

IN THE MATTER OF
LAURA RUBINOFF, S.L.P.
LICENSE NUMBER: 01518
RESPONDENT

* BEFORE THE STATE BOARD OF
* EXAMINERS FOR AUDIOLOGISTS
* HEARING AID DISPENSERS AND
* SPEECH-LANGUAGE PATHOLOGISTS
* CASE NUMBER: 06-07

* * * * *

CONSENT ORDER

The State Board of Examiners of Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists ("the Board") charged Laura Rubinoff, S.L.P. ("the Respondent") D.O.B. 03/30/1952, license number: 01518 with violating certain provisions of the Maryland Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists Act ("the Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 2-101 *et seq.* (2005 Repl. Vol.). Specifically, the Board charged the Respondent with violating the following:

H.O. § 2-314. Denial, reprimands, suspensions, and revocations –Grounds.

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:

- (10) Commits any act of unprofessional conduct in the practice of audiology, the provision of hearing aid services, or the practice of speech-language pathology;
- (15) Practices audiology, provides hearing aid services, or practices speech-language pathology with an unauthorized person or supervises or aids an unauthorized person in the practice of audiology, the provision of hearing aid services, or the practice of speech-language pathology.

FINDINGS OF FACT

The Board finds that:

1. The Respondent is licensed to practice speech-language pathology in Maryland, having been issued license number 01518 on November 26, 1985.
2. The Respondent owns and operates Laura Rubinoff and Associates ("LRA") located in Bethesda, Maryland.
3. LRA provides speech and language evaluations and treatment to children.
4. The Respondent employs contract and non-contract employees to work at LRA.
5. The Respondent oversees all patient cases and supervises the work of her employees.
6. In or around February 1990, the Respondent hired a speech-language pathologist ("Worker A") to provide speech-language evaluations and treatment to children.¹
7. Worker A provided the Respondent with a valid speech-language pathologist license, when Worker A was hired by the Respondent in 1990.
8. The Respondent did not verify the status of Worker A's license after 1990.
9. Worker A's license expired on May 31, 2000 and was not licensed again until in or around June 2007.
10. On or about September 8, 2006, Worker A filed an application for a full license in speech-language pathology.

¹ The name of Worker A has not been disclosed in order to protect the identity of Worker A. The name of Worker A has been disclosed to the Respondent.

11. On Worker A's application for a license, Worker A indicated that she was employed as a contractor with the Respondent from February 1990 to August 2006.

12. By allowing Worker A to practice speech-language pathology without a license, the Respondent violated H.O. § 2-314 (10) and (15).

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that the Respondent violated H.O. § 2-314 (10) and (15).

ORDER

Based on the foregoing findings of fact and conclusions of law, it is this 13 day of September 2007, by a majority of the full authorized membership of the Board, hereby:

ORDERED that Respondent is **REPRIMANDED**; and it is further

ORDERED that the Respondent shall be placed on **PROBATION** for a period of **one (1) year**, beginning the effective date of this consent order, subject to the following conditions:

1. The Respondent shall pay a fine in the amount of one thousand dollars (\$1000) within ninety (90) days of the effective date of this order;

2. After October 1, 2007, the Respondent shall take and pass the Maryland law examination;

3. The Respondent shall show proof that she has completed twenty (20) continuing education credits, which shall include a Board pre-approved ethics course by January 1, 2008;

4. The continuing education credits required in the foregoing paragraph cannot be used to satisfy the requirements for licensing renewal; and it is further

ORDERED that the Respondent shall comply with and practice within all statutes and regulations governing the practice of speech language pathology in the State of Maryland; and it is further

ORDERED that any violation of the terms and conditions of this order shall constitute unprofessional conduct, in addition to any other applicable grounds under the Act; and it is further

ORDERED that any violation of the terms and conditions herein shall constitute a violation of probation and of this order; and it is further

ORDERED that if the Board has probable cause to believe that the public health, safety or welfare imperatively requires emergency action, the Board, without prior notice and an opportunity for a hearing, may summarily suspend the Respondent's license, provided that the Respondent is given prompt written notice of the Board's suspension, the finding, and the reason in support thereof, and an opportunity for a hearing in accordance with Md. State Govt. Code Ann. § 10-226 (c) (2004 Repl. Vol. and 2006 Supp.); and is further

ORDERED that the Respondent may file a written petition for early termination of her probationary period, if the Respondent has fulfilled all the terms and conditions set

forth herein, is not in violation of this order, and there are no outstanding complaints against the Respondent; and it is further

ORDERED that if the Respondent does not petition for early termination of her probationary status then at the end of Respondent's probationary period, the Respondent shall file a written petition to the Board for termination of the probationary status and the removal of any conditions or restrictions that resulted from this disciplinary action provided that she has fulfilled all the terms and conditions set forth herein, is not in violation of this order, and there are no outstanding complaints against the Respondent; and it is further

ORDERED that if the Respondent fails to make any such petition, then the probationary period status shall continue indefinitely, subject to the conditions set forth in this order; and it is further

ORDERED that if the Board determines that the terms or conditions of this order have not been successfully completed, the Board may modify one or more terms or conditions upon which the Respondent was placed on probation, upon notice to the Respondent; and it is further

ORDERED that if the Respondent violates any of the terms of this Consent Order, the Board, after notice and a hearing, and a determination of violation, may impose any other disciplinary sanctions it deems appropriate, and in such event, the burden of proof is on the Respondent to show the violation of this consent order did not occur; and it is further

ORDERED that the Respondent shall be responsible for all costs incurred under this order; and it is further

ORDERED that the effective date of this order is the date that this order is signed by the Board; and it is further

ORDERED that for purposes of public disclosure and as permitted by Md. State Govt. Code Ann. § 10-617(h) (2004 Repl. Vol. and 2006 Supp.), this document consists of the contents of the foregoing findings of fact, conclusions of law, and order, and is reportable to any entity to whom the Board is obligated to report; and be it further

ORDERED that this order is a public document pursuant to Md. State Govt. Code Ann. §§ 10-601 *et seq.* (2004 Repl. Vol. and 2006 Supp).

9/13/07
Date

Richard Robinson
Richard Robinson, Chair
State Board of Audiologists, Hearing-Aid
Dispensers and Speech-Language
Pathologists

CONSENT OF LAURA RUBINOFF, S.L.P.

I, Laura Rubinoff, S.L.P., Respondent, by affixing my signature hereto, acknowledge that:

1. I am represented by an attorney, Stuart Alan Schwager.
2. I am aware that I am entitled to a formal evidentiary hearing before the Board, pursuant to Md. Health Occ. Code Ann. § 2-315 (2005 Repl. Vol.) and Md. State Govt. Code Ann. §§ 10-201 *et seq.* (2004 Repl. Vol. and 2006 Supp.).
3. I acknowledge the validity and enforceability of this order as if entered after a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by law. I am waiving those procedural and substantive protections.
4. I voluntarily enter into and consent to the foregoing findings of fact, conclusions of law, and order and agree to abide by the terms and conditions set forth herein as a resolution of the Board's case based on the findings set forth herein.
5. I waive my right to contest the findings of fact and conclusions of law, and I waive my right to a full evidentiary hearing, and any right to appeal this order as set forth in Md. Health Occ. Code Ann. § 2-316 (2005 Rep. Vol.) and Md. State Govt. Code Ann. §§ 10-201 *et seq.* (2004 Rep. Vol. and 2006 Supp.).

6. I acknowledge that by failing to abide by the terms and conditions set forth in this order and following proper procedures, I may be subject to disciplinary action, which may include revocation of my license to practice speech-language pathology in the State of Maryland.

7. I sign this order, without reservation, as my voluntary act and deed. I acknowledge that I fully understand and comprehend the language, meaning, and terms of this order.

August 9, 2007
Date

Laura Rubinoff
Laura Rubinoff, S.L.P.

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF MONTGOMERY

I HEREBY CERTIFY THAT on this 9th day of August, 2007, before me, a Notary Public for the State of Maryland and the City/County aforesaid, personally appeared Laura Rubinoff, S.L.P., and made oath in due form of law that the foregoing order was her voluntary act and deed.

AS WITNESS my hand and Notarial Seal.

Namgyal Dolma
Notary Public

My Commission Expires:

NAMGYAL DOLMA
NOTARY PUBLIC
MONTGOMERY COUNTY
MARYLAND
MY COMMISSION EXPIRES SEPT. 12, 2009