

IN THE MATTER OF
EDWARD J. B. WARRICK, S.L.P.
RESPONDENT

License Number: 00351

* BEFORE THE MARYLAND STATE
* BOARD OF EXAMINERS FOR
* AUDIOLOGISTS, HEARING AID
* DISPENSERS AND SPEECH-
* LANGUAGE PATHOLOGISTS
* Case Number: AHS-118-2016

* * * * *

**ORDER FOR SUMMARY SUSPENSION
OF LICENSE TO PRACTICE SPEECH-LANGUAGE PATHOLOGY**

The Maryland State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists (the "Board") hereby **SUMMARILY SUSPENDS** the license of **Edward J. B. Warrick, S.L.P.** (the "Respondent"), License Number 00351, to practice speech-language pathology in the State of Maryland. The Board takes such action pursuant to its authority under: Md. Code Regs. ("COMAR") § 10.41.04.07D, determining that the public health, safety, or welfare requires the immediate suspension of the Respondent's license; and Md. Code Ann., State Gov't § 10-226(c)(2) (2014), concluding that the public health, safety and welfare imperatively require emergency action.

INVESTIGATIVE FINDINGS

The Board bases its action on the following findings:¹

Background

1. On or about May 14, 1976, the Respondent was initially licensed to practice speech-language pathology in the State of Maryland, under license number 00351. The Respondent's license is current through May 31, 2018.

¹ The statements describing the Respondent's conduct are intended to provide the Respondent with notice of the basis of the summary suspension. 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 Respondent in connection with this matter.

2. At all times relevant to this Order for Summary Suspension (the "Order"), the Respondent was licensed to practice speech-language pathology in the State of Maryland.

3. On or about May 19, 2016, the Board received a telephone call (the "Complaint") from an individual who self-identified as a licensed speech-language pathologist (the "Complainant"). The Complainant informed the Board that on or about May 6, 2016, at a professional conference in Annapolis, Maryland, the Complainant had witnessed the Respondent acting in a disoriented manner. The Complainant was concerned that the Respondent had possibly suffered a stroke and may be mentally impaired. According to the Complaint, the Respondent appeared confused and was demanding a certificate of completion for the previous day of the conference, May 5, but there was no documentation that he had attended.

4. Based on the Complaint, the Board initiated an investigation.

Board Investigation

5. According to a review of available records, the Respondent is employed as a speech-language pathologist at a public high school in Prince George's County, Maryland (the "High School").

6. On or about May 27, 2016, in furtherance of the investigation, the Board's investigator travelled to High School to meet with the Respondent on an unannounced basis. When the Investigator arrived, however, she was informed that the Respondent had been on Administrative leave since early May.

Personnel Records

7. On or about May 31, 2016, the Board issued a subpoena for the Respondent's personnel records. The Respondent's personnel records confirmed that the Respondent had been placed on administrative leave on or about May 3, 2016, pending

the outcome of an independent medical evaluation (IME) focused on the Respondent's neuropsychological capacity.

Independent Medical Examination

8. The personnel records indicate that on or about May 16, 2016, the Respondent's employer had requested the IME because the Respondent's actions had "raised concerns" regarding his fitness for duty. The personnel records indicated that the Respondent's colleagues were concerned because the Respondent had failed to complete scheduled tasks, was absent without explanation, demonstrated lapses of memory, and in other ways was observed to have deviated from his assigned duties.

9. The personnel records contained the report of the IME (the "IME Report"), dated June 1, 2016. The IME was completed by a licensed Board-certified Neurologist and revealed that the Respondent acknowledged he had suffered from memory loss. The IME Report concluded the following:

- (a) The Respondent demonstrated "deficient performance on cognitive evaluation";
- (b) The Respondent is "probably" suffering from early Alzheimer's disease; and
- (c) The Respondent is recommended to retire from practice as a speech-language pathologist.

False Answers on Renewal Application

10. On or about May 6, 2016, three days after the Respondent had been placed on administrative leave pending the IME, the Respondent submitted an Application for Renewal of his license. In the Character and Fitness portion of the application, the Respondent falsely answered "No" to the following questions:

- (a) Question 4: "Have you had a physical or mental illness that currently impairs your ability to practice your profession?"
- (b) Question 7: "Has any ... employer denied your privileges or employment, denied any application for privileges or employment, failed to renew your privileges or contract or limited, restricted, suspended, revoked, or terminated your privileges or contract for any reason related to your practice?"

Board Interview

11. On or about July 13, 2016, the Board's Investigator interviewed the Respondent under oath at the Board's offices.

12. During the interview, the Respondent was unable or unwilling to give coherent or consistent answers regarding a range of fundamental questions including his education, employment, and licensure history, or more recent events, such as his administrative leave, his attendance at the May 5-6, 2016 professional conference in Annapolis, and numerous other topics.

13. The Respondent also demonstrated a frequent and obvious inability or unwillingness to remember what question he was being asked or retain information supplied to him. The Respondent was unwilling or unable to answer specific questions asked of him multiple times, and largely resorted to meandering generalizations despite being asked numerous times for specific information. The Respondent also responded throughout that his wife would be more able to answer the Board Investigator's questions.

14. While acknowledging that his memory had deteriorated, the Respondent lacked insight into the apparent extent of his memory impairment. The Respondent denied that his professional abilities were compromised by his memory loss.

Board-ordered Neuropsychological Evaluation

15. In a letter dated August 5, 2016, pursuant to its authority under the Maryland Audiology, Hearing Aid Dispensing, and Speech-Language Pathology Act, specifically, Md. Code Ann., Health Occ. I § 2-205.1, the Board informed the Respondent that he was required to submit to a neuropsychological evaluation by a licensed psychologist (the "Evaluator").

16. On or about October 3, 2016, the Board received a letter from the Respondent's attorney advising that due to medical concerns, the Respondent "will likely be unable to present" for Board-ordered neuropsychological evaluation. Attached to the letter was a note from the Respondent's cardiologist advising that the Respondent "should not be involved in activities such as rigorous testing that place him under undue medical stress." A later email from the Respondent's attorney indicated that the Respondent would participate in the evaluation, scheduled for October 8, 2016.

17. However, on or about October 10, 2016, the Evaluator informed the Board that the Respondent failed to complete the scheduled evaluation.

18. Specifically, the Evaluator stated that the Respondent had been

unable to complete examination as he [the Respondent] spent most of his time in the lobby and about the building looking for his wife as opposed to being in my office. Despite persistent "redirection" efforts by myself and my assistant and numerous phone calls to his wife, Mr. Warrick was unable to remain in the office.

19. Subsequently, the Evaluator was able to reschedule the neuropsychological evaluation for October 15, 2016. On that date, the Respondent did complete the evaluation.

20. On or about October 18, 2016, the Board received the Evaluator's report (the "Expert Report"). The Expert Report gives a provisional diagnosis of Major Neurocognitive Disorder, possibly due to Alzheimer's.

21. In addition, the Expert Report contained the following conclusions to a reasonable degree of neuropsychological certainty:

- (a) The Respondent "is not fit for duty as a speech-language pathologist";
- (b) The Respondent "lacks the "essential skills" with cognition requiring memory, decision making and abstract reasoning and problem solving;
and
- (c) The Respondent's "initial presentation can be somewhat deceptive as he is pleasant, social, and verbally expressive. However, when confronted with novel tasks or material his memory and reasoning deteriorates significantly."

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, and pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c)(2) (2014 Repl. Vol.), the Board concludes that the public health, safety, and welfare imperatively require this emergency action of summary suspension. In addition, pursuant to COMAR § 10.41.04.07D, the Board determines that the public health, safety, or welfare requires the immediate suspension of the Respondent's license.

ORDER

Based on the foregoing, it is this 17th day of November, 2016, by the Board hereby:

ORDERED that the Respondent's license to practice speech-language pathology in the State of Maryland, under License Number 00351, is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that a **SHOW CAUSE HEARING SHALL BE HELD AT THE BOARD'S OFFICE LOCATED AT 4201 PATTERSON AVE., BALTIMORE, MD 21215 ON DECEMBER 1, 2016 AT 9:00 A.M.**, at which the Respondent will be given an opportunity to show cause as to why the Order the Summary Suspension should not continue; and it is further

ORDERED that if the Respondent fails to appear at the Show Cause Hearing, the Board shall uphold and continue the Summary Suspension; and it is further

ORDERED that upon service of this Order for Summary Suspension, the Respondent shall immediately surrender to the Board all official indicia of licensure to practice speech-language pathology issued by the Board that are in his possession, including but not limited to the original license, renewal certificates and wallet size license; and it is further

ORDERED that this document constitutes an Order of the Board and is therefore a public document for purposes of public disclosure, as required by Md. Code Ann., General Provisions, §§ 4-101 through 4-601 (Repl. Vol. 2014).



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

NOTICE OF HEARING

A SHOW CAUSE HEARING SHALL BE HELD AT THE BOARD'S OFFICE LOCATED AT 4201 PATTERSON AVE., BALTIMORE, MD 21215 ON DECEMBER 1, 2016 AT 9:00 A.M. At the conclusion of the Show Cause Hearing held before the Board, the Respondent, if dissatisfied with the result of the hearing, may, within ten (10) days, file a written request an evidentiary hearing. Unless otherwise agreed to by the parties, the Board shall provide a hearing within forty-five (45) days of the Respondent's written request. The Board shall conduct an evidentiary hearing under the contested case provisions of Md. Code Ann., State Gov't §§ 10-210 *et seq.* and the regulations adopted by the Board under COMAR § 10.41.04 *et seq.*