

IN THE MATTER OF

\* BEFORE THE

KRISTA CHASTAIN, Radiographer

\* MARYLAND STATE

Respondent

\* BOARD OF PHYSICIANS

License Number: R09509

\* Case Number: 2222-0081 B

\* \* \* \* \*

**ORDER FOR SUMMARY SUSPENSION**  
**OF LICENSE TO PRACTICE RADIOGRAPHY**

Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") hereby **SUMMARILY SUSPENDS** the license of **KRISTA CHASTAIN, Radiographer** (the "Respondent"), License Number R09509, to practice radiography in the State of Maryland.

Panel B takes such action pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c) (2021 Repl. Vol.), concluding that the public health, safety or welfare imperatively requires emergency action.

**I. BACKGROUND**

Based on information received by, and made known to Panel B, and the investigatory information obtained by, received by and made known to and available to Panel B, including the instances described below, Panel B has reason to believe that the following facts are true:<sup>1</sup>

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<sup>1</sup> The statements regarding Panel B's investigative findings are intended to provide the Respondent with reasonable notice of the basis of the 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.

1. At all times relevant hereto, the Respondent was and is licensed to practice radiography in the State of Maryland. The Respondent originally was licensed to practice radiography in Maryland on November 20, 2009, under License Number R09509. The Respondent's license is current through April 30, 2023.

2. From November 22, 2016 until November 10, 2021, the Respondent was employed as a radiographer by a health care facility located in Prince George's County, Maryland ("Health Care Facility A"). From December 16, 2021 until January 23, 2022, the Respondent was employed as a radiographer by a health care facility located in Anne Arundel County, Maryland ("Health Care Facility B"). The Respondent was terminated by Health Care Facility B for "excessive tardiness and inconsistent performance issues."

3. On November 12, 2021, the Board received a Mandated 10-Day Report (the "Report") that Health Care Facility A terminated the Respondent from her job as a radiographer "due to unprofessional conduct." After receiving this Report, the Board opened an investigation of the Respondent.

## **II. THE BOARD INVESTIGATION**

4. As part of its investigation, the Board subpoenaed the Respondent's human resources file from Health Care Facility A and Health Care Facility B, obtained medical records of the Respondent from three of her health care providers, interviewed seven (7) staff members of the Respondent from Health Care Facility A, interviewed the Managing

Director of Health Care Facility B, and obtained probation records from the Maryland Department of Public Safety and Correctional Services.<sup>2</sup>

a. **Human Resources File of Health Care Facility A**

5. On October 8, 2021, an anonymous complaint was filed against the Respondent on Health Care Facility A's tip line. The complaint alleged in part:

- The Respondent "has openly admitted to 'snorting' the medication she is prescribed" for a medical condition;
- The Respondent "has also admitted to being on probation for assault, smoking marijuana, and consuming 'something laced with Fentanyl'";
- The Respondent "regularly 'nods off' during work hours";
- The Respondent "every day...will go to her vehicle, and fall asleep for most of the work day";
- The Respondent "regularly leaves the building for a 'smoke break,' and returns hours later, with red eyes";
- The Respondent is "typically dazed when she returns from smoke breaks"; and
- The Respondent's "behavior presents a risk to patient safety ...[and] can easily result in patients receiving improper care."

6. Thereafter, management of Health Care Facility A conducted an internal investigation of the Respondent.

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<sup>2</sup> Probation records document that the Respondent submitted "fraudulent" paperwork that she was attending treatment on certain dates when in fact she had not "by whiting out dates from a previous letter (march) and added august and September [2021] to dates to show as if she has been compliant."

7. On October 20, 2021, Health Care Facility A placed the Respondent on administrative leave.

8. On November 10, 2021, Health Care Facility A terminated the Respondent from her employment.

**b. Board Interviews with Employees of Health Care Facility A**

9. Board staff interviewed seven (7) employees of Health Care Facility A as part of its investigation. The interviewees stated in part:

- The Respondent disclosed that she would “smoke marijuana” at Health Care Facility A during lunch breaks, and came to work “reeking of weed”;
- The Respondent reported to her co-workers that she used illegal drugs, including cocaine and fentanyl;
- The Respondent spoke freely about her medical conditions at Health Care Facility A: “[S]he openly told me that she had some mental health issues and was using drugs while at work and...she would tell me about her personal life as well while not at work”;
- The Respondent “would come into work and she would visibly be under the influence”;
- In June, 2021, there was a “drastic change” in the Respondent’s behavior, in that “she would come to work and she would just be sweating...she would disappear. She would talk a lot to herself and then she would walk around and just like be cursing, like the ‘B’ word, the ‘F’ word”;

- The Respondent “literally...would walk sideways, like her – like she couldn’t even stand or like her balance was off, I mean, or she was just stumbling”;
- In Fall, 2021, the Respondent was observed to “fall asleep sitting up,” “sometimes she would slur,” and “she would just stare at the wall and just have like a blank stare, like looking right through you”;
- The Respondent exhibited a “change in behavior...over the last year that she was employed with the company, she would be dozing off, like sitting there waiting for patients looking at her phone and bobbing her head dozing off. A lot of her behaviors are very erratic, falling asleep at work and sweating and kind of just like very like confused and it was, just very clear that this wasn’t typical behavior”;
- The Respondent “would disappear for hours at a time. We’d be looking for her. She wouldn’t answer her phone. She would leave for lunch – we get 30 minutes for lunch, we’d be looking for her an hour later. When she came back from lunch, she’d be kind of dazed and then sometimes start dozing off in a chair”;
- The Respondent used profanity and racist language at Health Care Facility A;
- The Respondent sent threatening text messages to co-workers;
- The Respondent lit hairspray on fire at Health Care Facility A;

- Co-workers were concerned for their own safety and the safety of the patients because of the Respondent's erratic behavior; and
- In September, 2021, the Respondent was described as being spacey, losing paperwork, having memory issues, and performing incorrect exams on patients.

**c. Board Interview with Managing Director of Health Care Facility B**

10. Board staff interviewed the Managing Director of Health Care Facility B at which the Respondent was employed. The Managing Director in part stated:

- The Respondent was often tardy, did not come to work when scheduled, or would leave early;
- The Respondent broke a part on the radiography machine with an approximate damage value of \$2,500.00; and
- The Respondent used profanity towards employees of Health Care Facility B.

**CONCLUSIONS OF LAW**

Based upon the foregoing, Panel B concludes as a matter of law that the public health, safety, or welfare imperatively requires emergency action, pursuant to Md. Code Ann., State Gov't § 10-226(c)(2) (2021 Repl. Vol.) and Md. Code Regs. ("COMAR") 10.32.02.08B(7)(a).

**ORDER**

It is, by a majority of the quorum of Panel B, hereby:

**ORDERED** that pursuant to the authority vested in Panel B by Md. Code Ann., State Gov't § 10-226(c)(2) and COMAR 10.32.02.08B(7)(a), the Respondent's license to practice radiography in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that a post-deprivation hearing in accordance with COMAR 10.32.02.05B(7) on the summary suspension will be held on **Wednesday, March 23, 2022, at 10:00 a.m.** before Panel B at the Maryland State Board of Physicians, 4201 Patterson Avenue, Baltimore, Maryland 21215-0095; and it is further

**ORDERED** that at the conclusion of the post-deprivation hearing before Panel B, the Respondent, if dissatisfied with the result of the hearing, may request within ten (10) days an evidentiary hearing, such hearing to be set within thirty (30) days of the request, before an Administrative Law Judge at the Office of Administrative Hearings, Administrative Law Building, 11101 Gilroy Road, Hunt Valley, Maryland 21031-1301; and it is further

**ORDERED** that a copy of this Order for Summary Suspension shall be filed with the Board in accordance with Health Occ. § 14-407 (2021 Repl. Vol.); and it is further

**ORDERED** that this is an Order of Disciplinary Panel B, and as such, is a **PUBLIC DOCUMENT**. See Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Provisions § 4-333(b)(6).

03/08/2022  
Date

***Signature on File***

Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians