

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

The Board for Hearing Aid Specialists and Opticians met on Friday, December 14, 2012, at the Offices of the Department of Professional and Occupational Regulation, Perimeter Center, Board Room 1, 2nd 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
Olivia Little Kearney
Faye Prichard
Pamela Pugh

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

Gordon N. Dixon, Director
Mark N. Courtney, Deputy Director for Licensing & Regulations
Demetrios J. Melis, Executive Director
Cathy Clark, Administrative Assistant
Sharon Sweet, Director of Education and Examinations

Representative from the Office of the Attorney General was present for the meeting.

Joshua E. Laws, Assistant Attorney General

Mr. Dixon, Board Secretary, determined a quorum was present and **Call to Order** called the meeting to order at 9:14 a.m.

Mr. Dixon asked that the Board members and staff introduce **Introductions** themselves.

Mr. Dixon called for nominations for Chair. Ms. Taylor moved to **Elections** nominate Mr. Flippin for Chair. Ms. Allgood seconded the motion. Dr. Hecker moved to close the nominations. The members voting 'yes' to elect Mr. Flippin as Chair were Ms. Allgood, Mr. Flippin, Dr. Hecker,

Ms. Irwin, Mr. Kessler, Dr. Lassen, Ms. Priola, and Ms. Taylor. The motion passed unanimously.

Mr. Kessler moved to nominate Dr. Hecker for Vice-Chair. Ms. Irwin seconded the motion. The members voting 'yes' to elect Dr. Hecker as Vice-Chair were Ms. Allgood, Mr. Flippin, Dr. Hecker, Ms. Irwin, Mr. Kessler, Dr. Lassen, Ms. Priola, and Ms. Taylor. The motion passed unanimously.

Mr. Flippin assumed the position as Chair of the meeting.

Mr. Flippin assumes Chair

Mr. Melis described non-substantive amendments to the agenda, for formatting purposes.

Approval of Agenda

Upon a motion by Ms. Irwin and seconded by Ms. Taylor, the Board voted to adopt the agenda as amended.

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

Mr. Flippin asked if there was any public comment. There was no public comment.

Public Comment

Upon a motion by Ms. Taylor and seconded by Ms. Allgood, the Board voted to approve the minutes of the April 13, 2012 Board for Opticians Meeting.

Approval of Minutes: April 13, 2012 Board for Opticians Meeting

The members voting 'yes' were Ms. Allgood, Mr. Flippin, Dr. Hecker, Ms. Irwin, Mr. Kessler, Dr. Lassen, Ms. Priola, and Ms. Taylor. The motion passed unanimously. 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 May 30, 2012 Board for Hearing Aid Specialists Meeting.

Approval of Minutes: May 30, 2012 Board for Hearing Aid Specialists Meeting

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

Ms. Sweet provided a report on changes to the examination processes as outlined in her memo to the Board dated December 5, 2012, which

Examinations

has been made a part of these minutes. A question and answer period followed Ms. Sweet's report.

TO: Board for Hearing Aid Specialists and Opticians
FROM: Sharon M. Sweet
Examination Director
DATE: December 5, 2012
RE: Examination Issues

1. International Hearing (IHS)

International Institute for Hearing Instruments Studies (IIHS)
Provides the written examination for the IIHS
The exam has in the past been provided as a paper and pencil examination. The exam is now computerized and IHS hopes to have all states with credentialing examinations use this exam.

On May 30, 2012, the Board indicated it is interested in using the IHS examination. This information was provided to IHS. They do realize that states may have regulatory hurdles to resolve prior to using the new exam.

The Board's regulations which are waiting for approval include language which will change the exam fee language so that it is based on our negotiation with the contracted vendor in accordance with the VA Public Procurement Act.

Currently the regulations state the exam fee is \$110. The new IHS exam fee is \$225. We currently have a contract with IHS for the paper and pencil exam and have been assured that we will continue to receive it. The contract can be modified later as necessary for the computer based examination.

In addition, the written exam currently includes a separate exam which is administered with the IHS paper and pencil examination. This exam is created by the Board and the content covers Board regulations and laws. A determination will need to be made in the future as to whether this exam will be abolished, or held separately from the IHS computerized examination.

2. American Board of Opticianry (ABO) and the National Contact Lens Examiners (NCLE) written examinations

The examination section was advised in September 2012 that in November 2012 the ABO and NCLE written examinations would be administered by computer. The ABO and NCLE have contracted with a vendor, ACT, to deliver the exam at over 250 test sites, 6 in VA (Charlottesville, Glen Allen, McLean, Richmond, Roanoke and VA Beach). Candidates will schedule within a window of 8 days. The next exams will be held May 18-25, 2013.

The process changed very little for VA:

The Board determines eligibility

Candidates pay the exam fee to the Board

ABO/NCLE is notified of eligible candidates, they advise ACT

ACT contacts the candidates and schedules them for the exam

The ABO/NCLE bills the Board for the number of examinees.

The Board receives the scores

The Board notifies the candidates of scores and issues licenses

3. National Committee of State Opticianry and Regulatory Boards (NCSORB), and Joint Commission on Allied Health Personnel in Ophthalmology (JCAHPO) optician practical examination

On December 9, 2011, the Board voted to pursue a sole source agreement in order to enter a contract for the use of the NCSORB/JACHPO simulation examination. Since that time, staff has been moving forward with questions, clarification, and the development of a process for this examination. We continue to work through various logistical matters as they relate to changing over to the simulated examination.

At some point, we will be sending the contract to the Office of the Attorney General to ensure that the contractual language meets the requirements of Virginia law.

Mr. Melis reviewed Hearing Aid Specialists and Opticians licensing statistics, as well as Hearing Aid Specialists and Opticians examination statistics, with the Board. **Statistics**

Staff was asked to look into the current registration process for the American Board of Opticianry (ABO) exam.

Staff was asked to look at, in more detail, passing rates for the audiometric section of the hearing aid specialist practical examination.

Mr. Melis outlined the Governor's regulatory reform initiative and informed the Board of the Notice of Public Comment Period that ran **Legislative and/or Regulatory Actions**

from November 5 – December 5, 2012. Mr. Melis further advised the Board that the initiative will take precedence over current regulatory packages underway.

The Board reviewed public comments from the Governor's Regulatory Reform Initiative's public comment period. Staff did not have any recommendations for repealing or reducing current regulations.

Upon a motion by Dr. Hecker and seconded by Ms. Allgood, the Board voted to maintain both the Hearing Aid Specialists and Opticians regulations in their current form.

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

Mr. Courtney informed the board members of the electronic Statement of Economic Interest process.

**Other Board
Business**

Mr. Flippin read into the minutes a Resolution to William H. Ferguson, II, former Executive Director of the Boards for Hearing Aid Specialists and Opticians. Mr. Ferguson was present to accept the Resolution.

Resolution

RESOLUTION TO

WILLIAM H. FERGUSON, II

WHEREAS, **William H. Ferguson, II** has faithfully and diligently served as the Executive Director of the Board for Hearing Aid Specialists and the Board for Opticians from 2001 to 2012;

WHEREAS, **William H. Ferguson, II** has devoted generously of his time, talent and leadership to the Boards;

WHEREAS, **William H. Ferguson, II** has endeavored at all times to render assistance and advice to the Boards with fairness and good judgment in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Board for Hearing Aid Specialists and Opticians wish to acknowledge its gratitude for devoted service of a person who is held in the highest esteem by the members of the Board and the citizens of the Commonwealth; and

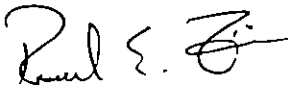
NOW THEREFORE BE IT RESOLVED, by the Board for Hearing Aid Specialists and Opticians this fourteenth day of December, 2012, that **William H. Ferguson, II** be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

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

The Board discussed the schedule for 2013 board meetings. A consensus was reached by the Board that meetings shall be conducted three times per year on Wednesdays. Staff will schedule meetings for the months of April, August, and December 2013 and report back to the Board.

2013 Meeting Dates

There being no further items for discussion, the Chair adjourned the meeting at 11:15 a.m. **Adjourn**



Robert E. Flippin, Chair



Gordon N. Dixon, Secretary