

IN THE MATTER OF

MARIE J. ALSBERGAS

LICENSE NO.: 06176

\* BEFORE THE MARYLAND  
 \* BOARD OF EXAMINERS FOR  
 \* AUDIOLOGISTS, HEARING AID  
 \* DISPENSERS and SPEECH-  
 \* LANGUAGE PATHOLOGISTS  
 \* CASE NO.: 840129517  
 \* BOARD CASE: AHS-31-2014

\* \* \* \* \*

**ORDER OF SUSPENSION OF SPEECH-LANGUAGE PATHOLOGY LICENSE  
 FOR DELINQUENT CHILD SUPPORT**

**BACKGROUND**

On February 7, 2014, the Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (the "Board") received a written request from the Charles County Department of Social Services, Office of Child Support Enforcement of the Child Support Enforcement Administration of the Maryland Department of Human Resources (the "Administration") to suspend the speech-language pathology license of Marie J. Alsbergas (the "Respondent"), License Number 06176, for delinquent child support, by authority of the Maryland Family Law Code Ann. ("Fam. Law") § 10-119.3 (2006 Repl. Vol. and 2009 Supp.), 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<sup>1</sup> shall:

(i) suspend an individual's license; or

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<sup>1</sup> The Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists is a unit within the Maryland Department of Health and Mental Hygiene, Md. Health-General Code Ann. §§ 2-101, and a "licensing authority" within the meaning of Md. Family Law Code Ann. § 10-119.3(a)(3)(i) and (ii)(2).

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

.....

(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 February 10, 2014, the Board sent an unexecuted copy of this Order of Suspension of Speech-Language Pathology License for Delinquent Child Support (hereinafter "Order of Suspension") to the Respondent's last known address registered with the Board and also to the address on the request form that the Board received from the Administration. Accompanying the unexecuted Order of Suspension was a cover letter giving Respondent written notice of her right to contest her identity in writing within thirty days of the date of the letter; that is, to contest that she was not the Marie J.

Alsbergas of License Number 06176, named by the Administration as the individual whose license should be suspended for delinquent child support. In addition, the letter also gave Respondent written notice that if she did not submit to the Board a written contest of mistaken identity on or before the Board would execute this Order of Suspension as written. The Respondent did not submit a written contest regarding mistaken identity to the Board by March 12, 2014.

### **FINDINGS OF FACT**

1. The Board issued a license to practice speech-language pathology to the Respondent on May 14, 2009. Her license is currently active and is scheduled to expire on May 31, 2014.

2. On February 7, 2014, the Board received a written request from the Charles County Department of Social Services, Office of Child Support Enforcement of the Child Support Enforcement Administration of the Maryland Department of Human Services (the "Administration"), entitled "Request to Suspend or Deny License for Delinquent Child Support"(hereinafter "Request"), which requested that the Board suspend the speech-language pathology license of the Respondent for delinquent child support under the authority Fam. Law § 10-119.3. That Request stated that, as of February 1, 2014 the arrearage amount of child support that the Respondent owed was \$7,497.89.

3. Fam. Law § 10-119.3(e)(2) & (h)(1) requires that the Board suspend the license of the Respondent upon notification by the Administration and after sending written notice to the Respondent of the proposed suspension of Respondent's license and of the Respondent's right "to contest the identity of the individual whose license is proposed to be suspended."

4. On February 10, 2014, the Board sent an unexecuted copy of this Order of Suspension of Speech-Language Pathology License for Delinquent Child Support to the Respondent's last known address registered with the Board and also to the address on the Administration's Request form. Included with the unexecuted Order of Suspension was a letter giving Respondent written notice of his right to contest, in writing to the Board, within thirty days of the date of the letter, her identity; that is, to contest that she was not the Marie J. Alsbergas, License Number 06176, named by the Administration as the individual whose license should be suspended for delinquent child support. In addition, the letter also gave Respondent written notice that if he did not submit to the Board a written contest of mistaken identity on or before March 12, 2014, the Board would execute this Order of Suspension as written.

5. The Respondent did not submit to the Board a written contest regarding mistaken identity by March 12, 2014.

6. Having given the Respondent the statutorily required written notice of the Board's intent to suspend her license and of her right to contest identity pursuant to Fam. Law § 10-119.3(h)(1), and having not received a written response or contest from the Respondent regarding mistaken identity, the Board is statutorily required to suspend the Respondent's license, pursuant to by Fam. Law § 10-119.3(e)(2).

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that, pursuant to Fam. Law § 10-119.3(e)(2)(i), it is statutorily required to suspend the Respondent's speech-language pathology license until the Board receives notification from the

Administration that the Respondent's license should be reinstated and the Respondent is otherwise qualified to be licensed, pursuant to Fam. Law § 10-119.3(k)(1)-(2).

**ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, on this 21<sup>st</sup> day of March, 2014, by the Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists, it is hereby

**ORDERED** that the Maryland speech-language pathology license, number 06176, of the Respondent, Marie J. Alsbergas, is **SUSPENDED**; and it is further

**ORDERED** that the Respondent's 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 license should be reinstated pursuant to Fam. Law § 10-119.3(k)(1)-(2); and it is further

**ORDERED** that this is a Final Order of the Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists and, as such, is a PUBLIC DOCUMENT and is reportable to any entity to which the Board is obligated by law to report, and is disclosable under the Maryland Public Information Act, Maryland State Gov't Code Ann. §§10-611 *et seq.* (2009 Repl. Vol.).



Dr. Ronald M. Kaplan, Chair

Maryland 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 Order of the Board pursuant to Fam. Law § 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.

(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.