

IN THE MATTER OF	*	BEFORE THE
JUDITH K. HOLLETT, Radiographer	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: R07987	*	Case Number: 2220-0209B
* * * * *	*	* * * * *

CONSENT ORDER

On January 26, 2021, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) charged Judith K. Hollett, Radiographer (the “Respondent”) with violating the Maryland Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-5B-01 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

Specifically, the Respondent was charged with violating the following:

§ 14-5B-14.

(a) *In general.* Subject to the hearing provisions of § 14-405 of this title, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may deny a license to any applicant, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the... licensee:

...
 (3) Is guilty of unprofessional or immoral conduct in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance; [and]

...
 (11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report[.]

On April 28, 2021, Panel B was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of this

DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order, and Consent.

FINDINGS OF FACT

Panel B finds the following:

1. At all times relevant hereto, the Respondent was licensed to practice radiography in the State of Maryland. The Respondent was originally licensed to practice radiography in Maryland on June 20, 2006.
2. At all relevant times, the Respondent was employed as a radiographer at a hospital (“Hospital 1”) on the Eastern Shore of Maryland. The Respondent worked on an as-needed basis, typically during the evening and on weekends.
3. Starting in approximately October 2019, the Respondent performed only x-rays and transported patients. The Respondent did not perform CT scans.
4. On or around December 19, 2010, the Board received a complaint from a representative of the Company (“Company representative”) regarding the Respondent.
5. The complaint alleged in pertinent part that the Company terminated a radiographer (“Radiographer A”) who also worked at Hospital 1 because he had left his shift several hours early on the evening of October 10, 2019 and had the Respondent come to the Hospital to work the remainder of his shift.
6. The Board initiated an investigation that included conducting under-oath interviews of the Respondent, Radiographer A, relevant Hospital staff, the Company

representative, providing Radiographer A the opportunity to respond to the complaint, and the review of relevant records.

The Board's Investigation

7. On October 10, 2019, Radiographer A was scheduled to work from approximately 2:00 p.m. until 12:00 midnight.
8. Sometime during the day of October 10, 2019, Radiographer A telephoned the Respondent and asked her to work his shift from 9:00 p.m. to 12:00 midnight because he wanted to leave early.
9. The Respondent agreed to come to the Hospital and work the remainder of Radiographer A's shift.¹
10. Radiographer A was terminated by the Company effective October 14, 2019.
11. The Respondent retired from her position at Hospital 1 effective October 15, 2019.
12. During his termination interview the Company representative, Radiographer A confirmed that he had paid someone else to clock out for him on October 10, 2019. When the company representative advised Radiographer A that he would not be paid for the three hours on October 10, 2019 that he did not work, Radiographer A stated that he had paid the other person and needed the money.
13. In furtherance of the Board's investigation, Board staff requested Radiographer A to respond to the complaint. In his response, Radiographer A denied that he paid anyone to work for him.

¹ Panel B has charged Radiographer A with violating the Act.

14. In furtherance of the Board's investigation, Board staff interviewed the Respondent under oath on June 15, 2020. The Respondent confirmed that she had worked the last three hours of Radiographer A's shift on October 10, 2019. The Respondent stated that while she performed "very few" x-rays during that time.²
15. The Respondent further stated that at midnight on October 10, 2019, she used the time clock to "punch out" Radiographer A, thereby signifying that Radiographer A had completed his shift. The Respondent denied that Radiographer A had paid or offered to pay her to work the remainder of his shift.
16. Board staff interviewed Radiographer A under oath on June 16, 2020. Radiographer A confirmed that he had asked the Respondent to work several hours of his shift on October 10, 2019 because he wanted to go home early.
17. Radiographer A denied paying "anyone at the hospital any time for any reason."
18. Radiographer A stated that when he left the Hospital, he thought he had punched out on the time clock, but:

I guess I didn't punch out twice or whatever. Then while I was driving I called [the Respondent]. I say when you have time can you come to the time clock to check to see if I did it right or not? And she say [*sic*], sure. I can do that when I have time. What's your employee ID number? I gave her my employee ID number.

² On March 3, 2020, the Board issued a subpoena to the Hospital for "a list of any and all imaging studies performed by [the Respondent] and/or [Radiographer A] from October 10, 2019 at 8:30 p.m. to October 11, 12:30 a.m....." Hospital staff responded that there was no documentation that either the Respondent or Radiographer A had performed patient examinations or imaging studies during the requested time period. The Respondent was listed as a supporting staff on two studies. Supporting staff transport and move patients.

CONCLUSIONS OF LAW

Based upon the findings of fact, Panel B concludes that the Respondent is guilty of unprofessional or immoral conduct in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance, in violation of Health Occ. § 14-5B-14(a)(3); and willfully failed to file or record any report as required under law, willfully impeded or obstructed the filing or recording of a report, or induced another to fail to file or record a report, in violation of Health Occ. § 14-5B-14(a)(11).

ORDER

It is, thus, on the affirmative vote of a majority of the quorum of Board Disciplinary Panel B, hereby

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

ORDERED that, within **30 DAYS**, the Respondent shall pay a civil fine of **\$500**.

The payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297.

The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board; and it is further

ORDERED that the effective date of the Consent Order is the date the Consent Order is signed by the Executive Director of the Board or her designee. The Executive Director or her designee signs the Consent Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Consent Order; and it is further

ORDERED that this Consent Order is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

June 10, 2021

Date

Signature on file

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians

CONSENT

I, Judith K. Hollett, assert that I am aware of my right to consult with and be represented by counsel in considering this Consent Order and in any proceedings that would otherwise result from the charges. I have chosen to proceed without counsel and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered after the conclusion of 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 behalf, and to all other substantive and procedural protections as provided by law. I waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

Signature on file

5/17/2021
Date

Judith K. Hollett

NOTARY

STATE OF: Maryland

CITY/COUNTY OF: Kent

I HEREBY CERTIFY that on this 17th day of May, 2021, before me, a Notary Public of the State and City/County aforesaid, personally appeared Judith K. Hollett and made oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS, my hand and Notary Seal.



Breanna Nicole Hohrein
Notary Public

My commission expires: 11/02/2024