

**State of New Hampshire  
Speech-Language Pathology Governing Board  
Concord, New Hampshire 03301**

In the Matter of  
Jennifer M. Humphreys, SLP  
No.: 0745  
(Misconduct Allegations)

**RECEIVED**  
OCT 01 2004  
OFFICE OF  
REGULATED HEALTH PROFESSIONS

**SETTLEMENT AGREEMENT**

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of speech-language pathology, the New Hampshire Speech-Language Pathology Governing Board ("Board") and Jennifer M. Humphreys, SLP ("Ms. Humphreys" or "Respondent"), a speech-language pathologist licensed by the Board, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 328-F:23 and 328-F:24 and the New Hampshire Code of Administrative Rules for Speech-Language Pathology ("Spe") 502, the Board has jurisdiction to investigate and adjudicate allegations of professional misconduct committed by licensees. Pursuant to RSA 328-F:24 and Spe 502, the Board may, at any time, dispose of such allegations by settlement and without commencing a disciplinary hearing.
2. The Board first granted Respondent a license to practice speech-language pathology in the State of New Hampshire on February 22, 2000. Respondent holds license number 0745. Respondent is also licensed in the State of Massachusetts. Currently, Respondent practices only in Massachusetts on a part-time basis.

3. The Office of Allied Health Professionals (“Office”) received a license renewal application from Respondent on November 26, 2003. Respondent had signed and dated the application November 22, 2003. On the application, Respondent indicated that she intended to take a four-hour continuing education course entitled “Interpreting X-ray Swallow Studies and Planning Treatment” on December 3, 2003. This course was necessary in order for Respondent to meet her 30 required hours of continuing education. *See* RSA 326-F:6 and Spe 402.
4. The Office conducted an audit of Respondent’s continuing education credits. Respondent did not respond to the certified letter sent to her requesting audit materials. Upon being contacted by a Board member, Respondent called the Office and explained that she had recently had a child, become overwhelmed and failed to complete the December course listed on her renewal application. She also explained that she was not working in New Hampshire and thought that she could just retain her Massachusetts license.
5. In response to this, the Board requested that the APU conduct an investigation and resolve the situation. The Board’s investigation revealed and Respondent freely admits to the following facts:
  - A. Respondent failed to complete 30 hours of continuing education credits during the 2002-2003 calendar years. Respondent was short two credit hours.
  - B. Respondent failed to respond in a timely manner to the audit conducted of her continuing education hours.

6. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent violated RSA 326-F:6 and Spe 402.01.
7. Respondent acknowledges that this conduct constitutes grounds for the Board to impose disciplinary sanctions against Respondent's license to practice as a speech-language pathologist in the State of New Hampshire.
8. Respondent consents to the Board imposing the following discipline, pursuant to RSA 328-F:23, IV:
  - A. Respondent shall complete 19 continuing education credit hours by the end of calendar year 2004. This represents 15 hours that are regularly required of licensees and four additional hours for the missed December course. Respondent shall provide documentation to the Board, which shall include: an official record of attendance at the conference or in-service; the number of CEUs approved; the signature of the sponsoring official or supervisor for the in-service; and, a copy of the course brochure or agenda. This documentation shall be presented to the Board by January 1, 2005.
  - B. Respondent is assessed an ADMINISTRATIVE FINE in the amount of \$150. Respondent shall pay this fine in full within thirty days of the effective date of this agreement, as defined further below, by delivering a money order or bank check, made payable to "Treasurer, State of New Hampshire," to the Office of Allied Health Professionals, 2 Industrial Park Drive, Concord, New Hampshire 03301.

9. Respondent's breach of any terms or conditions of this Settlement Agreement shall constitute unprofessional conduct pursuant to RSA 328-F:23, and a separate and sufficient basis for further disciplinary action by the Board.
10. Except as provided herein, this Settlement Agreement shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct as evidence of a pattern of conduct in the event that similar misconduct is proven against Respondent in the future. Additionally, the Board may consider the fact that discipline was imposed by this Order as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.
11. This Settlement Agreement shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.
12. Respondent voluntarily enters into and signs this Settlement Agreement and states that no promises or representations have been made to her other than those terms and conditions expressly stated herein.
13. The Board agrees that in return for Respondent executing this agreement, the Board will not proceed with the formal adjudicatory process based upon the facts described herein.
14. Respondent understands that her action in entering into this agreement is a final act and not subject to reconsideration or judicial review or appeal.
15. Respondent has had the opportunity to seek and obtain the advice of an attorney of her choosing in connection with her decision to enter into this agreement.

16. Respondent understands that the Board must review and accept the terms of this agreement. If the Board rejects any portion, the entire agreement shall be null and void. Respondent specifically waives any claims that any disclosures made to the Board during its review of this agreement have prejudiced her right to a fair and impartial hearing in the future if this agreement is not accepted by the Board.
17. Respondent is not under the influence of any drugs or alcohol at the time she signs this agreement.
18. Respondent certifies that she has read this document titled Settlement Agreement. Respondent understands that she has the right to a formal adjudicatory hearing concerning this matter and that at said hearing she would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, qualities and dimensions of these rights. Respondent understands that by signing this agreement, she waives these rights as they pertain to the misconduct described herein.
19. This agreement shall take effect as an Order of the Board on the date it is signed by an authorized representative of the Board.

**FOR RESPONDENT**

Date: \_\_\_\_\_

9/28/04

  
\_\_\_\_\_  
Jennifer M. Humphreys, SLP  
Respondent

Date: \_\_\_\_\_

\_\_\_\_\_  
Respondent's Attorney, if any  
Counsel for Respondent

**FOR THE BOARD/\***

This proceeding is hereby terminated in accordance with the binding terms and conditions set forth above.

Date: Oct. 11, 2004

Rita A. Kirk  
(Signature)

Rita A. Kirk  
(Print or Type Name)  
Authorized Representative of the  
Speech-Language Pathology Governing Board