

**BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS
MINUTES OF MEETING**

The Board for Hearing Aid Specialists and Opticians met on Friday, February 6, 2015, at the Offices of the Department of Professional and Occupational Regulation, Perimeter Center, Board Room 4, 2nd Floor, 9960 Mayland Drive, Richmond, Virginia 23233. The following members were present for the meeting:

Deborah Bauer-Robertson
Jon D. Bright
Judith M. Canty
Robert E. Flippin
Mark C. Grohler
Eric B. Hecker, PhD
Arva B. Priola
Bruce R. Wagner

The following member was not present:

William H. Bearden, III, MD
Edward L. DeGennaro
L. Frederick Lassen, MD
Bonnie Mayhew

DPOR staff present for all or part of the meeting included:

Jay W. DeBoer, Director
Mark N. Courtney, Senior Director/Regulatory and Public Affairs
Demetrios J. Melis, Executive Director
Stephen Kirschner, Regulatory Operations Administrator
Tamika Rodriguez, Licensing Operations Administrator
Cathy Clark, Administrative Assistant

A representative from the Office of the Attorney General was present for the meeting.

Elizabeth B. Peay, Assistant Attorney General

Dr. Hecker, Chair, determined that a quorum was present and called **Call to Order** the meeting to order at 9:07 a.m.

Upon a motion by Ms. Canty and seconded by Mr. Flippin, the Board **Approval of Agenda** moved to adopt the agenda.

The members voting 'yes' were Ms. Bauer-Robertson, Mr. Bright, Ms. Canty, Mr. Flippin, Mr. Grohler, Dr. Hecker, Ms. Priola, and Mr.

Wagner. There were no negative votes. The motion passed unanimously.

Dr. Hecker asked for public comments. There were none.

Public Comment

New Business

Mr. Melis opened the discussion by providing the Board with a brief history of the procurement process for the Optician practical exam to-date. Mr. Melis stated that, in light of the time that has lapsed, additional information gleaned from the process which may not have been originally considered or available, and a thorough review by the Agency Director—the Agency will be ending the current sole source procurement of the NCSORB practical examination.

**Optician Practical
Exam Discussion**

After the procurement process and status were evaluated by the Director and Deputy Director, it was agreed that a recommendation would be made to the Board to end the current procurement process for a sole-source contract with NCSORB and submit a request for proposals for other options.

Mr. Melis proposed to the Board that it would need to make a decision to (1) maintain the current practical exam; or (2) move to request the Department to issue a request for proposal (RFP) for an optician practical examination which may either be an already developed exam or an exam developed in response to the RFP. The RFP and any subsequent contract will be carried out in compliance with the Virginia Public Procurement Act, competitively negotiated and bargained for.

A discussion ensued regarding elements of the desired optician practical examination.

Mr. Flippin stated that the ideal exam would (1) allow candidates to test every week; (2) be computer-based; (3) be administered in a testing center with convenient locations; (4) be a fair process; and (5) would result in cost-savings to the state, with proctors and test sites provided by the vendor.

Mr. Melis mentioned that many professional licensure examinations are now; (1) offered more frequently than the current opticians practical, (2) administered by contracted administrators, (3) meet various other testing facility criteria.

Dr. Hecker asked how many applicants test. Mr. Melis responded that

approximately 60-70 test at each of the exam dates, for a total of approximately 120 candidates a year.

Mr. Flippin and Mr. Grohler asked questions regarding the advantages of offering an exam that is offered by other states to provide portability when licensees attempt to obtain licensure in other states.

Mr. Melis responded that the merits of each exam under consideration will be discussed by the Procurement Committee.

Dr. Hecker asked if a motion was required to end the current procurement process, and Mr. Melis indicated that no motion was required.

Dr. Hecker asked if a new procurement process will take as long as the one currently in progress has taken. Mr. Melis replied that the needs of this specific potential procurement process are better understood at this point, and the standard RFP process will be quicker than the previous sole-source contract.

Dr. Hecker asked if there will be other bidders other than NCSORB. Mr. Bright responded that there would likely be three to four other exam vendors that would submit proposals.

Ms. Priola asked if there are three to four national tests to choose from. Mr. Bright replied that there are currently three national tests being administered and described several multi-state exams that are currently in use.

Upon a motion by Mr. Flippin and seconded by Ms. Canty, the Board moved to request the Department to issue an RFP for an optician practical examination which may either be an already developed exam or an exam developed in response to the RFP.

The members voting 'yes' were Ms. Bauer-Robertson, Mr. Bright, Ms. Canty, Mr. Flippin, Mr. Grohler, Dr. Hecker, Ms. Priola, and Mr. Wagner. There were no negative votes. The motion passed unanimously.

Mr. Melis asked if Dr. Hecker, as Board Chair, and Ms. Bauer-Robertson, as Vice-Chair, would be willing to serve on the Proposal Review Committee. Both replied 'yes.'

Mr. Bright asked the Board if the current Optician written exam should be included in the procurement process, along with the

practical exam. Mr. Bright indicated that the current written exam is administered by the American Board of Opticianry (ABO) without a contract.

Mr. Melis indicated that the Board can discuss the written exam in the near future after gathering information from the ABO. Mr. Melis recommended not proceeding with any steps to procure a written exam at this time; separating the procurement processes will allow the practical exam procurement to move forward more expediently.

Ms. Priola stated that she would like to see both the practical and written exams brought up-to-date at the same time.

Mr. Melis stated that the Board has chosen to allow the ABO to provide the written exam.

Mr. Bright indicated that there are concerns with the future of the ABO's written exam. He further stated that the concern is not with the current exam, but with potential changes that the ABO may be considering, including online, at-home testing.

Mr. Flippin stated that it may present a potential problem if the ABO would not agree to enter into a vendor contact with the state.

Mr. Melis replied that a Memorandum of Understanding could possibly suffice in lieu of a contract.

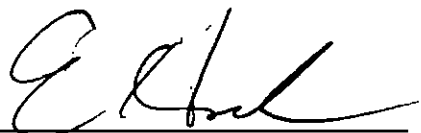
A brief discussion ensued about a past contract with the ABO when the written exam was administered by the state within the Department.

Mr. Flippin indicated that there are no educational prerequisites required by the ABO for an applicant to take the ABO written exam.

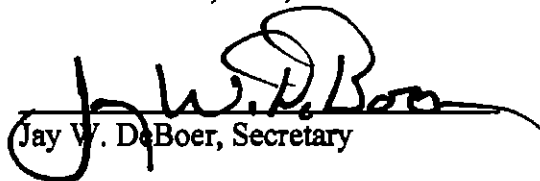
Dr. Hecker made a recommendation to proceed with only the practical exam RFP at this time. The Board agreed by consensus to move forward with the optician practical at this time, and further evaluate the written test at a later date.

Mr. Flippin asked about progress with revisions to the Optician apprenticeship process. Mr. Kirschner responded that this discussion will continue at the next Ad Hoc Committee meeting in March.

There being no further items for discussion, Dr. Hecker adjourned the meeting at 9:50 a.m. **Adjourn**



Eric B. Hecker, PhD, Chair



Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**


**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Deborah Bauer-Robertson
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists and Opticians
4. Meeting/IFF Date: February 6, 2015
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I do not have a personal interested in any transactions taken at this meeting.



Signature



Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Jon D. Bright
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists and Opticians
4. Meeting/IFF Date: February 6, 2015
5. I have a personal interest in the following transaction:

NONE


Nature of Personal Interest Affected by Transaction: _____

NONE

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

2/6/15
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

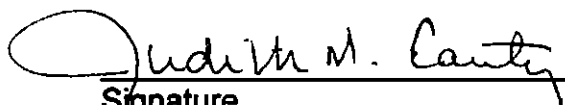
1. Name: Judith M. Canty
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists and Opticians
4. Meeting/IFF Date: February 6, 2015
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- _____
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- or
- I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

2-6-15

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Robert E. Flippin
2. Title: Board Chair
3. Agency: Board for Hearing Aid Specialists and Opticians
4. Meeting/IFF Date: February 6, 2015
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: None

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Robert E. Flippin
Signature

2-6-15
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Mark C. Grohler
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists and Opticians
4. Meeting/IFF Date: February 6, 2015
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Mark C. Grohler
Signature

2/6/15
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Eric B. Hecker
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists and Opticians
4. Meeting/IFF Date: February 6, 2015
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

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or

I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.

Signature

Date

2-6-15

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Arva B. Priola
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists and Opticians
4. Meeting/IFF Date: February 6, 2015
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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or

I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.

Signature

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Bruce R. Wagner
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists and Opticians
4. Meeting/IFF Date: February 6, 2015
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature

Date