

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

The Board for Hearing Aid Specialists and Opticians met on Wednesday, December 18, 2013, at the Offices of the Department of Professional and Occupational Regulation, Perimeter Center, Board Room 1, 2<sup>nd</sup> Floor, 9960 Mayland Drive, Richmond, Virginia 23233. The following members were present:

Renee P. Allgood  
Robert E. Flippin  
Eric B. Hecker, PhD  
Teresa Robinson Irwin  
Harry W. Kessler  
L. Frederick Lassen, MD  
Arva B. Priola  
Billie L. Taylor

The following members were not present:

William H. Bearden, III, MD

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

Gordon N. Dixon, Director  
Mark N. Courtney, Senior Director/Regulatory and Public Affairs  
Demetrios J. Melis, Executive Director  
Cathy Clark, Administrative Assistant

No representative from the Office of the Attorney General was present for the meeting.

A quorum was present and the meeting was called to order at 9:08 a.m. **Call to Order**

Upon a motion by Ms. Taylor and seconded by Ms. Irwin, the Board voted to adopt the agenda. **Approval of Agenda**

The members voting 'yes' were Ms. Allgood, Mr. Flippin, Dr. Hecker, Ms. Irwin, Mr. Kessler, Dr. Lassen, and Ms. Taylor. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Irwin and seconded by Dr. Hecker, the Board voted to approve the minutes of the April 17, 2013 Board for Hearing Aid Specialists and Opticians Meeting. **Approval of Minutes:  
April 17, 2013 Board  
for Hearing Aid  
Specialists and**

The members voting 'yes' were Ms. Allgood, Mr. Flippin, Dr. Hecker, **Opticians Meeting**

Ms. Irwin, Mr. Kessler, Dr. Lassen, and Ms. Taylor. There were no negative votes. The motion passed unanimously.

Mr. Flippin asked if there was any public comment. There was none.

**Public Comment**

**Case**

In the matter of **File Number 2014-00294, Javier Hidalgo**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Javier Hidalgo did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number 2014-00294, Javier Hidalgo**

Upon a motion by Mr. Flippin and seconded by Ms. Taylor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Javier Hidalgo's Optician application.

The members voting 'yes' were Ms. Allgood, Mr. Flippin, Dr. Hecker, Ms. Irwin, Mr. Kessler, Dr. Lassen, and Ms. Taylor. There were no negative votes. The motion passed unanimously.

Javier Hidalgo arrived to the meeting after the Board's vote and was informed of its decision.

Ms. Priola arrived late to the meeting.

**Ms. Priola arrives**  
**Ms. Priola arrives**

Mr. Melis introduced Ms. Theresa "Tina" Staples, retiring Virginia hearing aid specialist examination proctor, to the Board. Mr. Flippin presented Ms. Staples with a Resolution from the Board recognizing her service. The Resolution was read into the minutes by Mr. Flippin and is included in its entirety below.

**Resolution**

*Commonwealth of Virginia*



**Department of Professional and**

## Occupational Regulation

# Board for Hearing Aid Specialists and Opticians

Resolution To

### *Theresa "Tina" Staples*

**WHEREAS**, Theresa "Tina" Staples has faithfully and diligently served as an examination proctor for the Board for Hearing Aid Specialists and Opticians for more than twenty years, ending her service on October 16, 2013; and

**WHEREAS**, Theresa "Tina" Staples has devoted generously of her time and expertise to the Board; and

**WHEREAS**, Theresa "Tina" Staples has endeavored at all times to uphold the standards, guidelines, and integrity of the examination process; and

**WHEREAS**, the Board for Hearing Aid Specialists and Opticians wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

**NOW THEREFORE BE IT RESOLVED**, by the Board for Hearing Aid Specialists and Opticians this eighteenth day of December, 2013, that Theresa "Tina" Staples be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Board for Hearing Aid Specialists and Opticians; and

**BE IT FURTHER RESOLVED**, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

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**Robert E. Flippin, Chair**

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**Gordon N. Dixon, Director**

Mr. Melis reviewed Hearing Aid Specialists and Opticians licensing statistics.

**Statistics**

There was no old business to discuss.

**Old Business**

**Other Board Business**

Mr. Melis advised the Board that the sole source contract has been approved with the National Commission of State Opticianry

**Examination Update**

Regulatory Boards (NCSORB) to provide the Virginia Optician examination. Board staff will work to implement the new exam.

The Board discussed the fact that the administration of the Hearing Aid Specialist examination cannot be changed at this time, because there is a cap on the \$110 examination fee provided for in the Hearing Aid Specialist Regulations.

Mr. Melis discussed the status of the November 2011 Notice of Intended Regulatory Action (NOIRA), and advised the Board that proposed regulations did not advance through the regulatory process due to the inclusion of the continuing education component which may not have complied with the Governor's Regulatory Reform Initiative and that the Board would need to vote to initiate regulatory review. There was also discussion about the need to eliminate the Hearing Aid Specialist examination fee cap in order to move forward with the International Licensing Examination (ILE) practical exam for Hearing Aid Specialists.

**Regulatory Update**

Upon a motion by Ms. Irwin and seconded by Dr. Hecker, the Board voted to withdraw the November 2011 NOIRA.

The members voting 'yes' were Ms. Allgood, Mr. Flippin, Dr. Hecker, Ms. Irwin, Mr. Kessler, Dr. Lassen, Ms. Priola, and Ms. Taylor. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Irwin and seconded by Dr. Hecker, the Board voted to initiate regulatory review and submit a new Notice of Intended Regulatory Action (NOIRA).

The members voting 'yes' were Ms. Allgood, Mr. Flippin, Dr. Hecker, Ms. Irwin, Mr. Kessler, Dr. Lassen, Ms. Priola, and Ms. Taylor. There were no negative votes. The motion passed unanimously.

Mr. Jeff Waite, Budget Director presented a proposed fee adjustment (increase) in accordance with the Callahan Act. Mr. Waite provided an overview of the process used to analyze fee structures and financial positions.

**Fees**

The Board was presented with three options for proposed fee adjustments.

Upon a motion by Ms. Allgood and seconded by Ms. Irwin, the Board voted to adopt the following fee structure:

Fee Type		Current Fee	Proposal B
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New applicant	Hearing Aid Spec	30	85
New applicant by reciprocity	Hearing Aid Spec	30	85
New applicant Temporary Permit	Hearing Aid Spec	30	85
Renewal	Hearing Aid Spec	20	115
Reinstatement	Hearing Aid Spec	30	85
New applicant	Optician	100	85
Renewal	Optician	100	115
Late Renewal	Optician	25	35
Reinstatement	Optician	100	85

The members voting ‘yes’ were Ms. Allgood, Mr. Flippin, Dr. Hecker, Ms. Irwin, Mr. Kessler, Dr. Lassen, Ms. Priola, and Ms. Taylor. There were no negative votes. The motion passed unanimously.

Mr. Flippin presented information on related instruction for the Optician Apprenticeship from the National Academy of Opticianry (NAO). Mr. Flippin indicated that NCSORB has adopted the NAO text as preparation for its examination and that the Department of Labor and Industry is already using the text for the Virginia Optician Apprenticeship program.

**National Academy of Opticianry – Apprenticeship Instruction text**

Upon a motion by Ms. Allgood and seconded by Ms. Taylor, the Board voted to approve the text from the National Academy of Opticianry for use in the Virginia Optician Apprenticeship program’s related instruction component.

The members voting ‘yes’ were Ms. Allgood, Mr. Flippin, Dr. Hecker, Ms. Irwin, Mr. Kessler, Dr. Lassen, Ms. Priola, and Ms. Taylor. There were no negative votes. The motion passed unanimously.

Mr. Melis announced the resignations of Board Members Ms. Olivia Kearney, Ms. Faye Prichard, and Ms. Pamela Pugh, and informed the Board that there are six vacant seats on the Board. Mr. Dixon informed the Board that efforts are underway by the Secretary of the Commonwealth’s office to fill the vacancies.

**Board Member Resignations**

There being no further items for discussion, the meeting adjourned at 10:40 a.m.

**Adjourn**

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Gordon N. Dixon, Secretary