

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

The Board for Hearing Aid Specialists met on Wednesday, March 12, 2008, 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:

Thomas M. Frank, Chair
Harry W. Kessler, Vice-Chair
Teresa Robinson

The following members were absent:

Kathy J. Harvey
Olivia L. Kearney
Richard E. Linde, M.D.
Matthew J. Myrick

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

Saba L. Shami, Chief Deputy Director
Mark N. Courtney, Deputy Director for Licensing & Regulations Division
William H. Ferguson, II, Executive Director
Sharon Sweet, Director of Education & Examinations
Tamika Watson, Administrative Assistant
Lynette Mayes, Examinations Specialist

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

Thomas W. Nesbitt, Assistant Attorney General

Mr. Frank determined that a quorum was not present, therefore the Board could not enact final Board action, and called the meeting to order at 9:17 a.m. **Call to Order**

Mr. Ferguson read the directions for emergency evacuation procedures. **Emergency Evacuation**

Mr. Saba L. Shami, the new Chief Deputy Director of DPOR was introduced to the Board. **New Chief Deputy**

Mr. Mark N. Courtney, the new Deputy of Licensing and Regulation Division, DPOR was introduced to the Board. **New Deputy Director for LRD**

Board members agreed upon the Agenda **Approval of Agenda**

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

Minutes from the November 11, 2007 Board for Hearing Aid Specialist Meeting were carried over to the next scheduled Board Meeting **Approval of Minutes**

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

The Board members reviewed and provided comment on the draft brochure. Suggested revisions will be presented at next meeting **Brochures**

The Board members reviewed the DPOR website and the Board for Hearing Aid Specialist's webpage and were informed where additional links might be added. **Web Links**

The Board members reviewed the draft education and training certification sheet. Suggested revisions will be presented at next meeting. **Temporary Permit Holders**

Mr. Ferguson presented to the board members that the agency, as required by Section 54.1-113 (Callahan Act) of the *Code of Virginia*, reviewed the Board's financial position. The review indicated that the Board should initiate a Notice of Intended Regulatory Action (NOIRA) to increase fees to cover the Board's ongoing operating expenses. The board members present agreed to recommend approval of a NOIRA at the next board meeting. **Regulations - Fees**

The meeting recessed at 10:47 a.m. and reconvened at 10.59 a.m. **Recess & Reconvene**

Ms. Robinson moved that the meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of consultation and/or briefings by staff members pertaining to examination issues within the jurisdiction of the Board as permitted by § 2.2-3711.A.11 of the *Code of Virginia*. The following non-members were in attendance to reasonably aid the consideration of the topic: Sharon Sweet and Lynette Mayes of the Office of Education and Examinations, DPOR. This motion was made with respect to the matter identified as agenda item: XIII. Examination. **Closed Session**

The motion was seconded by Mr. Kessler. Board members voting aye were Mr. Frank, Mr. Kessler, and Ms. Robinson. Board members voting nay were none. Board members not present Ms. Harvey, Ms. Kearney, Dr. Linde, and Mr. Myrick.

The meeting reconvened in open session at 12:19 p.m. **Open Session**

WHEREAS, the Board for Hearing Aid Specialists has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification of Closed Meeting

WHEREAS, § 2.2-3712 of the *Code of Virginia* requires a certification by the Board for Hearing Aid Specialists that such meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board for Hearing aid Specialists hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board for Hearing Aid Specialists.

Vote: Aye 3, Nay 0

Voting Aye: Mr. Frank, Mr. Kessler, Ms. Robinson

Voting Nay: none

Absent during the vote: none

Absent from the meeting: Ms. Harvey, Ms. Kearney, Dr. Linde, and Mr. Myrick.

The Board reviewed its examination statistics for informational purposes.

Examination Statistics

Mr. Ferguson noted revisions of the regulations for consideration. Further discussion was carried over to the next meeting.

Regulations - Review

Mr. Courtney informed the Board that upon a request by the Board for the Department for the Deaf and Hard of Hearing the Board for Professional and Occupational Regulation will conduct study of Sign Language Interpreters and Transliterators to research if regulation is warranted.

Other Board Business - Study

There being no further items for discussion, the Chair adjourned the meeting at 12:37 p.m.

Adjourn

Thomas M. Frank, Chair

COPY TESTE:

Jay W. DeBoer, Secretary

Custodian of the Records