



BOARD OF HEARING AID SPECIALIST DRAFT MINUTES

July 12, 2019, 10:00 a.m.

Renaissance Hotel

6677 Sea Harbor Drive, Orlando, FL 32821

TAB 1. CALL TO ORDER

The meeting was called to order on Friday, July 12, 2019, at 10:03 A.M. ET by Board Chair, Leanne Polhill.

Roll Call – Janet Hartman, Executive Director

Those present for the meeting included the following:

Members Present:

Leanne E. Polhill, HAS, Chair
Randy Ellsworth, HAS, Vice-Chair
Douglas Moore, HAS
Pamela Dechmerowski, HAS
Thomas Hollern

Members Absent:

John Fischer, HAS – Excused Absence
Robert Pickard, MD – Excused Absence

Staff Present:

Janet Hartman, Executive Director
Eric Pottschmidt, Program Operations Administrator
John B. Fricke, Jr., Esq., Board Counsel
Court Reporter: Magnolia Court Reporting

Staff Absent:

Rose Garrison, Esq., Assistant General

TAB 2. REVIEW AND APPROVAL OF MINUTES

Motion: by Randy Ellsworth to approve the minutes as presented from the March 5, 2019, General Business Meeting.

Second: by Thomas Hollern

Vote: Passed Unanimously

TAB 3. PETITION FOR VARIANCE OR WAIVER OF RULE (TS – 3:30 Minutes)

Jessica Tamayo – Rule 64B6-8.003, Florida Administrative Code - John B. Fricke, Jr., Board Counsel reads applicable statute and rule relevant to petition for variance or waiver of rule.

Jessica Tamayo was not present at the time petition was initially presented to Board.

After discussion, the following action was taken:



Motion: by Randy Ellsworth to require trainee to appear at next in person or teleconference meeting.

Second: by Ms. Dechmerowski

Austin Ryan, member of the public requested an opportunity to speak. Mr. Ryan identified himself as Ms. Tamayo's future sponsor, and was sworn in. He stated that Ms. Tamayo is on her way to meeting and specified that he is prepared to serve as her sponsor if the waiver is granted. Chair Polhill tabled the discussion to await Ms. Tamayo's arrival.

David Roseman - 64B6-2.003, Florida Administrative Code (TS – 15:05 Minutes)

David Roseman was not present at the time petition was presented to Board.

Applicant from Colorado requesting waiver of the rule allowing out-of-state training hours be accepted. After discussion, the following action was taken:

Motion: by Randy Ellsworth to deny petition for variance or waiver.

Pamela Dechmerowski provides a comment regarding her knowledge of Costco's training standards.

Second: by Mr. Hollern

Vote: Passed – 3 Yes

1 No (Pamela Dechmerowski)

TAB 4. APPLICATION FOR HEARING AID SPECIALIST

Matthew Jones - File #1097 – Presented by Janet Hartman, Executive Director (TS – 22:05 Minutes)

Matthew Jones was present and was sworn in. Mr. Jones discussed the health history and criminal history responses on submitted application. The board requested proof that Mr. Jones had met all conditions of the drug diversion program. Mr. Jones stated that he could provide a copy of the certificate immediately. Mr. Jones e-mailed the certificate to Janet Hartman, who showed the completion certificate to each board member.

After discussion, the following action was taken:

Motion: by Mr. Moore to approve his application.

Second: by Mr. Hollern

Vote: Passes Unanimously

RESUME TAB 3. PETITION FOR VARIANCE OR WAIVER OF RULE

Jessica Tamayo - 64B6-8.003, Florida Administrative Code (TS – 39:00 Minutes)

Ms. Tamayo arrived, was sworn in, and presented her request for waiver. After discussion, and board member questions, the following action was taken:

Motion: by Randy Ellsworth to allow the applicant to find a new sponsor, proceed with training and to grant the hours presented by Ms. Tamayo as complete.

Second: by Pamela Dechmerowski

Vote: Passes Unanimously



The Board initiated a discussion regarding the sponsor's actions in this matter. Overall, the corrective action suggested was to have a discussion with the sponsor, recommend she listen to the meeting audio to gain a greater understanding of the challenges that occurred with this case and trainee.

TAB 5. RULES DISCUSSION (TS – 54:40 Minutes)

Rule 64B6-8.003, Florida Administrative Code, Trainee Stages, Minimum Training Requirements, and Training Programs - Leanne Polhill

During the last general board meeting there was a discussion of how distance learning fits into the four training stages specified by rule. Upon review, the program seems to be working well at this time and no changes are needed.

TAB 6. REPORTS

A. Chair's Report - Leanne E. Polhill, Chair (TS – 55:25 Minutes)

1. FDA Approval - OTC Hearing Aids – The FDA has approved a new over-the-counter category. Overall message is that federal OTC hearing regulations remain in progress, there is no approved regulatory framework for over-the-counter selling, and if anyone sees this activity, they should report it to the FDA.

- ##### **B. Vice Chair's Report - Randy Ellsworth, Vice-Chair – Everything is going smoothly, everything with the Department has been going very well. The cases are being streamlined. Nothing to report.**

C. Executive Director's Report – Janet Hartman, Executive Director (TS – 58:40 Minutes)

1. Janet Hartman reads prosecutor report and case inventory into record and asks Chair for a motion to allow Prosecuting Services Unit to continue prosecuting 1 year and older cases.

Motion: by Randy Ellsworth to allow Prosecuting Services Unit to continue prosecuting 1 year and older cases.

Second: by Pamela Dechmerowski

Vote: Passes Unanimously

2. Board Chairs/Vice Chairs Annual Long-Range Planning Meeting – 10/18/19 – A survey will be e-mailed that will ask for response to several statements that will be reviewed at the Chairs/Vice Chairs Annual Long-Range Planning Meeting. The statements required by section 456.005, Florida Statutes, were read to the members.
3. Application Redesign – the board office should have copies of new applications to be promulgated at the next Board meeting.
4. Legislative Update – Janet Hartman reviews HB 23 Telehealth bill and related topics. Also announced the January 14, 2020, start of Legislative Session.



5. Janet Hartman provided Expenditure by Function report. Will send out end of year report via email.
 6. Janet Hartman confirmed Board meeting of October 11, 2019, at 10:00 A.M. with a note of correction on FAR with new conference call number.
- D. Board Counsel reviews rules report – The development has been published and goes on to the next step. Board notes a typo in documents.

TAB 7. RATIFICATIONS (2/7/2019 to 7/2/2019)

Motion: by Douglas Moore to accept the ratification list for Hearing Aid Specialists.

Second: by Thomas Hollern

Vote: Passes Unanimously

Motion: by Randy Ellsworth to accept the ratification list for Hearing Aid Specialists Trainee.

Second: by Pamela Dechmerowski

Vote: Passes Unanimously

TAB 8. FOR YOUR INFORMATION – GUEST SPEAKER (TS – 1:14:45 Minutes)

Hearing Examinations in Correctional Facilities – Robert Siegel is sworn in and provides a presentation.

Chair Polhill asks for legal guidance related to what can be done about potential unlicensed activity. Mr. Moore asked what can be done by the Department of Health. Janet Hartman stated she would discuss the matter with Department of Health resources.

TAB 9. OLD BUSINESS/NEW BUSINESS – No old or new business.

TAB 10. NEXT MEETING DATE is October 11, 2019, at 10:00 a.m. Teleconference Meeting

TAB 11. PUBLIC COMMENTS – No public comments.

TAB 12. ADJOURNMENT – Leanne E. Polhill, HAS, Chair, adjourned the meeting at 11:40 A.M.