

## BOARD FOR HEARING AID SPECIALISTS

### MINUTES OF MEETING

The Board for Hearing Aid Specialists met on Wednesday, July 11, 2007, 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:

Thomas M. Frank, Chair  
Harry W. Kessler, Vice-Chair  
Kathy J. Harvey  
Olivia L. Kearney  
Richard E. Linde, M.D.  
Matthew J. Myrick  
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  
Steven L. Arthur, Deputy Director of Administration & Finance  
William H. Ferguson, II, Executive Director  
Zelda D. Williams, Board Administrator  
Tonie Robinson, Examinations Manager, Office of Education and Examination  
Earlyne B. Perkins, Legal Analyst  
Tamika Watson, Administrative Assistant

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

Mr. Frank determined there was a quorum and called the meeting to order at 9:10 a.m. **Call to Order**

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

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

There were no negative votes. The motion passed unanimously.

Mr. Frank asked if there was any public comment. There was no public comment. **Public Comment Period**

Upon a motion by Ms. Robinson and seconded by Ms. Kearney, the Board voted to approve the minutes of the: **Approval of Minutes for**

May 12, 2005 Informal Fact-Finding Conference, as written  
June 9, 2005 Informal Fact-Finding Conference, as written  
August 18, 2006 Informal Fact-Finding Conference, as written  
November 15, 2006 Board for Hearing Aid Specialist board meeting, as amended

**May 12, 2005 IFF**  
**June 9, 2005 IFF**  
**August 18, 06 IFF,**  
**November 15, 2006**  
**Board Meeting**

The members voting 'yes' were Mr. Frank, Ms. Harvey, Ms. Kearney, Mr. Kessler, Dr. Linde, Mr. Myrick, and Ms. Robinson. There were no negative votes. The motion passed unanimously.

Ms. Robinson leaves the meeting

**Ms. Robinson leaves**

In the matter of **File Number 2006-04999, Board v. Simmons, Robert**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Simmons, appeared at the board meeting and addressed the Board

**File Number:**  
**2006-04999**  
**Simmons, Robert R.**

Upon a motion by Dr. Linde and seconded by Ms. Harvey, the Board voted to reject the recommendations of the presiding Board member of the Informal Fact Finding Conference and close the file with finding of no violation.

The members voting 'yes' were Ms. Harvey, Mr. Kessler, Dr. Linde, and Mr. Myrick. The members voting 'no' were Mr. Frank and Ms. Kearney. The motion passed by majority vote.

Ms. Robinson returns to the meeting

**Ms. Robinson**  
**returns**

The Board discussed examinations that practitioners take to obtain certification and licensure from private associations and public agencies. The Board agreed that the examination that is administered by the Board is the examination that an applicant must pass in order to obtain licensure in Virginia.

**Exam**

The Board reviewed its examination statistics for informational purposes. Ms. Tonie Robinson provided explanation to questions from the Board pertaining to examination statistics.

**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 24, 2007 general board meeting unapproved minutes.

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

Steve Arthur gave an overview of DPOR's upcoming move from 3600 Location  
West Broad Street to 9960 Mayland Drive, Suite 400.

The Board recessed at 11:13 a.m. and reconvened at 11:32 a.m. Break

Other Board  
Business

Board members completed the required Conflict of Interest training via Conflict of Interest  
the Office of Attorney General's Conflict of Interest training DVD. Training

There being no further business, the Chair adjourned the meeting at Adjourn  
12:50 p.m.



\_\_\_\_\_  
Thomas M. Frank, Chair



\_\_\_\_\_  
Jay W. DeBoer, Secretary

COPY TESTE:

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

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

1. Name: Kathy Harvey
  2. Title: Board Member – Board for Hearing Aid Specialists
  3. Agency: Department of Professional and Occupational Regulation
  4. Transaction: Board Meeting on July 11, 2007
  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 J. Harvey

Date:

7/11/07

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

- 1. Name: Teresa M. Robinson
  
- 2. Title: Board Member – Board for Hearing Aid Specialists
  
- 3. Agency: Department of Professional and Occupational Regulation
  
- 4. Transaction: Board Meeting on July 11, 2007
  
- 5. Nature of Personal Interest Affected by Transaction: none

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:

Teresa M. Robinson Date: 7/11/07

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

1. Name: Dr. Richard Linde
2. Title: Board Member- Board for Hearing Aid Specialists
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting on July 11, 2007
5. Nature of Personal Interest Affected by Transaction: NONE

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: Heavy Aid Depense, Physician

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

Signature:

R. Linde MD

Date:

7/11/07

**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 11, 2007
5. Nature of Personal Interest Affected by Transaction: NONE

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: \_\_\_\_\_

7-11-2007

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

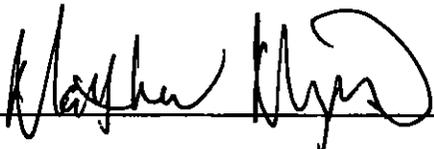
- 1. Name: Matthew Myrick
- 2. Title: Board Member – Board for Hearing Aid Specialists
- 3. Agency: Department of Professional and Occupational Regulation
- 4. Transaction: Board Meeting on July 11, 2007
- 5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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:  Date: 7/10/07

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**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 11, 2007
5. Nature of Personal Interest Affected by Transaction: None

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 L. Kearney

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

7-11-07

**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 11, 2007
5. Nature of Personal Interest Affected by Transaction: None

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:

Thomas M Frank

Date:

7-11-07

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

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

- 1 Name: Teresa Robinson
- 2 Title: Presiding Board Member
3. Agency: DPOR
4. Transaction: Informal Fact-Finding Conferences on March 14, 2007
5. Nature of Personal Interest Affected by Transaction. \_\_\_\_\_
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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:

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

Teresa Robinson

Signature

3/14/07

Date