

BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS

TENTATIVE AGENDA

Wednesday, August 17, 2022 – 9:00 a.m. - Board Room 4, 2nd Floor

Department of Professional and Occupational Regulation

Perimeter Center, 9960 Mayland Drive

Richmond, Virginia 23233

(804) 367-8590

- I. CALL TO ORDER**
- II. APPROVAL OF AGENDA**
 1. Board for Hearing Aid Specialists and Opticians Meeting Agenda, August 17, 2022
- III. APPROVAL OF MINUTES**
 2. Amendment to the Board for Hearing Aid Specialists and Optician Minutes from August 18, 2021.
 3. Board for Hearing Aid Specialists and Opticians Meeting, December 15, 2021
- IV. COMMUNICATIONS**
- V. PUBLIC COMMENT PERIOD ***
- VI. REPORTS**
 - A. Licensing Statistics
 - B. Examination Statistics
- VII. REGULATORY ACTION AND BOARD GUIDANCE**
 - A. Regulatory Report
 - B. Final Regulation – Hearing Aid Specialist Licensing Fees
 - C. Hearing Aid Specialist Guidance Document – Application Review Matrix for Criminal Convictions
 - D. Optician Guidance Document Correction – Approved Related Technical Instruction
 - E. Experience Option for Applicants From Other States
- VIII. NEW BUSINESS**
 - A. Board Elections Policy
 - B. Regulatory Review Committee
 - C. RTI Curriculum Review
 - D. Exam Services Contract Extension
 - E. Tympanometry
 - F. Over-the-counter Hearing Aid Act
- IX. ADJOURN**

REMAINING 2022 MEETING DATE:
WEDNESDAY, DECEMBER 14, 2022

2023 MEETING DATES:
WEDNESDAY, APRIL 12, 2023
WEDNESDAY, AUGUST 16, 2023
WEDNESDAY, DECEMBER 20, 2023

* 5 minute public comment period, per person, with the exception of any open disciplinary or application files. Persons desiring to attend the meeting and requiring special accommodations/interpretive services should contact the board office at 804-367-8590 at least 10 days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

DRAFT AGENDA

DRAFT AGENDA

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

The Board for Hearing Aid Specialists and Opticians met on Wednesday, August 18, 2021, at the Offices of the Department of Professional and Occupational Regulation, Perimeter Center, Board Room 2, 2nd Floor, 9960 Mayland Drive, Richmond, Virginia 23233. The following members were present for the meeting:

Darla Ann All
Pamela S. Chavis, MD
Beth Lynn Connors, AuD
Kristina F. Green
Lakshminarayanan Krishnan
Erik S. Meland
Debra Ogilvie, AuD
June H. S. Rogers
Pamela Sue Smith
Bruce R. Wagner
Kaytlyn Young

The following members were not present:

Alidad Arabshahi, MD, MBA
Melissa Gill
Laura Lee Thompson

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

Mary Broz-Vaughan, Acting Director
Stephen Kirschner, Executive Director
Joseph Crook, Regulatory Operations Administrator
Tamika Rodriguez, Licensing Operations Administrator
Cathy Clark, Administrative Assistant

A representative from the Office of the Attorney General was not present for the meeting.

Mr. Wagner determined that there was a quorum present, and called the meeting to order at 9:07 a.m.

Call to Order

Mr. Kirschner introduced and welcomed Board members who were appointed since the last Board Meeting in December 2020. The new Board Members are Ms. All, Ms. Green, Mr. Meland, Ms. Smith, and Ms. Young.

Welcome to New Board Member

Upon a motion by Ms. Rogers and seconded by Dr. Chavis, the Board voted to approve the Agenda.

Approval of Agenda

The members voting 'yes' were Ms. All, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Krishnan, Mr. Meland, Ms. Rogers, Ms. Smith, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

Upon a motion by Dr. Connors and seconded by Mr. Meland, the Board voted to approve the minutes of the December 16, 2020 Board for Hearing Aid Specialists and Opticians Meeting and the minutes of the April 15, 2021 New Board Member Training Workshop.

**Approval of Minutes:
December 16, 2020
Board for Hearing
Aid Specialists and
Opticians Meeting;
and April 15, 2021
New Board Member
Training Workshop**

The members voting 'yes' were Ms. All, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Krishnan, Mr. Meland, Ms. Rogers, Ms. Smith, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

Mr. Wagner stated that there were no communications to report.

Communications

Mr. Wagner asked for public comments. There were none.

Public Comment

In the matter of **File Number 2021-00056, Jennifer Paige Williams**, the Board reviewed the record, which consisted of the Consent Order. Jennifer Paige Williams did not appear at the meeting in person, by counsel, or by any other qualified representative.

CASES

**File Number 2021-
00056, Jennifer Paige
Williams (Consent
Order)**

By signing the Consent Order, Jennifer Paige Williams acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 80-20-250 (8 violations at \$100 each)	\$ 800.00
	SUB-TOTAL (MONETARY PENALTIES)	\$ 800.00
	BOARD COSTS	\$ 150.00
	TOTAL	\$ 950.00

**Dr. Ogilvie arrived at
the meeting**

Upon a motion by Ms. Rogers and seconded by Ms. Young, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. All, Dr. Connors, Ms. Green, Mr. Krishnan, Mr. Meland, Ms. Rogers, Ms. Smith, Mr. Wagner, and Ms. Young. The member voting 'no' was Dr. Chavis. The member abstaining, due to late arrival, was Dr. Ogilvie. The motion passed by a majority.

In the matter of **File Number 2021-02138**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Brenna Nicole Evancho did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-02138, Brenna Nicole Evancho (Licensing)

Upon a motion by Ms. Green and seconded by Ms. All, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Brenna Nicole Evancho's pending Hearing Aid Specialist (by exam) application.

The members voting 'yes' were Ms. All, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Krishnan, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

REPORTS

Mr. Kirschner reviewed Hearing Aid Specialists and Opticians licensing statistics with the Board. (See **Addendum 1**)

Licensing Statistics

Ms. Rodriguez reviewed the Hearing Aid Specialists and Opticians examination statistics with the Board for all exams administered between July 2020 and June 2021. (See **Addendums 2 and 3**)

Examination Report and Exam Statistics

REGULATORY ACTION AND BOARD GUIDANCE

Mr. Kirschner reported to the Board on three pending regulatory actions, including expanded training for Hearing Aid Specialist Temporary Permit holders that will increase the initial term of the temporary permit from 12 to 18 months and require completion of a minimum of 9 months of training under the permit to qualify for the examination. Mr. Kirschner advised the Board that this action is in its

Regulatory Report

first stage and will be published for public comment on August 30, 2021.

The second pending action in Mr. Kirschner's report was the proposed fee change for Hearing Aid Specialists, which has reached the Executive Branch review and is currently in the Secretary's office.

Lastly, Mr. Kirschner updated the members on the fast track proposed amendment to optician regulation 18 VAC 80-30-20 needed to remove obsolete language from the related instruction section that does not reflect the requirements of registered apprenticeships under the Department of Labor and Industry. This action will be published for public comment on August 30, 2021.

Mr. Kirschner reported that the ABO exam is now offered on a continuous basis, rather than the four times per year previously allowed. Mr. Kirschner advised the board that it had previously voted to authorize four exams, so to gain the benefits of the ABO's continuous testing, it would need to do so with an affirmative vote.

**Optician Exam –
Continuous Testing**

After discussion, and upon a motion by Ms. Rogers and seconded by Ms. Young, the Board voted to authorize optician exam testing at any time.

The members voting 'yes' were Ms. All, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Krishnan, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

Mr. Kirschner directed the Board's attention to his memo, dated August 5, 2021 and contained in the electronic agenda, that relates to July 1, 2021 changes to the Code of Virginia which decriminalized marijuana use in Virginia. Also included for the Board's review were draft amendments to the Hearing Aid Specialist Regulations and Optician Regulations that would bring the criminal conviction disclosure requirements into compliance with the new laws.

**Exempt Action
Relating to
Legalization of
Marijuana**

After discussion, and upon a motion by Ms. Young and seconded by Mr. Krishnan, the Board voted to start a regulatory action to amend language, as proposed in the memo, in the Hearing Aid Specialists Regulations and Opticians Regulations to comply with the new laws.

The members voting 'yes' were Ms. All, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Krishnan, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith,

Materials contained in this agenda are proposed for discussion and are not to be certified as regulation or official Board position.

Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

NEW BUSINESS

Mr. Kirschner discussed with the Board information relating to audiology students at Virginia colleges, specifically James Madison University, and whether or not the students would be required to hold a hearing aid specialist temporary permit to provide services to the public. Mr. Kirschner clarified that fourth-year audiology students must hold a hearing aid specialist temporary permit if they will provide hearing aid services to the public, but will not be required to hold a permit to perform audiology services.

Hearing Aid Specialist Temporary Permit Requirements for University Audiology Students

Mr. Wagner called for nominations for Board Chair and Board Vice Chair.

Board Elections

Dr. Connors nominated Ms. Rogers for Chair. Mr. Krishnan seconded the nomination. There were no other nominations for Chair.

Dr. Chavis nominated Dr. Connors for Vice-Chair. Ms. Rogers seconded the nomination. There were no other nominations for Vice-Chair.

Mr. Wagner closed the nominations, and the Board voted to elect June H. S. Rogers as Chair and Beth Lynn Connors, Au.D. as Vice-Chair.

The members voting 'yes' were Ms. All, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Krishnan, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

A video training session was presented for Conflict of Interest Act training that is required for all Board members every two years by the Virginia Conflict of Interest and Ethics Advisory Council.

Conflict of Interest Act Training

Board members completing the training were: Ms. All, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Krishnan, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith, Mr. Wagner, and Ms. Young.

There being no other business to be brought before the Board, Mr. Wagner adjourned the meeting at 10:55 a.m.

Adjourn

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

Kristina F. Green, Chair

Demetrios J. Melis, Board Secretary

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

DRAFT AGENDA

DRAFT AGENDA

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

The Board for Hearing Aid Specialists and Opticians met on Wednesday, December 15, 2021, at the Offices of the Department of Professional and Occupational Regulation, Perimeter Center, Board Room 2, 2nd Floor, 9960 Mayland Drive, Richmond, Virginia 23233. The following members were present for the meeting:

Saman Aghaebrahim
Darla Ann All
Michael Armstrong, MD
Stacey Brayboy
Pamela S. Chavis, MD
Beth Lynn Connors, AuD
Kristina F. Green
Erik S. Meland
Debra Ogilvie, AuD
June H. S. Rogers
Pamela Sue Smith
Laura Lee Thompson
Bruce R. Wagner
Kaytlyn Young

The following member was not present:

Melissa Gill

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

Mary Broz-Vaughan, Acting Director
Tom Payne, Deputy Director
Stephen Kirschner, Executive Director
Joseph Crook, Regulatory Operations Administrator
Tamika Rodriguez, Licensing Operations Administrator
Amy Goobic, Executive Assistant

Elizabeth Peay was present from the Office of the Attorney General.

Ms. Rogers determined that there was a quorum present, and called the meeting to order at 9:11 a.m.

Call to Order

Mr. Kirschner introduced and welcomed Board members, Stacey Brayboy, Dr. Michael Armstrong, and Saman Aghebrahim.

Welcome to New Board Member

Upon a motion by Ms. Green and seconded by Ms. Young, the Board voted to approve the Agenda.

Approval of Agenda

The members voting 'yes' were Ms. All, Dr. Armstrong, Ms. Brayboy, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Aghaebrahim, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith, Ms. Thompson, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Young and seconded by Dr. Ogilvie, the Board voted to approve the minutes of the August 18, 2021 Board for Hearing Aid Specialists and Opticians Meeting.

**Approval of Minutes:
August 18, 2021
Board for Hearing
Aid Specialists and
Opticians Meeting**

The members voting 'yes' were Ms. All, Dr. Armstrong, Ms. Brayboy, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Aghaebrahim, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith, Ms. Thompson, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

Mr. Kirschner stated that there were no communications to report.

Communications

There were no public comments.

Public Comment

REPORTS

Mr. Kirschner reviewed Hearing Aid Specialists and Opticians licensing statistics with the Board.

Licensing Statistics

Ms. Rodriguez reviewed the Hearing Aid Specialists and Opticians examination statistics with the Board for all exams administered between July 2021 and November 2021.

**Examination Report
and Exam Statistics**

**REGULATORY
ACTION AND
BOARD
GUIDANCE**

Mr. Crook provided a review of current regulatory actions to include: The Board's amendment to conform existing regulations to SB 1406, relating to reporting marijuana convictions, took effect on December 1, 2021. The Board's fast-track regulatory change to hearing aid specialist exam validity is currently in the Governor's office for review. The Hearing Aid Specialist action to expand training options will be considered in full later at this meeting. Finally, the Board's fee action is currently in the Governor's office for review.

Regulatory Report

Materials contained in this agenda are proposed topics for discussion and are not to be construed as representing an official Board position.

Board members were provided two public comments received on the proposed regulatory changes to hearing aid specialist training and the staff proposed responses.

**Responses to Public
Comments on
Proposed
Regulations –
Expanding Training
Options**

Upon a motion by Dr. Connors and seconded by Dr. Ogilvie, the Board voted to approve the proposed responses. The members voting 'yes' were Ms. All, Dr. Armstrong, Ms. Brayboy, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Aghaebrahim, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith, Ms. Thompson, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

Board members were provided the proposed regulations. Discussion was held on the DOLI apprenticeship program proposed for hearing aid specialists. Mr. Kirschner stated that the requirements for the Virginia apprenticeship program are the same as the US Department of Labor and Industry standards. Board members discussed changing the apprenticeship language to "Virginia DOLI or equivalent out-of-state program."

**Hearing Aid
Specialist Proposed
Regulations –
Expanding Training
Options**

Upon a motion by Dr. Armstrong and seconded by Ms. Brayboy, the Board voted to approve the proposed regulations as amended. The members voting 'yes' were Ms. All, Dr. Armstrong, Ms. Brayboy, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Aghaebrahim, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith, Ms. Thompson, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

NEW BUSINESS

Ms. Rogers called for nominations for Board Chair and Board Vice Chair.

Board Elections

Materials contained in this agenda are proposed for discussion and are not to be construed as regulation or official Board position.

Ms. All nominated Ms. Green for Chair. Ms. Rogers seconded the nomination. There were no other nominations for Chair.

Dr. Connors nominated Dr. Ogilvie for Vice-Chair. Mr. Wagner seconded the nomination. There were no other nominations for Vice-Chair.

Ms. Rogers closed the nominations, and the Board voted to elect Kristina Green as Chair and Debra Ogilvie, Au.D. as Vice-Chair.

The members voting 'yes' were Ms. All, Dr. Armstrong, Ms. Brayboy, Dr. Chavis, Dr. Connors, Ms. Green, Mr. Aghaebrahim, Mr. Meland, Dr. Ogilvie, Ms. Rogers, Ms. Smith, Ms. Thompson, Mr. Wagner, and Ms. Young. There were no negative votes. The motion passed unanimously.

Mr. Kirschner thanked Ms. Rogers and Dr. Connors for their service to the Board. He also informed the new Board Members that there would be a short new board chair and vice-chair training session in the near future.

Other Business

Ms. Broz-Vaughan informed the Board that they would receive an email January 1, regarding submission of their Financial Disclosure Statement. All Board members are required to submit the disclosure statement by February 1, 2022.

Mr. Kirschner introduced new DPOR Deputy Director Tom Payne.

There being no other business to be brought before the Board, Ms. Rogers adjourned the meeting at 10:03 a.m. **Adjourn**

Kristina F. Green, Chair

Demetrios J. Melis, Board Secretary

Materials contained in this agenda are proposed for discussion and are not to be construed as regulation or official Board position.



TO: VIRGINIA BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: FINANCIAL STATEMENTS
DATE: AUGUST 4, 2022

Attached you will find the proposed fee change this board initiated in April of 2019. The Board received no comments regarding this fee change during the two public comment periods. The DPOR Finance section indicates that this amount of fee increase is still needed, and in fact, any further delay in adoption will require the Board consider an even larger increase. You will note in the financial statements at the end of the agenda that Board operations are not supported by revenue, resulting in a loss for the 2020-2022 biennium.

The Board can adopt this fee change with a motion “to approve the final fee regulations.”

DRAFT AGENDA
DRAFT AGENDA

DRAFT AGENDA

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

Project 5959 - Proposed

Board For Hearing Aid Specialists And Opticians

HAS Fee Adjustment 2019

18VAC80-20-70. Fees.

A. All fees are nonrefundable and shall not be prorated. The date of receipt by the board or its agent is the date which will be used to determine whether or not it is on time.

B. Application and examination fees must be submitted with the application for licensure.

C. In the event that a check, money draft, or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, plus the additional processing charge established by the department.

The following fees apply:

Application Fee	\$30 \$125	To be paid by all applicants for initial licensure
Temporary Permit Fee	\$30 \$125	
Renewal	\$20 \$125	
Reinstatement	\$50 \$125	

D. The written examination fee shall be established in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). The practical examination fee shall be established by the department that is sufficient to cover expenses for the administration of the examination in compliance with subdivision A 4 of § 54.1-201 of the Code of Virginia.

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

DRAFT AGENDA

DRAFT AGENDA



TO: VIRGINIA BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: APPLICATION REVIEW MATRIX FOR CRIMINAL CONVICTIONS – HEARING AID SPECIALISTS
DATE: AUGUST 4, 2022

In 2014, the Board adopted an application review matrix for screening optician applicants with criminal convictions. The Board identified certain convictions that it wished to review through the licensing hearing (IFF) process, and allows staff to issue licenses without a hearing if all the convictions “screened through” the matrix. The Board selected criteria based on the fact that it would inevitably issue the license anyway for applicants with certain convictions and the IFF ended up wasting time resources of the applicant and the Board. By screening applicants through via the matrix, it has the effect of allowing someone get a license six to nine months faster. The optician review matrix says:

The following convictions will not be reviewed by the Board*:

1. Felony convictions, unless the convictions involve sexual offense, drug distribution, physical injury, or directly involve the practice of Opticianry.
2. Misdemeanor convictions, unless the convictions involve sexual offense, drug distribution, or physical injury.

The hearing aid specialist applicants do not have a matrix, and would likely benefit from similar criteria. Staff recommend the hearing aid specialists join the existing optician matrix and only conduct licensing hearings for convictions that involve sexual offense, drug distribution, or physical injury. Please come prepared to discuss this proposal. The board can adopt this proposal with a motion to “expand the optician application review matrix for criminal convictions to cover all professions regulated by the board.”



TO: VIRGINIA BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: GUIDANCE DOCUMENT CORRECTION – OPTICIAN APPRENTICESHIP
RELATED TECHNICAL INSTRUCTION
DATE: AUGUST 4, 2022

On October 14, 2021, a change to the Board’s regulations took effect regarding optician registered apprenticeship programs. Specifically, the change revised language on the related technical instruction (theory instruction) component of registered apprenticeships to better align with current practices and requirements of the Department of Labor and Industry, which administers registered apprenticeships.

Now that the regulation has taken effect, the Board will need to revise the language in its guidance document on Approved Related Technical Instruction for optician apprenticeships to match the revised language in the regulations. Below you will find an amended guidance document that reflects the new regulatory language. This is a technical, non-substantive change to the guidance document. The Board can adopt this guidance with a motion to “revise the Approved Related Technical Instruction guidance to reflect the current regulations.”

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA
DRAFT AGENDA



**Board for Hearing Aid Specialists and Opticians
Revised August 17, 2022**

**Guidance Document: 18 VAC 80-30-20 – Approved Related
Technical Instruction**

Board Regulation 18 VAC 80-30-20.5.b establishes the training option of completion of a registered apprenticeship with a ~~minimum of one year of~~, including all required related technical instruction. The following related technical instruction curriculums are approved by the Board:

Ophthalmic Career Progression Program
National Academy of Opticianry
<https://www.nao.org/cpp/>

Opticians Apprenticeship Career Studies
Reynolds Community College
http://www.reynolds.edu/_onlinecatalog/current/academic-programs/degrees-career-studies/opticians_apprenticecsc_160-04.aspx

Dispensing Optician
Norfolk Technical Center
<https://www.npsk12.com/Page/10298>

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.



TO: VIRGINIA BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: EXPERIENCE OPTION FOR OPTICIANS APPLICANTS FROM OTHER STATES
DATE: AUGUST 4, 2022

Currently, only 22 states require opticians to hold a license. Because a majority of states do not require licensure, many opticians coming into Virginia are unable to transfer a license. These applicants only option is to obtain a license by exam, meeting one of two training requirements:

1. A Board-Approved (COA accredited) two-year course in a school of opticianry, or
2. A two-year registered apprenticeship under the Department of Labor and Industry.

Even applicants from states with licenses do not meet the necessary training equivalency to this standard. As a result, many opticians coming from out-of-state are either forced to seek another profession, complete an apprenticeship, or work under a licensed physician or optometrist. Staff regularly encounter individuals with decades of experience in other states who cannot meet one of these two requirements and cannot get a license in Virginia.

It is not apparent to staff that someone with many years of experience in opticianry in another state would not be safe to practice in Virginia without completing one of these two training options. As such, staff are proposing a third option for those with out-of-state experience.

Applicants who completed a training program that is not substantially equivalent to Virginia's training but outside of Virginia may substitute five years of work experience in another state for training. Applicants should provide their work history demonstrating five years of experience as an optician in any other state or jurisdiction of the United States on a form provided by the board.

This language is used successfully by other board at DPOR to provide an experience option for those with non-equivalent training to still obtain licensure based on experience. Please come to the meeting prepared to discuss an experience option for those with non-equivalent out-of-state training. If the Board would like to adopt this language, it can do so with a motion to "revise the regulations as proposed to allow five years of out-of-state experience to substitute for Virginia training requirements.



TO: VIRGINIA BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: FINANCIAL STATEMENTS
DATE: AUGUST 4, 2022

Attached you will find the most recent Statement of Financial Activity and the Supporting Statement of Year-to-Date Activity for the Board. Additionally, you will find the Agency Statement of Financial Activity.

DRAFT AGENDA
DRAFT AGENDA

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Board for Hearing Aid Specialists and Opticians
954240**

2020-2022 Biennium

June 2022

	June 2022 Activity	Biennium-to-Date Comparison	
		July 2018 - June 2020	July 2020 - June 2022
Cash/Revenue Balance Brought Forward			0
Revenues	7,830	236,835	226,725
Cumulative Revenues			226,725
Cost Categories:			
Board Expenditures	214	45,784	31,008
Board Administration	1,826	80,160	75,428
Administration of Exams	937	46,063	43,476
Enforcement	20	970	867
Legal Services	0	972	776
Information Systems	2,882	62,227	55,486
Facilities and Support Services	1,607	21,786	28,606
Agency Administration	799	36,457	35,614
Other / Transfers	0	(96)	0
Total Expenses	8,285	294,322	271,261
Transfer To/(From) Cash Reserves	(455)	0	(44,536)
Ending Cash/Revenue Balance			0

Cash Reserve Beginning Balance	(44,947)	0	(866)
Change in Cash Reserve	(455)	0	(44,536)
Ending Cash Reserve Balance	(45,402)	0	(45,402)

Number of Regulants

Current Month	2,664
Previous Biennium-to-Date	2,694

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

Department of Professional and Occupational Regulation
Supporting Statement of Year-to-Date Activity
Board for Hearing Aid Specialists and Opticians-954240
Fiscal Year 2022

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																Amount	%	
Board Expenditures	538	2,306	739	190	1,449	1,706	688	1,882	413	785	1,551	214	12,461	18,310	5,849	12,461	5,849	31.9%
Board Administration	4,806	3,274	3,162	3,140	3,248	3,123	3,116	3,038	3,083	3,225	3,308	1,826	38,349	50,772	12,423	38,349	12,423	24.5%
Administration of Exams	2,726	1,875	1,867	1,870	1,875	1,870	1,873	1,873	1,866	1,866	1,880	937	22,377	25,229	2,852	22,377	2,852	11.3%
Enforcement	52	35	37	37	38	38	37	38	38	38	39	20	447	568	121	447	121	21.4%
Legal Services	0	99	99	0	0	0	99	0	99	0	0	0	396	396	0	396	0	0.0%
Information Systems	1,381	3,728	2,031	2,428	2,142	690	2,711	2,444	3,394	1,933	2,331	2,882	28,093	29,074	981	28,093	981	3.4%
Facilities / Support Svcs	1,345	1,097	944	914	1,503	1,062	1,069	1,087	1,009	1,520	1,112	1,607	14,270	16,430	2,160	14,270	2,160	13.1%
Agency Administration	2,077	1,433	1,336	1,719	1,410	1,566	1,504	1,570	1,821	1,793	1,580	799	18,609	25,622	7,013	18,609	7,013	27.4%
Other / Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Charges	12,927	13,848	10,216	10,300	11,665	10,054	11,097	11,929	11,723	11,160	11,800	8,285	135,002	166,401	31,399	135,002	31,399	18.9%

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

Agency Total

2020-2022 Biennium

June 2022

	June 2022 Activity	Biennium-to-Date Comparison	
		July 2018 - June 2020	July 2020 - June 2022
Cash/Revenue Balance Brought Forward			992,779
Revenues	1,740,049	37,539,696	40,659,688
Cumulative Revenues			41,652,467
Cost Categories:			
Board Expenditures	117,453	3,735,948	3,347,017
Board Administration	212,094	9,111,943	8,743,248
Administration of Exams	12,978	607,724	592,893
Enforcement	(113,415)	13,187,833	13,476,509
Legal Services	15,107	424,578	479,946
Information Systems	343,148	7,260,539	6,597,709
Facilities and Support Services	243,488	3,883,057	3,992,146
Agency Administration	95,079	4,245,523	4,232,284
Other / Transfers	6,032	6,047	10,894
Total Expenses	931,965	42,463,191	41,472,646
Transfer To/(From) Cash Reserves	(247,575)	0	(3,273,653)
Ending Cash/Revenue Balance			3,453,475

Cash Reserve Beginning Balance	18,241,525	0	21,267,604
Change in Cash Reserve	(247,575)	0	(3,273,653)
Ending Cash Reserve Balance	17,993,950	0	17,993,950

Number of Regulants

Current Month	320,842
Previous Biennium-to-Date	311,997

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.