

IN THE MATTER OF

Brett A. Kluetz

License Number 04696

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

CONSENT ORDER

On or about January 26, 2021 the Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (the “Board”), learned from Brett A. Kluetz (the “Respondent”) that her license to practice speech language pathology, had inadvertently expired on June 1, 2019. The Respondent applied for reinstatement of her license on January 26, 2021; received reinstatement on January 27, 2021; and disclosed that she had unknowingly practiced speech-language pathology with an expired license for a period of about 18 months.

The Board initiated an investigation, and on April 15, 2021, 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:

1. The Respondent was originally licensed to practice speech-language pathology in Maryland on August 21, 2003 under License Number 04696. The Respondent's license is currently valid through May 31, 2022.
2. On June 1, 2019, the Respondent unknowingly allowed her license to lapse, which expiration remained undiscovered until January 26, 2021.
3. Upon discovering her error, the Respondent filed an Application for Reinstatement of her license on January 26, 2021.
4. The Respondent self-reported that her license to practice speech-language pathology had expired on June 1, 2019.
5. The Board reinstated the Respondent's license on January 27, 2021.
6. At its meeting of February 18, 2021, the Board voted to open an investigation into the Respondent's unlicensed practice of speech-language pathology between June 1, 2019 when her license expired, and January 26, 2021, when she disclosed to the Board, that her license was expired.

7. The Respondent was interviewed by the Board investigator on February 26, 2021. She admitted to practicing speech-language pathology in a school setting during an 18 month period of expired licensure.

8. During the course of the Board's investigation, the Respondent produced documents evidencing that her practice of speech language pathology from June 1, 2019-January 27, 2021, included 480 hours of clinical services to 25 students, in a school setting.

9. On or about March 19, 2021, the Respondent provided to the Board a comprehensive Response including three (3) professional reference letters and continuing education documentation in excess of the credit hours required for license renewal.

10. At all times, the Respondent fully cooperated with the Board investigation.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that the Respondent violated Health Occ. § 2-301(a)(1) states:

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.

COMAR 10.41.03.05.C states that

A licensee who has failed to renew a license to practice in this State by June 30 of the year in which the license is due to be renewed is prohibited from practicing in this State.

Health Occ., § 2-314(6):

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:

...

(6) Violates any provision of this title

...

(10) Commits any act of unprofessional conduct in the practice of audiology, hearing aid dispensing, or speech-language pathology, or the assistance of the practice of speech-language pathology;

ORDER

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

ORDERED that the Respondent shall pay a fine of **ONE THOUSAND DOLLARS** (\$1000) to the Board not later than 60 days from the effective date of this Order, and it is further


ORDERED that if the Respondent violates the terms 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 is statutorily authorized to impose in this case under § 2-314 of the Act, including a reprimand, probation, suspension, or revocation, said violation being proven by a preponderance of the evidence; and be it 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

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.*

10/11/2021
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 validity 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.

Brett A. Kluetz
SPEECH-LANGUAGE PATHOLOGY LICENSE NO. 04696

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.

6/4/21
Date

Brett Kluetz
Brett A. Kluetz, License No. 04696

NOTARIZATION

STATE: Maryland

CITY/COUNTY: Montgomery

I HEREBY CERTIFY that on this 4th day of June, 2021, before me, a Notary Public of the State and City/County aforesaid, personally appeared **Brett A. Kluetz** and made oath in due form of law that the foregoing was the voluntary act and deed of **Brett A. Kluetz**.

AS WITNESSETH my hand and Notarial Seal.

SEAL



Aruna Sharma
Notary Public