

HEALTH OCCUPATIONS PROGRAM
HEALTH REGULATION DIVISION

**A Determination in the Matter of
Athara Ibrahim
Audiologist License 528789**

Authority:

The Minnesota Department of Health, Health Occupation Program – Speech Language Pathology and Audiology (“Department”), is authorized, pursuant to Minnesota statutes, section §148.5194 and §148.5195 (<https://www.revisor.mn.gov/statutes/cite/148>), to investigate complaints, take and enforce disciplinary actions against all speech language pathology and audiology practitioners for violations of prohibited conduct as defined in section §148.5195. Pursuant to section §148.5195 subd. 1, the Department has the authority to investigate any allegation of a violation of section §148.511. If the Department determines that a speech language pathology or audiology practitioner has violated a provision of section §148.511, it has the authority to censure, reprimand, revoke, suspend, impose limitations or conditions, or take any reasonable action against a practitioner and to assess administrative penalties in an amount up to \$10,000 per violation under section §148.5195 subd. 4.

Findings of Fact:

1. On January 4th, 2024, the Minnesota Department of Health (MDH) received an initial audiologist application from Athara Ibrahim (hereinafter referred to as Ibrahim). In the application, Ibrahim stated that they had completed the doctoral externship at Essentia Health, located in Duluth, MN, spanning from June 4th, 2022, until June 2nd, 2023.
2. MDH granted Ibrahim’s audiologist license on January 26th, 2024. Ibrahim’s license expires on January 31, 2026
3. Under Minn. Stat. 148.5161, any person completing a doctoral externship must first apply and be issued a doctoral externship license from MDH. Based on information in Ibrahim’s application, Ibrahim had neither applied for nor had been granted a doctoral externship license before starting the externship at Essentia Health.

4. Because Ibrahim did not possess a doctoral externship license during her externship with Essentia Health, the Department reviewed and investigated the complaint for possible unlicensed practice.
5. On May 1st, 2024, the Department sent Ibrahim a notice of investigation letter, requesting her written response to the following inquiries:
 - a. Confirmation as to whether she had been aware of the requirement that a doctoral externship license was required prior to starting the doctoral externship.
 - b. What steps she took to ensure compliance with all Minnesota licensure requirements and regulations prior to starting the doctoral externship.
 - c. Had she made any attempt to obtain a doctoral externship license from MDH prior to starting the externship.
 - d. What guidance or instruction had she received from Essentia Health or her supervisor regarding the necessity of licensure for the practice of audiology in Minnesota.
 - e. Had she continued to provide audiologist services following the conclusion of the doctoral externship and preceding her application for licensure as an audiologist, during the period spanning from June 2nd, 2023, and January 4th, 2024.
6. On May 2nd, 2024, Ibrahim returned her written response to the Department. In the response, Ibrahim stated the following:
 - a. Ibrahim was unaware of the requirement that a doctoral externship license was necessary prior to starting the doctoral externship.
 - b. Ibrahim attended college in Wisconsin and had not been informed by her placement supervisor about the licensure requirements of Minnesota.
 - c. Ibrahim had never been informed of the licensing requirements by her externship supervisor nor Essentia Health.
 - d. Ibrahim wrote that she continued to provide supervised audiology services to both adults and children under direct supervision after her doctoral externship was completed and prior to being fully licensed as an audiologist with MDH.

7. At a meeting of the Speech Language Pathologist and Audiologist Advisory Council, Department staff discussed the need for licensure during a doctoral externship. According to the Council, a licensed supervisor and/or the hospital system supporting an externship bears some responsibility for ensuring their extern is aware of the requirements.

Conclusion:

Minn Stat. §148.5195 subd. 4 identifies specific disciplinary actions that can be taken and the grounds under which discipline can be imposed.

Minn Stat. §148.5195 subd 3(4) states: *“The commissioner may take any of the disciplinary actions listed in subdivision 4 on proof that the individual has: (4) violated sections 148.511 to 148.5198.”*

Minn Stat. §148.5161 subd. 1 states: *“Clinical fellowship and doctoral externship candidates must be licensed with a clinical fellowship or doctoral externship license.”*

Based on the facts presented above, the Department finds that Ibrahim violated Minnesota Statute, section 148.5161 subdivision 1. by failing to obtain a doctoral externship license during her doctoral externship. The Department also finds credible Ibrahim’s statement that she did not know that a license was required when she accepted her doctoral externship at Essentia Health

Determination: Penalty Assessed:

Pursuant to Minnesota Statutes, section §148.5195, subdivision 4, Athara Ibrahim is assessed a civil penalty of \$255. In setting this penalty amount, the Department considered:

1. The Department’s statutory ability to assess up to \$10,000 for each specific violation identified in an investigation.
2. The recommendations of the Speech Language Pathologist and Audiologist Advisory Council.
3. The cost of a biennial licensure fee for a doctoral externship license is \$510.00. Ibrahim’s

fellowship was one year, from June 2022 to June 2023.

How to Pay the Penalty Assessed:

Athara Ibrahim shall pay the \$255 assessed civil penalty once the Department has issued an invoice with payment instructions outlined.

If sixty calendar days pass between the established due date of the payment and when Ibrahim pays, the penalty may be referred to the Minnesota Department of Revenue, (MNDOR), or any other source for collection. When this determination for a penalty becomes public and the Department refers the matter to MNDOR, MNDOR is authorized by Minn. Stat. § 16D.17 to obtain judgment against Ibrahim without further notice or proceeding.

Request for a Hearing:

Under Minn. Stat. §148.5195 subd. 2, a licensee may not be disciplined without first being having an opportunity for a contested case hearing under Minnesota Statutes, Chapter 14. If you choose to request a contested case hearing, please let the Department know within thirty (30) days of receipt of this determination, which constitutes notice of the Department's findings. If you need more time, please communicate promptly to the Department which will evaluate your request on a case-by-case basis. Requests for a hearing can be made via an online form or mailed/delivered to the address below:

To request a hearing via an online form, please use the following link:

<https://forms.web.health.state.mn.us/form/HRDAppealsForm>

To request a hearing via mail, please direct that correspondence to the following address:

Minnesota Department of Health
Reconsideration Unit
HRD 3A, PO Box 64970
Saint Paul, MN 55164-0970

SO ORDERED this _____ day of _____ .

Maria King, Division Director

Health Regulation Division
Minnesota Department of Health
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St. Paul, Minnesota 55164-09000