

IN THE MATTER OF

AINSLEY RILEY

License Number 02708

Case Number AHS-47-2016

*
*
*
*
*
*
*
*
*

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

CONSENT ORDER OF REPRIMAND AND FINE

Based upon certain information having come to the attention of the Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (the “Board”) regarding the hearing aid dispenser practice of Ainsley Riley (the “Respondent”), license number 02708, the Board conducted an investigation. As the result of that investigation, the Respondent and the Board agreed to the following Findings of Fact, Conclusions of Law and Order in an effort to reach a resolution of the case prior to the issuance of formal charges.

FINDINGS OF FACT

The Board finds that:

1. On or about April 4, 2013, the Board issued the Respondent a license to practice as a hearing aid dispenser in the State of Maryland.
2. After failing to submit a renewal application, the Respondent’s license expired on February 1, 2015.

3. On or about November 11, 2015, the Respondent telephoned the Board stating that her employer had informed her that her license had expired and that she wanted to renew her license. On November 19, 2015, the Board mailed the Respondent a reinstatement application.¹

4. On January 29, 2016, the Board received the Respondent's reinstatement application. Subsequently, on February 23, 2016, the Board reinstated the Respondent's license to practice as a hearing aid dispenser.

5. Noting that the Respondent's reinstatement application stated that she was employed at a hearing clinic in Silver Spring, Maryland, the Board initiated an investigation.

6. On or about April 15, 2016, a Board investigator interviewed the Respondent. During that interview, the Respondent disclosed that she had worked as a hearing aid dispenser at the Silver Spring hearing clinic since November 23, 2015. The Respondent also disclosed that, prior to her employment at the Silver Spring hearing clinic, she had worked at another medical facility in Baltimore, Maryland from April 7, 2014 through November 25, 2015 and was primarily employed as hearing aid dispenser.

7. During the interview, the Respondent admitted to practicing as a hearing aid dispenser after her license had expired on February 1, 2015 through the reinstatement of her license on February 23, 2016. Notably, the Respondent continued to practice as a hearing aid dispenser even after being informed by her employer in November 2015 that her license had expired.

8. Because the Respondent practiced with an expired license for approximately one year, the Board finds that the Respondent violated Md. Code Ann., Health Occ. § 2-314(10) (" Commits

¹ Because she failed to renew her license within 30 days from the date of expiration, she was only eligible for the reinstatement of her license, not renewal. *See* Md. Code Ann., Health Occ. § 2-309(a).

any act of unprofessional conduct in the practice of...hearing aid dispensing...”). Further, because a license is required to practice as a hearing aid dispenser in the State of Maryland pursuant to Md. Code Ann., Health Occ. §§ 2-307.1 and 2-401, the Board finds that the Respondent violated Md. Code Ann., Health Occ. § 2-314(12) (“Violates any provision of this title”).

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that the Respondent violated Md. Code Ann., Health Occ. § 2-314:

- (10) Commits any act of unprofessional conduct in the practice of ... hearing aid dispensing; and
- (12) Violates any provision of this title, specifically Md. Code Ann., Health Occ., §§ 2-307.1 and 2-401.

ORDER

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

ORDERED that the license of the Respondent to practice as a hearing aid dispenser in the State of Maryland is hereby **REPRIMANDED**; and it is further

ORDERED that, no later than **SIXTY (60) DAYS** of the effective date of this Consent Order, the Respondent shall pay to the Board a monetary fine of **ONE THOUSAND DOLLARS (\$1,000.00)** in full by money order or cashier’s check made payable to the Board and delivered personally or by certified mail to the Board within **SIXTY (60) DAYS** of the effective date of this Consent Order. Failure to pay this monetary fine in full to the Board within **SIXTY (60) DAYS** of the effective date of this Consent Order shall constitute a violation of this Consent Order; and it is further

ORDERED that the Respondent shall comply with and practice within all statutes and

regulations governing the practice of hearing aid dispensing in the State of Maryland; and it is further

ORDERED that if the Respondent violates any of the terms and conditions of 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 may have imposed in this case under Md. Code Ann., Health Occ. § 2-314 including a probation, suspension, revocation, and/or additional monetary fine, said violation being proven by a preponderance of the evidence; and it is further

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

7/12/2016

Date



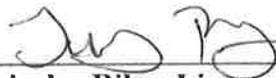
Ronald M. Kaplan, Au.D., Chair
Maryland Board of Examiners for Audiologists,
Hearing Aid Dispensers and Speech-Language Pathologists

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 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.

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.

7-5-16
Date



Ainsley Riley, License Number 02708

NOTARY

STATE OF MARYLAND

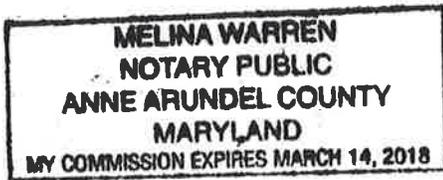
CITY/COUNTY of Anne Arundel

I HEREBY CERTIFY that on this 6 day of July, 2016, before me, a Notary Public of the State and County aforesaid, personally appeared **Ainsley Riley** and made oath in due form of law that the foregoing was her voluntary act and deed.

AS WITNESS my hand and Notarial Seal.

Melina Warren

Notary Public



My Commission Expires: 03/14/2018