

**Kimberley A. Hammond  
404 Frankle Street  
Baltimore, Maryland 21225**

Date: April 21, 2011

Lisa M. Nelson, Au.D., Chair  
Maryland Board of Examiners for Audiologists,  
Hearing Aid Dispensers & Speech-Language Pathologists  
4201 Patterson Avenue  
Baltimore, Maryland 21215

Re: Surrender of Audiologist License  
License Number: 00713  
Case Number: AHS 09-2011

Dear Dr. Nelson and Members of the Board:

Please be advised that I have decided to surrender my license to practice audiology in the State of Maryland, License Number 00713.

I understand that by surrendering my license, I may not engage in the practice of audiology, in any capacity; that is, I may not apply the principles, methods, and procedures of measurement, prediction, evaluation, testing, counseling, consultation, and instruction that relate to the development and disorders of hearing, vestibular functions, and related language speech disorders, to prevent or modify the disorders or assist individuals in hearing and auditory and related skills for communication. I also may not fit or sell hearing aids. I may not otherwise engage in the practice of audiology as it is defined in the Maryland Audiology, Hearing Aid Dispensing, and Speech-Language Pathology Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") § 2-101(q)(1) and (2).

In addition, I will refrain from identifying myself as an audiologist; I will remove all signs or similar advertisements that indicate authority to practice audiology; and I will not use letterhead or business cards indicating authority to practice audiology.

In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland. I understand that this Letter

of Surrender is a PUBLIC document and, on the Board's acceptance, becomes a FINAL ORDER of the Board.

My decision to surrender my license to practice audiology in Maryland has been prompted by an investigation of my licensure by the Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (the "Board") and the Office of the Attorney General under the following provisions of the Act, H.O. § 2-314:

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:

- (3) Commits fraud or deceit in the practice of audiology...;
- (10) Commits any act of unprofessional conduct in the practice of audiology...;
- (11) Violates any lawful order given or regulation adopted by the Board;
- (12) Violates any provision of this title; and
- (16) Knowingly makes or files a false report or record in the practice of audiology...[;].

The investigation was based on a complaint to the Board alleging that I falsified thirty-seven (37) audiological screenings for patients at Spring Grove Hospital Center while I was an employee there on August 18, 2010. The Board's investigation revealed that my audiological screening reports, which were signed and dated by me, for August 18, 2010 documented that I performed 37 screenings, timed 5 minutes apart, beginning at 6:30 AM and ending at 9:35 AM. The investigation also revealed that Spring Grove Hospital Center nursing staff could not confirm that these screenings occurred. The investigation further revealed that one patient who I maintain that I screened on August 18, 2010 was absent from the hospital unit due to being in court that day. Another patient who I maintain that I screened does not speak English and needs an interpreter. A third patient who I maintain that I screened and for whom I documented clear ear canals was given a consult and found to have a ruptured membrane. The investigation also revealed that my work schedule of my activities that I provided

to my employer for August 18, 2010 was inconsistent with the screenings and inconsistent with my Sign-In/Sign-Out sheet, which indicates that my work day started at 7:00 AM.

The Board's investigation revealed that I was terminated from my employment with Spring Grove Hospital Center, effective September 17, 2010. The Board's investigation further revealed that the Maryland Department of Budget and Management, Office of Personnel Services and Benefits, determined that I falsified 37 audiological screenings for Spring Grove Hospital Center patients.

I have decided to surrender my license to practice audiology in the State of Maryland to avoid further investigation of this matter and to avoid formal charges by the Board. I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender to avoid further investigation and charges under the Act, and in order to resolve this matter. Although I neither admit nor deny the investigative findings, I acknowledge that the Office of the Attorney General has legally sufficient evidence to prove by a preponderance of the evidence at an administrative hearing that I violated the Act as detailed herein.

I understand that by executing this Letter of Surrender I am waiving any right to contest the investigative findings, and charges resulting therefrom, in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

I acknowledge that, on or before the effective date of this Letter of Surrender, I shall present to the Board my Maryland audiology license, including any renewal certificates and wallet-sized renewal cards.

I understand that the Board will advise the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, and any other required entities, of this Letter of Surrender and, in response to inquiry, will advise that I have surrendered my license in lieu of disciplinary action under the Act as resolution of the matters pending against me. I also understand that, in the event I would apply for licensure in any form in any other state or jurisdiction, this Letter of Surrender may be released or published by the Board to the same extent as a final order that would result from disciplinary action pursuant to Md. State Gov't Code Ann. §§ 10-611 *et seq.* I understand that this Letter of Surrender is considered disciplinary action by the Board.

I further recognize and agree that, by submitting this Letter of Surrender, my license will remain surrendered for a **minimum of (5) years** and until such time as I apply for new licensure and comply with the terms and conditions set forth in this Letter of Surrender and those determined by the Board subsequent to my application.

I also understand that, if I apply for a new Maryland license, I bear the burden of demonstrating to the Board that I am professionally and mentally competent to practice audiology under the Act and that I possess good moral character, as required under Md. Health Occ. Code Ann. § 2-302(b). I also understand that I must also demonstrate to the Board the following: my understanding of the seriousness of the allegations against me; my prior and subsequent conduct; my present character; and my present qualifications and competence to practice audiology. I understand that, when applying for new licensure, I approach the Board in the same posture as one whose license has been revoked based on the facts contained herein and that my application may be accepted or denied by the Board in its sole discretion.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been given the opportunity to consult with counsel before signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,



Kimberley A. Hammond

Read and approved:



Neil R. Lebowitz, Esquire  
Attorney for Kimberley A. Hammond

**NOTARY**

STATE OF MD

CITY/COUNTY OF HOWARD

I **HEREBY CERTIFY** that on this 5 day of APRIL, 2011, before me, a Notary Public of the City/County aforesaid, personally appeared Kimberley A. Hammond, and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.



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Notary Public

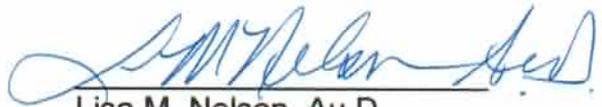
My Commission expires:

FREDERIC L. COOK III  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires September 30, 2012



**ACCEPTANCE**

ON BEHALF OF THE MARYLAND BOARD OF EXAMINERS FOR AUDIOLOGISTS, HEARING AID DISPENSERS AND SPEECH-LANGUAGE PATHOLOGISTS, on this 21<sup>ST</sup> day of April, 2011, the effective date of this Letter of Surrender, I accept Kimberley A. Hammond's PUBLIC Letter of Surrender of her license to practice audiology in the State of Maryland.



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