

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

The Board for Hearing Aid Specialists met on Wednesday, March 11, 2009, at the Offices of the Department of Professional and Occupational Regulation, Perimeter Center, Board Room 3, 2<sup>nd</sup> Floor, 9960 Mayland Drive, Richmond, Virginia 23233. The following members were present:

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

The following members were absent:

Olivia Little Kearney  
Dr. Frederick Lassen

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

Jay W. DeBoer, Director  
Mark N. Courtney, Deputy Director for Licensing & Regulations  
William H. Ferguson, II, Executive Director  
Zelda Williams, Board Administrator  
Tamika Watson, Administrative Assistant

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

Elizabeth B. Peay, Assistant Attorney General

Mr. Frank, Chair, determined a quorum was present and called the meeting to order at 9:02 a.m. **Call to Order**

Upon a motion by Ms. Robinson and seconded by Ms. Harvey the Board voted to adopt the agenda as written. **Approval of Agenda**

The members voting 'yes' were Mr. Frank, Ms. Harvey, Mr. Kessler, 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**

The Board was informed that board member Matthew Myrick had resigned from the Board. Mr. Myrick accepted a professional position which necessitated his moving to Maryland, and therefore he was not eligible to continuing serving on the Board. **Matthew Myrick**

Concerning Section 54.1-1502 of the Code of Virginia that states that one of the citizen members shall be a hearing aid user, the Board agreed that a person who currently uses implants for hearing assistance would fulfill the qualification for appointment to this board member position.

**Board Member  
Qualification**

Upon a motion by Ms. Harvey and seconded by Mr. Kessler, the Board voted to approve the minutes as written of the:

**Approval of  
Minutes:  
October 31, 2008  
Board for Hearing  
Aid Specialist Board  
Meeting,**

October 31, 2008 Board for Hearing Aid Specialists Board Meeting

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

The Board voted to approve a Notice of Intended Regulatory Action for regulatory review of the Board's regulations.

**Regulations**

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

The Board voted to approve a Notice of Regulatory Action for amending the Board's regulations to include provision for continuing education.

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

The Board reviewed Quarterly Board Statistics for informational purposes.

**Quarterly Board  
Statistics**

From the minutes and communication from ASLP chair, Board discussed situation in Fairfax where persons in administration claim that some time in the past they received 'a letter from Richmond' indicating that audiologists working in the school system were not required to hold a hearing aid specialists license. Staff will research.

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

Also, it seems that by audiology regulation, audiologists may have an audiologist assistant. The question arose whether the assistance is performing services that require a hearing aid specialist license. Staff will research.

The Board approved resolutions to Dr. Linde and Matthew Myrick for

**Resolutions**

their service to the Board.

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

No further business was brought before the Board.

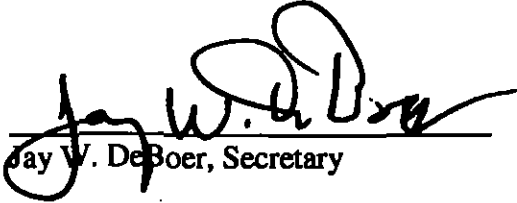
**Other Board  
Business**

There being no further items for discussion, the Chair adjourned the meeting at 11:14 a.m.

**Adjourn**



Thomas M. Frank, Chair



Jay W. DeBoer, Secretary

**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 March 11, 2009
  
- 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 specialists

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

Signature:  Date: 3-11-09

**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 March 11, 2009
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: \_\_\_\_\_

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

Signature: \_\_\_\_\_

*Kathy Harvey*

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

3-11-09

**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 March 11, 2009
  
- 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: Harry W. Kessler III Date: 3-11-2009

**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 March 11, 2009
  
- 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: Teresa Robinson Date: 3/11/09