

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

The Board for Hearing Aid Specialists and Opticians met on Wednesday, January 10, 2024, 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 for the meeting:

Kristina Green, Chair  
Debra Ogilvie, AuD, Vice Chair  
Darla All  
Kaytlyn Young  
Bruce Wagner  
Michael Armstrong, MD  
Pamela Chavis, MD  
Erik Meland

The following members were not present:

Stacey Brayboy  
Pamela Smith  
Laura Lee Thompson  
Desire'e Lewis-Nelson

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

Kishore Thota, Director  
Brian Wolford, Deputy Director  
Stephen Kirschner, Licensing & Regulatory Programs Deputy Director  
Kelley Smith, Executive Director  
Joseph Haughwout, Regulations Affairs Manager  
Wendy Duncan, Licensing Operations Administrator  
Heather Garnett, Administrative Coordinator

A representative from the Office of the Attorney General was present.

Ms. Green, Chair, determined a quorum present and called the meeting **CALL TO ORDER** to order at 9:40 a.m.

Ms. Green read the Department of Professional & Occupational Regulations mission and stated Board meeting reminders.

Ms. Smith, Executive Director, explained the Emergency Egress **EMERGENCY EGRESS** procedures for board room 3.

Ms. Smith introduced Brian Wolford, DPOR Deputy Director.

**NEW BOARD  
STAFF  
INTRODUCTION**

The Board took the agenda under consideration.

**APPROVAL OF  
AGENDA**

Upon a motion by Ms. Young and seconded by Dr. Armstrong, the Board voted to approve the agenda.

The members voting 'yes' were Ms. Green, Dr. Ogilvie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

There were no negative votes. The motion carries.

The Board took the minutes from the November 8, 2023, Board meeting under consideration.

**APPROVAL OF  
MINUTES**

Upon a motion by Mr. Meland and seconded by Ms. All the board voted to approve the minutes as presented.

The members voting 'yes' were Ms. Green, Dr. Ogilvie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

There were no negative votes. The motion carries.

Ms. Smith called the Boards attention to the letter from IHS in the electronic agenda regarding the update to the competency model effective January 1, 2024.

**COMMUNICATION**

There were no public comments.

**PUBLIC  
COMMENT**

At 9:45 a.m., Dr. Ogilvie moved that this 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 public body as permitted by §2.2-3711(A)12 of the Code of Virginia. The following non-members will be in attendance to reasonable aid the consideration of the topic: Ms. Smith, Ms. Garnett, Mr. Kirshner, Ms. Peay and Mr. Wolford. This motion is made with respect to the matters identified as agenda item VII – ABO-NCLE letter discussing examination issues and development. Ms. Young seconded the motion which was approved by members Ms. Green, Dr. Ogilvie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

**CLOSED SESSION**

At 10:14 a.m., Dr. Ogilvie read the Certification of Closed Meeting:

**OPEN SESSION**  
**CERTIFICATION**  
**OF CLOSED**  
**MEETING**

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

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board for Hearing Aid Specialists and Opticians 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 this 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.

**Roll Call Vote**

AYES: Ms. Green, Dr. Ogilvie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

NAYS: 0

**REPORTS**

Ms. Garnett presented the licensing statistics that were provided in the electronic agenda.

**Licensing Statistics**

Ms. Duncan presented the examination statistics that were provided in the electronic agenda.

**Examination Statistics**

The Board discussed Optician re-exam test.

Ms. Smith presented the current regulatory actions that was provided in the electronic agenda.

**Regulatory Report**

**REGULATORY  
ACTION AND  
BOARD  
GUIDANCE**

Ms. Smith presented the Board with amendments to the final draft language to expand training options for applicants.

**Approval of Final  
Language for  
Amendment to  
Expand Training  
Options for  
Applicants  
Regulatory Action**

The Board discussed the amendments.

Upon a motion by Dr. Oglivie and seconded by Mr. Wagner the Board voted to gather additional information regarding training options for a vote at the next Board meeting.

The members voting 'yes' were Ms. Green, Dr. Oglivie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

There were no negative votes. The motion carries.

Ms. Smith presented the Board with proposed responses to the public comments received during the NOIRA stage of the Board's General Review of the Hearing Aid Specialists Regulations.

**Proposed Responses  
to General Review of  
Hearing Aid  
Specialist Public  
Comments on  
NOIRA  
and  
Approval of  
Proposed Stage  
Language**

Upon a motion by Mr. Meland and seconded by Ms. Young the Board voted to adopt the proposed responses.

The members voting 'yes' were Ms. Green, Dr. Oglivie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

There were no negative votes. The motion carries.

Ms. Smith discussed the proposed language with the Board for the Hearing Aid Specialists general regulatory review.

Upon a motion by Dr. Oglivie and seconded by Mr. Wagner the Board voted to adopt the proposed stage language.

The Board discussed the proposed stage language.

Upon a motion by Dr. Oglivie and seconded by Mr. Wagner the Board voted to adopt the proposed stage language with an amendment.

The members voting 'yes' were Ms. Green, Dr. Ogilvie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

There were no negative votes. The motion carries.

Ms. Smith presented the Board with proposed responses to the public comments received during the NOIRA stage of the Board's General Review of the Opticians Regulations.

Upon a motion by Ms. Young and seconded by Ms. All the Board voted to adopt the proposed responses.

The members voting 'yes' were Ms. Green, Dr. Ogilvie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

There were no negative votes. The motion carries.

Ms. Smith discussed the proposed language with the Board for the Opticians general regulatory review.

Upon a motion by Ms. All and seconded by Mr. Meland the Board voted to adopt the proposed stage language.

The members voting 'yes' were Ms. Green, Dr. Ogilvie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

There were no negative votes. The motion carries.

Ms. Smith informed the Board that no comments regarding the fee increase were received during the public comment period and requested the Board approve the Optician fee change proposed language.

Upon a motion by Ms. Young and seconded by Ms. All the Board voted to approve the proposed stage language for the Optician fee increase regulation.

The members voting 'yes' were Ms. Green, Dr. Ogilvie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

There were no negative votes. The motion carries.

**Proposed Responses  
to General Review of  
Opticians Public  
Comments on  
NOIRA  
and  
Approval of  
Proposed Stage  
Language**

**Optician Fee Change  
Approval of  
Proposed Stage  
Language**

**NEW BUSINESS**

Ms. Smith requested the Board extend the contract with ABO/NCLE by six months.

**Exam Services**  
**Contract Extension**

Upon a motion by Mr. Meland and seconded by Ms. All, the Board voted to extend DPOR's existing contract with ABO/NCLE for six additional months.

The members voting 'yes' were Ms. Green, Dr. Ogilvie, Ms. All, Ms. Young, Mr. Wagner, Dr. Armstrong, Dr. Chavis, and Mr. Meland.

There were no negative votes. The motion carries.

Ms. Green informed the Board the next scheduled Board meeting is March 13, 2024.

**Next Schedule Board**  
**Meeting**

There being no further business, the meeting adjourned at 11:12 a.m.

**Adjourn**

  
\_\_\_\_\_  
Kristina Green, Chair

  
\_\_\_\_\_  
Kishore S. Thota, Board Secretary

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name Bruce Wagner  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Hearing Aid Specialists and Opticians  
(Name of Board)
4. Meeting/IFF Date: 01/10/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

6. Signature of Board Member:

Bruce Wagner  
Signature

January 10, 2024  
Date

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

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

1. Name Pamela Chavis, M.D.  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Hearing Aid Specialists and Opticians  
(Name of Board)
4. Meeting/IFF Date: 01/10/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A.

(Agenda Item)


B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:

  
Signature

January 10, 2024

Date



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

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

1. Name Darla All  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Hearing Aid Specialists and Opticians  
(Name of Board)
4. Meeting/IFF Date: 01/10/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

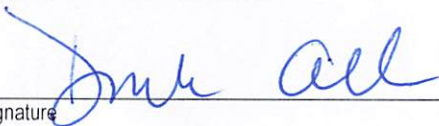
B. Nature of Personal Interest Affected by Transaction:

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

\_\_\_\_\_

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

6. Signature of Board Member:



Signature

January 10, 2024

Date

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

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

1. Name Erik Meland  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Hearing Aid Specialists and Opticians  
(Name of Board)
4. Meeting/IFF Date: 01/10/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

6. Signature of Board Member:

  
Signature

January 10, 2024  
Date

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

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

1. Name Kaytlyn Young  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Hearing Aid Specialists and Opticians  
(Name of Board)
4. Meeting/IFF Date: 01/10/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

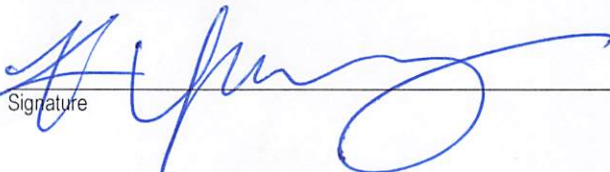
B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:

Signature 

January 10, 2024

Date

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

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

1. Name Debra Olgilvie  
(Name of Board Member)
2. Title: Board Vice Chair
3. Agency: DPOR/Board for Hearing Aid Specialists and Opticians  
(Name of Board)
4. Meeting/IFF Date: 01/10/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.  
 Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

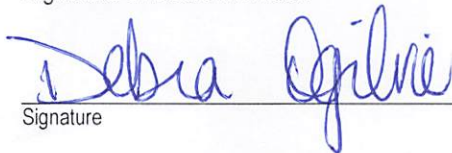
B. Nature of Personal Interest Affected by Transaction:

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

\_\_\_\_\_

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

6. Signature of Board Member:

  
Signature

January 10, 2024  
Date



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

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

1. Name Kristina Green  
(Name of Board Member)
2. Title: Board Chair
3. Agency: DPOR/Board for Hearing Aid Specialists and Opticians  
(Name of Board)
4. Meeting/IFF Date: 01/10/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

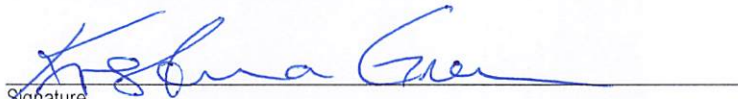
A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

6. Signature of Board Member:

  
Signature

January 10, 2024  
Date