

MINUTES
BOARD OF HEARING AID SPECIALISTS
GENERAL BUSINESS MEETING
Telephone Conference Call
1-888-670-3525
Conference Code – 4552635641
Tuesday, April 12, 2016 at 10:00 a.m.

CALL TO ORDER/ROLL CALL:

The meeting was called to order at 10:02 a.m. by Ms. Polhill, Chair. Those present for all or part of the meeting included the following:

Members present:

Leanne Polhill, Chair
Randy Ellsworth, Vice-Chair
John Fischer
Pam Dechmerowski
Douglas Moore
Thomas Hollern
Maria Hernandez

Member absent:

Robert Pickard, M.D. – excused absence

Staff present:

Marlene Stern, Board Counsel
Candace Rochester, Esq., Section Manager, Prosecution Services Unit
Jennifer Wenhold, Executive Director
Penny Johnson, Regulatory Supervisor
Stephanie Robison, Regulatory Specialist II
Court Reporter: For the Record – Clara Rotruck
(850) 222-5491

RECOMMENDED ORDER HEARING

Robert Paul Murphy, DOAH Case No. 15-4337

Petitioner Robert P. Murphy was not present but was represented by H. Richard Bisbee, Esquire. A Recommended Order dated January 22, 2016 by Administrative Law Judge, Linzie F. Bogan stated the following recommendation: that the Board of Hearing Aid Specialists enter a final order denying Robert Paul Murphy's application for licensure as a hearing aid specialist.

The Petitioner filed the following exceptions:

Exception 1.

Motion: by Randy Ellsworth to reject. The Board agrees with the Administrative Law Judge's conclusion of law.

Second: by John Fischer
Vote: Unanimous

Exception 2.

Motion: by John Fischer to accept. The Board disagrees with the Administrative Law Judge's conclusion of law.

Second: by Tom Hollern
Vote: Unanimous

Exception 3.

Motion: by Randy Ellsworth to reject. The Board agrees with the Administrative Law Judge's conclusion of law.

Second: by Pam Dechmerowski
Vote: Unanimous

Exception 4.

Motion: by Douglas Moore to reject. The Board agrees with the Administrative Law Judge's conclusion of law.

Second: by Randy Ellsworth
Vote: Unanimous

Exception 5.

Motion: by John Fischer to reject. The Board agrees with the Administrative Law Judge's conclusion of law.

Second: by Doug Moore
Vote: Unanimous

Following discussion, the following action was taken by the Board:

Motion: by Douglas Moore to adopt the Administrative Law Judge's findings of fact as set forth in the Recommended Order.

Second: by Randy Ellsworth
Vote: Unanimous

Motion: by Randy Ellsworth to accept the Administrative Law Judge's conclusions of law as set forth in the Recommended Order.

Second: by John Fischer
Vote: Unanimous

Motion: by John Fischer to accept the Administrative Law Judge's recommendations and deny Mr. Robert Paul Murphy's application for licensure as a hearing aid specialist.

Second: by Pam Dechmerowski
Vote: Unanimous

APPLICATION REVIEW

Training Program Application

Kelly Grucello

Ms. Grucello has applied for the Training program. She is appearing before the board due to an affirmative response on the applicant history section of the application. Ms. Grucello and her sponsor, William Vanderklok, were both present for the call.

Following discussion, the following action was taken by the Board:

Motion: by Randy Ellsworth to accept Ms. Grucello's application for the Hearing Aid Specialists Training Program.

Second: by Maria Hernandez

Vote: Unanimous

LEGISLATION DISCUSSION

Ms. Wenhold gave an overview of HB941 and noted the relevant changes for the board.

RULE DISCUSSION

Rule 64B6-3.001

Staff requested this rule be withdrawn.

Rule 64B6-2.003 Licensure by Examination.

This rule required changes to the revision date of the Licensure by Examination Application and to remove the requirement for the two hour course relating to the prevention of medical errors.

Following discussion, the following action was taken by the Board:

Motion: by Maria Hernandez to approve the proposed changes to rule 64B6-2.003.

Second: by Randy Ellsworth

Vote: Unanimous

Motion: by Randy Ellsworth to approve the proposed changes to the Licensure by Examination Application form.

Second: by Maria Hernandez

Vote: Unanimous

Rule 64B6-8.002 Qualifications for Trainees, Sponsors and Designated Hearing Aid Specialists. This rule required changes to the revision date of the Training Program Application.

Motion: by Pam Dechmerowski to approve the proposed changes to rule 64B6-8.002.

Second: by Randy Ellsworth

Vote: Unanimous

Motion: by Randy Ellsworth to approve the proposed changes to the Training Program Registration Application and Instructions.

Second: by John Fischer

Vote: unanimous

Rule 64B6-5.001 Continuing Education as a Condition for Renewal.

The board reviewed the proposed changes presented for Rule 64B6-5.001(4).

Motion: by Randy Ellsworth to strike all current rule language with the exception of the first and last sentence as presented in the proposed rule draft.

Second: by John Fischer

Vote: unanimous

Motion: by John Fischer that there is no adverse financial impact on small businesses

Second: by Pam Dechmerowski

Vote: unanimous

Motion: by Randy Ellsworth that this will not directly or indirectly increase regulatory costs of over \$200,000 per year in the aggregate to the Department of Health, licensees or providers as there are currently no 1 hour courses on the Prevention of Medical Errors approved.

Second: by John Fischer

Vote: unanimous

New Business

Ms. Wenhold provided the board with an introduction the department's new secure web application, Web iViewer, that will be used to review computer-based board meeting agendas.

ADJOURNMENT

The meeting was adjourned at 12:07 p.m.