

1 COMMONWEALTH OF VIRGINIA

2

3 DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

4

5 BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS

6

7 PUBIC HEARING

8

9

10 SECOND FLOOR CONFERENCE CENTER

11

9960 MAYLAND DRIVE

12

HENRICO, VIRGINIA 23233

13

14

15

OCTOBER 11, 2023

16

9:30 A.M.

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PRESENT:

Heather Garnett, Administrative Coordinator  
Wendy Duncan, Licensing Operations Administrator  
Tamika Rodriguez, Regulatory Operations Administrator  
Kelley Smith, Executive Director

1 MS. SMITH: Good Morning, Ladies and  
2 Gentlemen. The hearing is starting at 9:31 a.m. I am  
3 Kelly Smith. The Executive Director of the Board  
4 Hearing Aid Specialists and Opticians.

5 This is a public hearing held at the  
6 Department of Professional and Occupational Regulation,  
7 9960 Mayland Drive, Richmond, Virginia.

8 This hearing is being held pursuant to  
9 Section 2.2-4007.01 of the Administrative Process Act of  
10 the Code of Virginia, for the purpose of receiving  
11 public comment on the Board's proposed regulations  
12 published in the Virginia Register on September 11,  
13 2023.

14 The list of interested parties and  
15 organizations, which were notified of this process and  
16 invited to comment is available upon written request.  
17 The staff of the Department of Professional and  
18 Occupational Regulation will prepare a report of all  
19 public comments received, which will be presented to the  
20 Board for consideration of any revisions to the revised  
21 proposed regulations.

22 Now, I would like to present the rules for  
23 this public hearing. Comments will be received from any  
24 member of the public. The initial comments will be  
25 limited to a maximum of five minutes depending on the

1 number of individuals who wish to speak. If you have not  
2 signed up to speak and you wish to speak today, please  
3 sign your name on the sign-up sheet at this time. Staff  
4 members may ask speakers questions to clarify  
5 statements. However, this is not the proper forum for  
6 questions to the Board. If you have questions for the  
7 Board, please forward them in writing to the Board. Any  
8 speaker who wishes to provide a written statement in  
9 addition to oral public comment or in lieu of oral  
10 public comment may do so until November 10, 2023.

11 Thank you for your comments today. The  
12 record of the public hearing will be kept open until  
13 November 10, 2023 and the written comments will be  
14 accepted through 5:00 PM that day. This hearing is now  
15 closed.

16 NOTE: The hearing adjourned at 9:52 a.m.

17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF COURT REPORTER

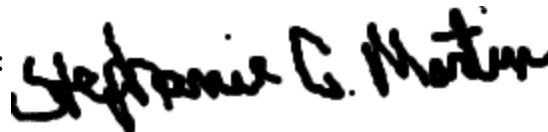
I, Stephanie C. Martin, hereby certify that I was the Court Reporter at the Public Hearing held in Henrico County, Virginia on October 11, 2023, at the time of the hearing herein.

I further certify that the foregoing transcript is, to the best of my ability, a true and accurate record of the testimony and incidents of the hearing herein.

Given under my hand this 20th day of October 2023.

\_\_\_\_\_  
Stephanie C. Martin  
STEPHANIE C. MARTIN  
Notary Registration No. 7984503

My Commission expires:  
April 30, 2026



**WORD INDEX**

&lt; 1 &gt;

**10** 4:10, 13**11** 1:15 3:12 5:4

&lt; 2 &gt;

**2.2-4007.01** 3:9**2023** 1:15 3:13 4:10,  
13 5:4, 11**2026** 5:15**20th** 5:10**23233** 1:12

&lt; 3 &gt;

**30** 5:15

&lt; 5 &gt;

**5:00** 4:14

&lt; 7 &gt;

**7984503** 5:13

&lt; 9 &gt;

**9:30** 1:16**9:31** 3:2**9:52** 4:16**9960** 1:11 3:7

&lt; A &gt;

**A.M** 1:16 3:2 4:16**ability** 5:7**accepted** 4:14**accurate** 5:7**Act** 3:9**addition** 4:9**adjourned** 4:16**Administrative** 2:3  
3:9**Administrator** 2:3, 4**AID** 1:5 3:4**April** 5:15**available** 3:16

&lt; B &gt;

**best** 5:7**BOARD** 1:5 3:3, 20  
4:6, 7**Board's** 3:11

&lt; C &gt;

**CENTER** 1:10**CERTIFICATE** 5:1**certify** 5:2, 6**clarify** 4:4**closed** 4:15**Code** 3:10**comment** 3:11, 16  
4:9, 10**comments** 3:19, 23,  
24 4:11, 13**Commission** 5:15**COMMONWEALTH**  
1:1**CONFERENCE** 1:10**consideration** 3:20**Coordinator** 2:3**County** 5:4**COURT** 5:1, 3

&lt; D &gt;

**day** 4:14 5:10**DEPARTMENT** 1:3  
3:6, 17**depending** 3:25**Director** 2:4 3:3**DRIVE** 1:11 3:7**Duncan** 2:3

&lt; E &gt;

**Executive** 2:4 3:3**expires** 5:15

&lt; F &gt;

**five** 3:25**FLOOR** 1:10**foregoing** 5:6**forum** 4:5**forward** 4:7**further** 5:6

&lt; G &gt;

**Garnett** 2:3**Gentlemen** 3:2**Given** 5:10**Good** 3:1

&lt; H &gt;

**hand** 5:10**HEARING** 1:5, 73:2, 4, 5, 8, 23 4:12,  
14, 16 5:3, 5, 8**Heather** 2:3**held** 3:5, 8 5:3**HENRICO** 1:12 5:3

&lt; I &gt;

**incidents** 5:8**individuals** 4:1**initial** 3:24**interested** 3:14**invited** 3:16

&lt; K &gt;

**Kelley** 2:4**Kelly** 3:3**kept** 4:12

&lt; L &gt;

**Ladies** 3:1**Licensing** 2:3**lieu** 4:9**limited** 3:25**list** 3:14

&lt; M &gt;

**Martin** 5:2, 11, 13**maximum** 3:25**MAYLAND** 1:11 3:7**member** 3:24**members** 4:4**minutes** 3:25**Morning** 3:1

&lt; N &gt;

**name** 4:3**Notary** 5:13**NOTE** 4:16**notified** 3:15**November** 4:10, 13**number** 4:1

&lt; O &gt;

**OCCUPATIONAL**

1:3 3:6, 18

**OCTOBER** 1:15 5:4,  
10**open** 4:12**Operations** 2:3, 4**OPTICIANS** 1:5 3:4**oral** 4:9**organizations** 3:15

&lt; P &gt;

**parties** 3:14**please** 4:2, 7**PM** 4:14**prepare** 3:18**PRESENT** 2:2 3:22**presented** 3:19**Process** 3:9, 15**PROFESSIONAL**

1:3 3:6, 17

**proper** 4:5**proposed** 3:11, 21**provide** 4:8**PUBIC** 1:7**public** 3:5, 11, 19, 23,  
24 4:9, 10, 12 5:3**published** 3:12**purpose** 3:10**pursuant** 3:8

&lt; Q &gt;

**questions** 4:4, 6

&lt; R &gt;

**received** 3:19, 23**receiving** 3:10**record** 4:12 5:8**Register** 3:12**Registration** 5:13**REGULATION** 1:3  
3:6, 18**regulations** 3:11, 21**Regulatory** 2:4**report** 3:18**REPORTER** 5:1, 3**request** 3:16**revised** 3:20**revisions** 3:20**Richmond** 3:7**Rodriguez** 2:4**rules** 3:22

&lt; S &gt;

**SECOND** 1:10

**Section** 3:9  
**September** 3:12  
**sheet** 4:3  
**sign** 4:3  
**signed** 4:2  
**sign-up** 4:3  
**Smith** 2:4 3:1, 3  
**speak** 4:1, 2  
**speaker** 4:8  
**speakers** 4:4  
**SPECIALISTS** 1:5  
3:4  
**staff** 3:17 4:3  
**starting** 3:2  
**statement** 4:8  
**statements** 4:5  
**Stephanie** 5:2, 11, 13

< T >

**Tamika** 2:4  
**testimony** 5:8  
**Thank** 4:11  
**time** 4:3 5:4  
**today** 4:2, 11  
**transcript** 5:6  
**true** 5:7

< V >

**VIRGINIA** 1:1, 12  
3:7, 10, 12 5:4

< W >

**Wendy** 2:3  
**wish** 4:1, 2  
**wishes** 4:8  
**writing** 4:7  
**written** 3:16 4:8, 13