

## **BOARD FOR HEARING AID SPECIALISTS**

### **DRAFT MINUTES OF MEETING**

The Board for Hearing Aid Specialists met on Wednesday, July 12, 2006, at the Offices of the Department of Professional and Occupational Regulation, 3600 West Board Street, 4<sup>th</sup> Floor, Richmond, Virginia. The following members were present:

Kathy J. Harvey  
Thomas M. Frank  
Olivia L. Kearney  
Harry W. Kessler, III  
Matthew J. Myrick

The following members were absent:

Richard E. Linde, M.D.  
Teresa M. Robinson

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

Jay W. DeBoer, Director  
Karen W. O'Neal, Deputy Director for Licensing & Regulations Division  
William H. Ferguson, II, Executive Director  
Lynnette E. Mayes, Examination Specialists, Office of Education & Examinations  
Rashaun K. Minor, Administrative Assistant

There was not a representative present from the Office of the Attorney General.

Ms. Harvey determined there was a quorum and called the meeting to Call to Order order at 9:10 a.m.

Upon a motion by Mr. Frank and seconded by Ms. Kearney the Board Approval of Agenda voted to approve the agenda.

The members voting 'yes' were Mr. Frank, Ms. Harvey, Ms. Kearney, Mr. Kessler, and Mr. Myrick..

There were no negative votes. The motion passed unanimously.

Ms. Harvey asked if there was any public comment. There was no public comment. Public Comment Period

The Board took under consideration the delegation of authority to former board members and DPOR staff to preside over Informal Fact-Finding (IFF) conferences. This would allow the full board to Delegation of Authority

participant at the board meeting and in the final decision.

Upon a motion by Mr. Frank and seconded by Mr. Kessler the Board voted to approve the delegation of authority to former board members and DPOR staff to preside over Informal Fact-Finding (IFF) conferences.

The members voting 'yes' were Mr. Frank, Ms. Harvey, Ms. Kearney, Mr. Kessler, and Mr. Myrick.

There were no negative votes. The motion passed unanimously.

The Board discussed § 18 VAC 80-20-40 E of the Board for Hearing Aid Specialists Regulations pertaining to a candidate's exam scores: **Regulations**

**18 VAC 80-20-40. E.** All correspondence from the board to the temporary permit holder shall be addressed to both the temporary permit holder and the licensed sponsor and shall be sent to the business address of the licensed sponsor.

The Board agreed to include on the Hearing Aid Specialists Examination and License Application a question that asks the applicant if he would permit the board office to share the test scores with the Hearing Aid Specialists Sponsor.

The Board discussed §18 VAC-20-280 of the Board for Hearing Aid Specialists Regulations

**18 VAC 80-20-280. Accountability of licensee.**

A licensee shall be responsible for the acts or omissions of his staff in the performance of the fitting and dispensing of hearing aid services.

By consensus the Board agreed that the current language is clear and any facts pertaining to this section would be presented through the Informal Fact Finding Conference.

The Board was asked to review the regulations as a preliminary step for regulatory review.

The Board reviewed its examination statistics for informational purposes. Ms. Lynnette Mayes explained the examination categories and provided statistics concerning first time and repeat candidates. **Examination Statistics**

The Board reviewed its quarterly statistics for informational purposes. **Quarterly Statistics**

For informational purposes, the Board reviewed the Board for Audiology and Speech Language Pathology May 18, 2006, February 23, 2006, and November 10, 2005 general board meeting unapproved minutes and their February 23, 2006 legislative/regulatory committee unapproved minutes.

**Board of Audiology  
and Speech-  
Language Pathology**

The Board reviewed meeting dates for 2007. Meeting were scheduled for:

**2007 Meeting Dates**

Wednesday, March 14, 2007  
Wednesday, July 11, 2007  
Wednesday, November 14, 2007.

The Board was informed that Ms. Kathy Harvey and Mr. Thomas Frank were both reappointed to the Board.

**Reappointments**

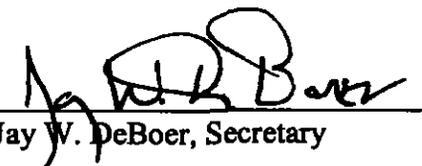
Upon a motion by Ms. Kearney and seconded by Mr. Frank the Board voted to adjourn the meeting. The meeting was adjourned at 11:30 a.m.

**Adjourn**

The members voting 'yes' were Mr. Frank, Ms. Harvey, Ms. Kearney, Mr. Kessler, and Mr. Myrick..

There were no negative votes. The motion passed unanimously.

  
Kathy J. Harvey, Chair

  
Jay W. DeBoer, Secretary

COPY TESTE:

\_\_\_\_\_  
Custodian of the Records

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

1. Name: Thomas Frank
2. Title: Board Member - Board for Hearing Aid Specialists
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting on July 12, 2006
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction: audiologist, hearing

aid dispenser

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

Signature: \_\_\_\_\_

Thomas M. Frank

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

7-12-06

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

1. Name: Matthew Myrick
2. Title: Board Member - Board for Hearing Aid Specialists
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting on July 12, 2006
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction: AT&T Virginia Relay

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

Signature: \_\_\_\_\_

M. Myrick

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

7/12/06

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

1. Name: Harry W. Kessler, III
2. Title: Board Member - Board for Hearing Aid Specialists
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting on July 12, 2006
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction: \_\_\_\_\_

HEARING AID SPECIALIST

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

Signature: \_\_\_\_\_

Harry W. Kessler III

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

July 12, 2006

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

1. Name: Kathy Harvey
2. Title: Board Chair – Board for Hearing Aid Specialists
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting on July 12, 2006
5. Nature of Personal Interest Affected by Transaction: NONE
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6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction: HEARING AID SPECIALISTS

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

Signature:

Kathy Harvey

Date:

7/12/06

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

1. Name: Olivia Little Kearney
2. Title: Board Member - Board for Hearing Aid Specialists
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting on July 12, 2006
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction: \_\_\_\_\_

\_\_\_\_\_

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

Signature: \_\_\_\_\_

*Olivia Little Kearney*

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

*7/12/06*