

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

The Board for Hearing Aid Specialists met on Wednesday, November 2, 2011, at the Offices of the Department of Professional and Occupational Regulation, Perimeter Center, Board Room 3, 2nd Floor, 9960 Mayland Drive, Richmond, Virginia 23233. The following members were present:

Harry W. Kessler, Chair
Eric B. Hecker, PhD
Olivia Little Kearney
Dr. Frederick Lassen
Teresa Robinson

The following members were not present:

Arva B. Priola
Pamela Pugh

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

Mark N. Courtney, Deputy Director for Licensing & Regulations
William H. Ferguson, II, Executive Director
Demetrios J. Melis, Board Administrator
Cathy Clark, Administrative Assistant

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

Mr. Kessler, Chair, determined a quorum was present and called the Call to Order meeting to order at 9:10 a.m.

Mr. Kessler introduced Dr. Hecker, new board member who was Board Members appointed on December 30, 2010.

Upon a motion by Ms. Robinson and seconded by Ms. Kearney, the Board voted to approve resolutions for board members Thomas Frank and Kathy Harvey for their service to the Board.

The members voting 'yes' were Mr. Kessler, Dr. Hecker, Ms. Kearney, Dr. Lassen. and Ms. Robinson. There were no negative votes. The motion passed unanimously.

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

The members voting 'yes' were Mr. Kessler, Dr. Hecker, Ms. Kearney, Dr. Lassen, and Ms. Robinson. There were no negative votes. The motion passed unanimously.

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

Public Comment

Upon a motion by Ms. Robinson and seconded by Dr. Hecker, the Board voted to approve the minutes as written of the June 30, 2010 Board for Hearing Aid Specialists Board Meeting

**Approval of
Minutes:
June 30, 2010 Board
for Hearing Aid
Specialists Board
Meeting;**

The members voting 'yes' were Mr. Kessler, Dr. Hecker, Ms. Kearney, Dr. Lassen, and Ms. Robinson. There were no negative votes. The motion passed unanimously.

Mr. Courtney conducted board member training on Board Member Roles and Responsibilities. Board members present for the training were Mr. Kessler, Dr. Hecker, Ms. Kearney, Dr. Lassen, and Ms. Robinson.

**Board Member
Training – Roles and
Responsibilities**

Mr. Ferguson reviewed the study conducted by the Department of Professional and Occupational Regulation and the Department of Health Professions on the subject matter contained in House Bill 1559 (2011). The study was requested by the Senate Committee on Education and Health and was submitted to the committee on October 25, 2011.

Legislation

Mr. Ferguson reported to the Board that the proposed Hearing Aid Specialists licensing fee increase was still in the Governor's office for review.

Regulations

The Board was informed of the periodic review of the Board for Opticians Public Participation Guidelines and Regulations under the Board, conducted in accordance with Governor McDonnell's Executive Order No. 14.

**Periodic Review –
Public Participation
Guidelines**

Pertaining to the Public Participation Guidelines no public comment was received.

Upon a motion by Dr. Lassen and seconded by Ms. Kearney, the Board voted to retain the Public Participation Guidelines as is.

The members voting 'yes' were Mr. Kessler, Dr. Hecker, Ms. Kearney, Dr. Lassen, and Ms. Robinson. There were no negative votes. The motion passed unanimously.

The Board reviewed the public comments received in response to the Periodic Review of the Board for Hearing aid Specialists Regulations and proposed responses.

**Periodic Review –
Public Comment -
Board for Hearing
Aid Specialists
Regulation**

Upon a motion by Ms. Kearney and seconded by Dr. Lassen, the Board voted to approved responses to the public comments.

The members voting ‘yes’ were Mr. Kessler, Dr. Hecker, Ms. Kearney, Dr. Lassen, and Ms. Robinson. There were no negative votes. The motion passed unanimously.

The Board took under consideration the Periodic Review of the Board for Hearing Aid Specialists Regulations.

**Periodic Review –
Board for Hearing
Aid Specialists
Regulation - NOIRA**

Upon a motion by Ms. Robinson and seconded by Dr. Lassen, the Board voted to approve a Notice of Intended Regulatory Action (NOIRA) for the Board for Hearing Aid Specialists Regulations.

The members voting ‘yes’ were Mr. Kessler, Dr. Hecker, Ms. Kearney, Dr. Lassen, and Ms. Robinson. There were no negative votes. The motion passed unanimously.

The Board reviewed Quarterly Board Statistics for informational purposes.

Board Statistics

Mr. Melis presented a report on closed cases. There were 14 cases closed between July 1, 2010 and June 30, 2011. Subject matter involved with the cases involved misrepresentation and/or improper conduct, incompetence/negligence, purchase agreement, advertising and unlicensed activity. Cases were closed by Consent Order, insufficient evidence, and a conviction for unlicensed activity.

Closed Cases

**Other Board
Business**

Ms. Robinson informed the Board that the International Hearing Society is working on updating their exam.

Examination

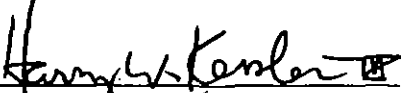
Mr. Kessler inquired about a brochure that had been developed by the Board previously. Staff will bring the brochure to the next board meeting for review.

Brochure

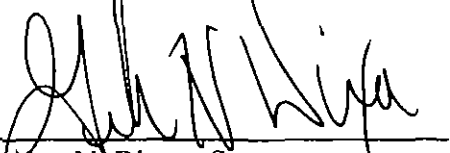
Mr. Ferguson conducted board member training on the Conflict of Interests Act. Board members present for the training were Mr. Kessler, Dr. Hecker, Ms. Kearney, Dr. Lassen, and Ms. Robinson.

**Board Member
Training – Conflict
of Interests Act**

There being no further items for discussion, the Chair adjourned the **Adjourn**
meeting at 1:20 p.m.



Harry W. Kessler, Chair



Gordon N. Dixon, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**


**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Eric B. Hecker, PhD
2. Title: Board Chair
3. Agency: Board for Hearing Aid Specialists
4. Meeting/IFF Date: November 2, 2011
5. I have a personal interest in the following transaction:

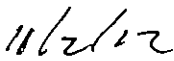
Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I do not have a personal interested in any transactions taken at this meeting.



Signature



Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

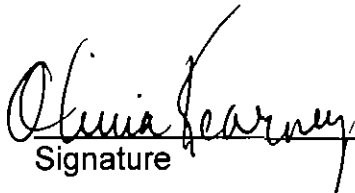
**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

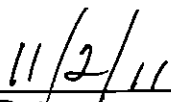
1. Name: Olivia Kearney
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists
4. Meeting/IFF Date: November 2, 2011
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I do not have a personal interested in any transactions taken at this meeting.


Signature _____


Date _____

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Harry Kessler
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists
4. Meeting/IFF Date: November 2, 2011
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.

Harry W. Kessler
Signature

11.2.11
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: I. Frederick Lassen, MD
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists
4. Meeting/IFF Date: November 2, 2011
5. I have a personal interest in the following transaction:

None

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

None

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

or

I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.

I. F. Lassen
Signature

11/2/11
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Teresa Robinson
2. Title: Board Member
3. Agency: Board for Hearing Aid Specialists
4. Meeting/IFF Date: November 2, 2011
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Hearing Aid Specialist

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

or

I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.

Teresa Robinson
Signature

11/2/11
Date