statute or regulation regulating the profession in question, to wit; 880 IAC 1-1-6(4)

20. The Applicant was placed on indefinite period of probation for no less than six (6) months with terms and conditions.

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<sup>2</sup>Ind. Admin Code tit., 25-1-9-4 states in pertinent part:

Standards of professional practice; findings required for sanctions; evidence of foreign discipline  
Sec. 4. (a) A practitioner shall conduct the practitioner's practice in accordance with the standards established by the board regulating the profession in question and is subject to the exercise of the disciplinary sanctions under section 9 of this chapter if, after a hearing, the board finds:

(1) A practitioner has:

(A) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice;

3) A practitioner has knowingly violated any state statute or rule, or federal statute or regulation, regulating the profession in question.

**Disciplinary action taken by the California Board of Speech-Language Pathology and Audiology Board.**

21. In or around June 15, 2006, the Applicant was issued a conditional five year license by the California Speech Language Pathology and Audiology Board ("California Board") to practice as a speech–language pathologist, having been issued license number SP15557.

22. California Board issues a conditional license to applicants who do not reside in the State.

23. In order to practice speech-language pathology in the State of California, a person must reside in California.

24. The Applicant was not a resident of California when she applied for and was issued a conditional licensed.

25. The Applicant was disciplined by the California Board based on disciplinary action taken by the Indiana Board in May 2005.

26. The California Board issued, then immediately revoked, the Applicant's license. The California Board stayed the revocation and placed the Applicant's license on probation for a period of five (5) years with terms and conditions.

27. The California Board found that the Applicant committed a dishonest or fraudulent act and incompetence or gross negligence in the practice of speech-language pathology or Audiology, the California Business and Professional code § 2533, ( a copy of the Notice of Issuance of Conditional Release, is attached hereto and incorporated herein as **Exhibit D**) .

28. The allegations as set forth in paragraphs 2 through 27 indicate that the Applicant lacks good moral character and the allegations as set forth in paragraphs 2 through 27 constitute grounds for denial of the Applicant's application for a license to practice speech-language pathology under H.O. § 2-302.2 (a) and (b).

29. The allegations set forth in paragraphs 2 through 27 are grounds for discipline in Maryland and constitute grounds for denial of the Applicant's application for a license to practice speech-language pathology under H.O. §2-314 (1), (10), (14),and (12).

**CONCLUSIONS**

Based on the foregoing Findings of Fact, the Board concludes that the Applicant violated H.O. § 2-302.2 (a), (b) and § 2-314 (1), (3), (10) and (14).

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 13 day of September 2007, that the majority of the Board hereby:

**ORDERED** that the application of Kirsten C. Johnson to practice speech-language pathology is hereby **DENIED**; and it is further

**ORDERED** that for purposes of public disclosure and as permitted by Md. State Govt. Code Ann. § 10-617(h) (2004 Repl. Vol. and 2005 Supp.), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report; and it is further

**ORDERED** that this Order is a public document pursuant to Md. State Govt.  
Code Ann. §§ 10-601 *et seq.* (2004 Repl. Vol. and 2005 Supp.).

9/13/07  
Date

Richard Robinson  
Richard Robinson, Chair  
Board of Examiners for Audiologists  
Hearing Aid Dispensers and  
Speech-Language Pathologists