

**IN THE MATTER OF**  
**KRISTA L. CHASTAIN**

**Respondent**

**License Number: R09509**

**\* BEFORE THE**  
**\* MARYLAND STATE**  
**\* BOARD OF PHYSICIANS**  
**\* Case Number: 2221-0002B**

\* \* \* \* \*

**CONSENT ORDER**

On September 25, 2020, Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") charged **KRISTA L. CHASTAIN** (the "Respondent"), License Number R09509, under the Maryland Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 14-5B-01 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

The relevant provisions of the Act provide the following:

**Health Occ. § 14-5B-14. Certificate denial, suspension, or revocation**

(a) 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 applicant or licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensed individual, or for another;

...

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

...

- (10) Willfully makes or files a false report or record in the practice of radiation therapy, radiography, nuclear medicine technology, or radiation assistance[.]

On December 16, 2020, 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**

The Board finds the following facts:

#### **I. BACKGROUND**

- 1 At all times relevant to these charges, the Respondent was licensed to practice radiography in the State of Maryland. The Respondent was originally licensed to practice as a radiographer on November 20, 2009, under License Number R09509. The Respondent's license is current through April 30, 2021.
- 2 The Board initiated an investigation after receiving information that the Respondent may have made false statements on her 2017 and/or 2019 licensure renewal applications.

#### **II. 2019 RENEWAL APPLICATION**

3. On or about April 29, 2019, the Respondent submitted an Application for Renewal of her radiography license (the "2019 Renewal Application") to the Board, which required the Respondent to answer questions concerning

her character and fitness to practice radiology and to report her criminal history since April 30, 2017. Specifically, the Respondent was asked, "Have you pleaded guilty or nolo contendere to any criminal charge, or have you been convicted of a crime or placed on probation before judgment because of a criminal charge?" The Respondent answered "No" to this question. The Board's investigation revealed that on or about August 21, 2018, the Respondent received a Probation Before Judgment for Resisting Lawful Arrest, Driving While Impaired by Alcohol, Attempting to Elude Police, and Failure to Stop After an Accident Involving Property Damage. The Respondent failed to disclose the disposition of these incarcerable offenses on her 2019 Renewal Application when asked directly.

4. The Respondent was further asked, "Have you committed an offense involving alcohol or controlled dangerous substances to which you have pled guilty or nolo contendere, or for which you were convicted or received probation before judgment?" The Respondent answered "No" to this question although she had received a Probation Before Judgment for Driving While Impaired by Alcohol.
5. Prior to submitting her 2019 Renewal Application, the Respondent checked a box affirming that, "I certify that I have personally reviewed all responses to the items in this application and that the information I have given is true and correct to the best of my knowledge[.]" The Respondent did not check

the box attesting that she had completed a Criminal History Records Check as part of her 2019 Renewal Application.

### **III. 2017 RENEWAL APPLICATION**

6. On or about April 13, 2017, the Respondent submitted an Application for Renewal of her radiography license (the "2017 Renewal Application") to the Board, which required the Respondent to report her criminal history. Specifically, the Respondent was asked, "Are there any charges pending against you in any court of law, are you currently under arrest, released pending trial with or without bond, or is there an outstanding warrant for your arrest?" The Respondent answered "No" to this question.
7. On or about May 14, 2019, the Board determined that the Respondent, on or about March 31, 2017, was arrested and charged with Attempted First Degree Assault, Resisting Lawful Arrest, Driving Under the Influence of Alcohol, Attempting to Elude Police, and related traffic offenses. On or about April 3, 2017, the Respondent was released from the Charles County Detention Center on a twenty thousand dollars (\$20,000) bond pending trial. The Respondent failed to disclose that these charges were pending on her 2017 Renewal Application when asked directly.
8. Prior to submitting her 2017 Renewal Application, the Respondent checked a box affirming that, "I certify that I have personally reviewed all responses to the items in this application and that the information I have given is true and correct to the best of my knowledge[.]"

### CONCLUSIONS OF LAW

Based on the Findings of Fact, Panel B concludes as a matter of law that the Respondent fraudulently or deceptively obtained or attempted to obtain a license in violation of Health Occ. § 14-5B-14(a)(1); 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 made or filed a false report or record in the practice of radiation therapy, radiography, nuclear medicine technology, or radiation assistance, in violation of Health Occ. § 14-5B-14(a)(10).

### ORDER

It is thus by Disciplinary Panel B of the Board, hereby:

**ORDERED** that the Respondent, Krista L. Chastain, License No. R09509, is **REPRIMANDED**; and it is further

**ORDERED** that the Respondent is placed on **PROBATION** for a minimum of **ONE YEAR**.<sup>1</sup> During probation, the Respondent shall comply with the following terms and conditions of probation:

1. Within **SIX (6) MONTHS**, the Respondent is required to take and successfully complete a course in professional ethics. The following terms apply:
  - (a) it is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course is begun;

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<sup>1</sup> If the Respondent's license expires during the period of probation, the probation and any conditions will be tolled.

- (b) the disciplinary panel will accept a course taken in person or, during the state of emergency, over the internet.
- (c) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the course;
- (d) the course may not be used to fulfill the continuing medical education credits required for license renewal;
- (e) the Respondent is responsible for the cost of the course.

2. Respondent shall pay a civil fine of **\$1,000** within **ONE YEAR**. 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, after the Respondent has complied with all terms and conditions of probation and the minimum period of probation imposed by the Consent Order has passed, the Respondent may submit a written petition for termination of probation. After consideration of the petition, the Respondent's probation may be administratively terminated through an order of the disciplinary panel if the Respondent has complied with all probationary terms and conditions and there are no pending complaints relating to the charges; and it is further

**ORDERED** that a violation of probation constitutes a violation of the Consent Order; 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 the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

**ORDERED** that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if the disciplinary panel determines there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before a disciplinary panel; and it is further

**ORDERED** that after the appropriate hearing, if the disciplinary panel determines that the Respondent has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke the Respondent's license to practice medicine in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Respondent; 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).

## *Signature on File*

01/12/2021  
Date

Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians



CONSENT

I, Krista L. Chastain, acknowledge that I have consulted with counsel before signing this document.

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.

Date

1/6/21

***Signature on File***

Krista L. Chastain  
Respondent

**NOTARY**

STATE OF Maryland

CITY/COUNTY OF Calvert

I HEREBY CERTIFY that on this 6<sup>th</sup> day of

January, 202~~0~~, before me, a Notary Public of the foregoing State and City/County, did personally appear Krista L. Chastain and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and seal.

Joseph E. Carey  
Notary Public  
My commission expires: 8/9/24

