

Letter of Surrender
Tonya L. Horton
License Number: 01079
Case Number: AHS 03-09

**Tonya L. Horton
15910 Uppsala Court
Woodbridge, Virginia 22191**

Date: 12/16/09

M. Cara Erskine, M. Ed., Chair
Maryland Board of Examiners for Audiologists,
Hearing Aid Dispensers & Speech-Language Pathologists
4201 Patterson Avenue
Baltimore, Maryland 21215

Re: Surrender of Audiologist License
License Number: 01079
Case Number: AHS 03-09

Dear Ms. Erskine and Members of the Board:

Please be advised that I have decided to surrender my license to practice audiology in the State of Maryland, License Number 01079.

I understand that by surrendering my license, I may not engage in the practice of audiology, in any capacity; that is, I may not apply the principles, methods, and procedures of measurement, prediction, evaluation, testing, counseling, consultation, and instruction that relate to the development and disorders of hearing, vestibular functions, and related language speech disorders, to prevent or modify the disorders or assist individuals in hearing and auditory and related skills for communication. I also may not fit or sell hearing aids. I may not otherwise engage in the practice of audiology as it is defined in the Maryland Audiology, Hearing Aid Dispensing, and Speech-Language Pathology Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") § 2-101(q)(1) and (2).

In addition, I will refrain from identifying myself as an audiologist; I will remove all signs or similar advertisements that indicate authority to practice audiology; and I will not use letterhead or business cards indicating authority to practice audiology.

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In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland. I understand that this Letter of Surrender is a PUBLIC document and, on the Board's acceptance, becomes a FINAL ORDER of the Board.

My decision to surrender my license to practice audiology in Maryland has been prompted by an investigation of my licensure by the Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (the "Board") and the Office of the Attorney General under the following provisions of the Act, H.O. § 2-314:

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:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license or limited license for the applicant, licensee, or holder or for another;
- (3) Commits fraud or deceit in the practice of audiology...;
- (10) Commits any act of unprofessional conduct in the practice of audiology...;
- (14) Is disciplined by a licensing or disciplinary authority or any other state...for an act that would be grounds for disciplinary action under this section; and
- (16) Knowingly makes or files a false report or record in the practice of audiology...[;].

The investigation was based on my original application for licensure, dated May 4, 2005, and my renewal application, dated May 16, 2006. The Board's investigation revealed a failure to disclose information regarding my Virginia license and the discipline against my Virginia license in 2005 to the Maryland

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Board. The investigation revealed a false statement was made when I completed my renewal application in 2006 and my denial that another state had taken any action against my license. The Virginia Board of Audiology and Speech-Language Pathology entered an order against me on April 19, 2005. I failed to disclose this to the Maryland Board.

I have decided to surrender my license to practice audiology in the State of Maryland to avoid further investigation of this matter and to avoid formal charges by the Board. I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender to avoid further investigation and charges under the Act, and in order to resolve this matter. Although I neither admit nor deny the investigative findings, I acknowledge that the Office of the Attorney General could prove by a preponderance of the evidence at an administrative hearing that I violated the Act as detailed herein.

I understand that by executing this Letter of Surrender I am waiving any right to contest the investigative findings in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

I acknowledge that, on or before the effective date of this Letter of Surrender, I shall present to the Board my Maryland audiology license, including any renewal certificates and wallet-sized renewal cards.

I understand that the Board will advise the National Practitioners Data Bank, the Health Care Integrity Data Bank, and any other required entities, of this Letter of Surrender and, in response to inquiry, that I have surrendered my license in lieu of disciplinary action under the Act as resolution of the matters pending against me. I also understand that, in the event I would apply for licensure in any form in any other state or jurisdiction, this Letter of Surrender, and all underlying documents, may be released or published by the Board to the same extent as a final order that would result from disciplinary action pursuant to Md. State Gov't Code Ann. §§ 10-611 *et seq.*

I further recognize and agree that, by submitting this Letter of Surrender, my license will remain surrendered for a minimum of (5) years and until such time as I apply new licensure and comply with the terms and conditions set forth in this Letter of Surrender and those determined by the Board subsequent to my application.

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I also understand that, if I apply for a new Maryland license, I bear the burden of demonstrating to the Board that I am professionally and mentally competent to practice audiology under the Act and that I possess good moral character, as required under Md. Health Occ. Code Ann. § 2-302(b). I also understand that I must also demonstrate to the Board the following: my understanding of my prior misconduct; my subsequent conduct and reformation; my present character and my present qualifications and competence to practice audiology. I understand that, when applying for new licensure, I approach the Board in the same posture as one whose license has been revoked based on the facts contained herein and that my application may be accepted or denied by the Board in its sole discretion.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been given the opportunity to consult with counsel before signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,



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NOTARY

STATE OF Virginia
CITY/COUNTY OF Fairfax

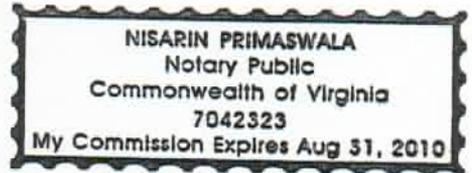
I HEREBY CERTIFY that on this 16 day of Dec, 2008,
before me, a Notary Public of the City/County aforesaid, personally appeared
Tonya L. Horton, and declared and affirmed under the penalties of perjury that
signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.

Nisarin Primaswala

Notary Public

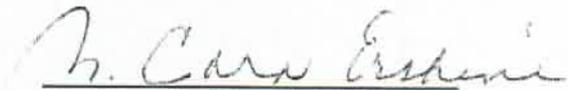
My Commission expires: 08/31/2010



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ACCEPTANCE

ON BEHALF OF THE MARYLAND BOARD OF EXAMINERS FOR
AUDIOLOGISTS, HEARING AID DISPENSERS AND SPEECH-LANGUAGE
PATHOLOGISTS, on this 15th day of January, 2008, the effective
date of this Letter of Surrender, I accept Tonya L. Horton's PUBLIC Letter of
Surrender of her license to practice audiology in the State of Maryland.



M. Cara Erskine, M. Ed.
Chair
Maryland Board of Examiners for
Audiologists, Hearing Aid
Dispensers and Speech-
Language Pathologists

cc: Robert Harrison Gibbs, Jr. Esquire