



FLORIDA BOARD OF HEARING AID SPECIALISTS GENERAL BOARD MEETING - DRAFT MINUTES

October 11, 2019 @ 10:00 a.m.

Telephone Conference Call

Dial-in #: 1 (888) 585-9008

Participation Code: 744-469-610#

DRAFT MINUTES

TAB 1. CALL TO ORDER The meeting was called to order on Friday, October 11, 2019, at approximately 10:00 A.M. EST 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

Members Absent:

Thomas Hollern - Unexcused

Robert Pickard, MD - Unexcused

Staff Present:

Janet Hartman, Executive Director

Eric Pottschmidt, Program Operations Administrator

Diane Guillemette, Board Counsel – presenting on behalf of John B. Fricke, Jr.,
Assistant Attorney General

Chad Dunn, Chief Legal Counsel – presenting on behalf of Rose Garrison, Esq.,
Assistant General

Court Reporter - For The Record - 850-222-5491



TAB 2. REVIEW AND APPROVAL OF MINUTES – July 12, 2019 (TS-23:30 Minutes)

Motion: by Randy Ellsworth to approve the minutes as presented from the July 12, 2019, General Business Meeting.

Second: by Pam Dechmerowski to approve the minutes as presented from the July 12, 2019, General Business Meeting.

Vote: Passed Unanimously

TAB 3. DISCIPLINARY PROCEEDINGS

Voluntary Relinquishment - Debra L. Stefa, H.A.S., Case Number 201926295

Diane Guillemette, Board Counsel – announces there may be a problem with obtaining a quorum to hear the Voluntary Relinquishment case for Debra L. Stefa, H.A.S., Case Number 201926295. Chair Polhill agrees to hold through the meeting to see if another board member joins to capture a quorum. If quorum is not obtained, the case will be tabled to be heard at the next general board meeting.

Debra L. Stefa was not present when her representative, Travis Godwin, spoke on her behalf. **(TS-19:40 Minutes)**. This case has been tabled for the next meeting scheduled for January 31, 2020.

TAB 4. APPLICATIONS FOR REVIEW

Susan Zisman – File #4675 - Presented by Janet Hartman, Executive Director, and reads summary into record. **(TS-03:30 Minutes)**

Chair Polhill opens the floor to Ms. Zisman for comments to the Board.

Susan Elizabeth Zisman was present and did not have legal representation but was accompanied by Dr. Hillary Spiel, the audiologist on staff at Miracle Ear. Ms. Zisman presents her case.

Dr. Hillary Spiel speaks. **(TS-06:35 Minutes)** She is the Director of Training and Professional and Development for Miracle Ear Florida. Dr. Spiel states that Ms. Zisman has been working for her since December 2018 and has been incredibly reliable, kind, honest and fair, with all her patients. She has been so pleased with everything that has been asked of Ms. Zisman. There has never been an incident of being late, not responsible, and she is looking forward to having Ms. Zisman be a part of the consultant staff.

Chair Polhill solicits questions from the Board comments. Doug Moore asks question related to DUI and how many years we go back to capture criminal history, whether five years or an undetermined period. Ms. Guillemette replies that the application



asks if the applicant has ever been convicted, and that the five years may be confused with the health history questions. Ms. Guillemette suggests that Ms. Zisman did give some reasonable explanations as to why she left off some information on her training application yet put it on her licensure application. Ms. Hartman states that together, she has disclosed, fully, with a combination of all the information she provided, in addition to her reasons statement.

Douglas Moore asks question about the drug arrests and who set the standard that arrests are not required to be disclosed. Ms. Zisman states that the application specifically asks about convictions, and not arrests or charges.

After discussion, the following action was taken:

Motion: by Randy Ellsworth to accept her application to take the exam.

Second: by Douglas Moore to accept her application to take the exam.

Vote: Passes Unanimously

TAB 5. PROSECUTOR'S REPORT – (TS-13:45 Minutes) Mr. Chad Dunn

A total of 10 cases are in the inventory. Of these 10, three are a year and older. Of these three, two have a probable cause finding, in which PSU is working to resolve these cases. The 3rd of these three is under legal review, and the rest of the cases are new inventory that are less than 365 days old.

Motion: by Randy Ellsworth to allow PSU to continue to prosecute 1 year and older cases.

Second: by Pam Dechmerowski to allow PSU to continue to prosecute 1 year and older cases.

Vote: Passes Unanimously

Chair Polhill asks Mr. Chad Bunn what the Emergency Action Unit is. Mr. Chad Dunn responds that these are cases that represent the most serious probable threat to the public that are reviewed very quickly by the proper litigating entity so that timely action is taken to restrict or suspend activity until the case has been determined or resolved.

TAB 6. REPORTS

No Chair Report from Chair Polhill.

2020 Delegations – This motion requests to approve 2020 proposed delegations.

Motion: by Mr. Moore to approve 2020 proposed delegations.

Second: by Pam Dechmerowski to approve 2020 proposed delegations.

Motion: Passes Unanimously

No Vice Chair's Report from Randy Ellsworth, Vice-Chair



Executive Director's Report – Janet Hartman, Executive Director **(TS-19:40 Minutes)**

Ms. Hartman polls the meeting attendees to see if either Thomas Hollern or Dr. Pickard have joined the meeting to establish a quorum to hear the Voluntary Relinquishment - Debra L. Stefa, H.A.S., Case Number 201926295. An attempt to reach them via email was done with no response back. As such, we do not have quorum to hear this Voluntary Relinquishment case. Chair Polhill asks questions related to the postponing of the case. Diane Guillemette notes that without a vote, Ms. Stefa would technically retain a license. However, because the case is related to Medicaid, it is not likely that somebody would hire her in the interim. Chair Polhill notes, however, that is not a guarantee as could still open her own practice.

Travis Godwin, representation for Debra L. Stefa speaks on the record. He states Ms. Stefa has no intention of practicing, nor is she able to practice under the settlement with the Department, as the voluntary relinquishment has already been signed and sent in. Debra L. Stefa party is simply waiting on the Board's final vote.

Chair Polhill agrees to table the case until next meeting. Mr. Chad Dunn has no problem with tabling to the next meeting for January 31, 2020.

Ms. Hartman refers back to ratification of minutes (TAB 2.) from the last board meeting held on July 12, 2019.

NEW PAPER APPLICATIONS – **(TS-24:10 Minutes)** Ms. Hartman discusses process of reviewing the applications, their corresponding edits, and then the legal process for moving forward with the changes, votes and the SERC questions.

Application for Examination – This application has all the same text as the old application, yet with a different format. There are minor, non-substantive track changes on this application.

Motion: by Randy Ellsworth to accept this new **Application for Examination**.
Second: by Pam Dechmerowski to accept this new **Application for Examination**
Vote: Passes Unanimously

Sponsor Registration Form – The summary of changes include; deletion of the sponsor email address and business fax number, and affirmation language changes. Otherwise, changes are appearance and formatting.

Motion: by Pam Dechmerowski to accept this new **Sponsor Registration Form**
Second: by Douglas Moore to accept this new **Sponsor Registration Form**.
Vote: Passes Unanimously



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Application for Licensure – This application has minor, non-substantive corrections on the cover.

Motion: by Pam Dechmerowski to accept this new **Application for Licensure**

Second: by Douglas Moore to accept this new **Application for Licensure**

Vote: Passes Unanimously

Training Program Continuation Request Form – **(TS-32:15 Minutes)** This form has substantive changes. In summary, the old form was referencing the sponsor in many ways. The changes include a shift in focus to the trainee, with minor language and focus remaining for the sponsor.

Chair Polhill requests that we change the designation of “Supervisor” to “Sponsor”.

Motion: by Pam Dechmerowski to accept this new paper **Training Program Continuation Request Form** with the change from “Supervisor” to “Sponsor”.

Second: by Douglas Moore to accept this new paper **Training Program Continuation Request Form** with the change from “Supervisor” to “Sponsor”.

Vote: Passes Unanimously

Training Program Registration Application – This application has various, non-substantive changes. Mostly appearance and formatting changes.

Motion: by Pam Dechmerowski to accept this new **Training Program Registration Application** paper application.

Second: by Randy Ellsworth to accept this new **Training Program Registration Application** paper application.

Vote: Passes Unanimously

Certified Testing Room Waiver Form – No changes other than appearance and formatting.

Douglas Moore asks if this form should be used by every hearing aid specialist and not make-up their own? Ms. Diane Guillemette reads the rule that states when looking for a waiver of a certified testing room, this Department form should be used.

Chair Polhill has question referencing the “licensee’s file”. Board office will research and get back to the board with a clear understanding of the term.

This form will be tabled to the next general board meeting. No vote was conducted to accept this form.



Training Program Sponsor Report Form – This form has no substantive changes.

Motion: by Randy Ellsworth to accept this new **Training Program Sponsor Report Form**

Second: by Douglas Moore to accept this new **Training Program Sponsor Report Form**

Vote: Passes Unanimously

BOARD COUNSEL - RULES REPORT - (TS-42:45 Minutes)

For Rule 64B6-2.003 – form 1155. This motion requests an update the date and make sure the title matches exactly to rule.

Motion: by Douglas Moore to approve changes to date and to make sure the title matches exactly to rule.

Second: by Pam Dechmerowski to approve changes to date and to make sure the title matches exactly to rule.

Vote: Passes Unanimously

Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation of the rule?

Motion: by Douglas Moore votes “NO”

Second: by Randy Ellsworth votes “NO”

Vote: Passes Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Douglas Moore votes “NO”

Second: by Pam Dechmerowski votes “NO”

Vote: Passes Unanimously

For Rule 64B6-8.002 – This motion requests incorporating MQA 1158 as amended earlier and approved today.

Motion: by Randy Ellsworth to approve language and notice.

Second: by Pam Dechmerowski to approve language and notice.

Vote: Passes Unanimously

Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation of the rule?



Motion: by Douglas Moore votes "NO"
Second: by Pam Dechmerowski votes "NO"
Vote: Passes Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Pam Dechmerowski votes "NO"
Second: by Douglas Moore votes "NO"
Vote: Passes Unanimously

For Rule 64B6-8.003 – This motion requests incorporating two applications, 1160 and 1159, as approved today to notice and make any changes to the title so that it matches exactly to the rule.

Motion: by Randy Ellsworth to approve incorporating two applications, 1160 and 1159, as approved today to notice and make any changes to the title so that it matches exactly to the rule.

Second: by Douglas Moore to approve incorporating two applications, 1160 and 1159, as approved today to notice and make any changes to the title so that it matches exactly to the rule.

Vote: Passes Unanimously

Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation of the rule?

Motion: by Douglas Moore votes "NO"
Second: by Pam Dechmerowski votes "NO"
Vote: Passes Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Pam Dechmerowski votes "NO"
Second: by Douglas Moore votes "NO"
Vote: Passes Unanimously

For Rule 64B6-3.001 – This motion request is to incorporate form 1156, to open for development and to notice with language with the new application.

Motion: by Douglas Moore to approve to incorporate form 1156, to open for development and to notice with language with the new application.

Second: by Pam Dechmerowski to approve to incorporate form 1156, to open for development and to notice with language with the new application.

Vote: Passes Unanimously



Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation of the rule?

Motion: by Douglas Moore votes "NO"

Second: by Randy Ellsworth votes "NO"

Vote: Passes Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Douglas Moore votes "NO"

Second: by Pam Dechmerowski votes "NO"

Vote: Passes Unanimously

ANNUAL REGULATORY PLAN – This motion request is to ratify the annual regulatory plan.

Motion: by Pam Dechmerowski to ratify the annual regulatory plan.

Second: by Douglas Moore to ratify the annual regulatory plan.

Vote: Passes Unanimously

2020 PROPOSED MEETING DATES – This motion request is to accept the 2020 proposed meeting dates.

Motion: by Randy Ellsworth to accept the 2020 proposed meeting dates.

Second: by Pam Dechmerowski to accept the 2020 proposed meeting dates.

Vote: Passes Unanimously

ANNUAL FINANCIAL REPORT - Ms. Hartman speaks to the financial reports and notes that the financial outlook is healthy.

WEBSITE UPDATES - CE Requirements page has been updated working closely with the association referencing AIDS/HIV requirements. Clarification has determined that HIV/AIDS course has to be completed at the first renewal where CE's are required.



TELEHEALTH LICENSING TAB – Ms. Hartman discusses location and function of this.

Douglas Moore asks question about CE requirements and suggests changing the web page to language to ensure the readers still know the full 20 hours are required. Board staff will update in website to ensure applicants and licensees are clear of CE requirements.

CENTURION UPDATE - Ms. Hartman met in person with the Investigation Manager with Department of Health, Division of Medical Quality Assurance, Bureau of Enforcement, who advised the Department of Health had no jurisdiction in this matter and referred her to the Florida Department of Corrections. She contacted Director Thomas Reimer, Florida Department of Corrections, Division of Health Services, by phone and provided him the board website where the full testimony could be heard on audio recording. He advised the Department of Corrections would review the audio and investigate the matter.

TAB 7. RATIFICATIONS (7/2/2019 to 9/30/2019)

Profession Name	Profession Code	# of Licensed	License Range
Hearing Aid Specialist	3601	24	5457 to 5480
Hearing Aid Specialist Trainee	3603	22	905 to 926

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

Second: by Pam Dechmerowski to accept the ratification list for Hearing Aid Specialists.

Vote: Passes Unanimously

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

Second: by Pam Dechmerowski to accept the ratification list for Hearing Aid Specialists Trainee.

Vote: Passes Unanimously

TAB 8. ANNUAL ELECTIONS

Motion: by Douglas Moore to nominate Leanne Polhill as Chairperson of the Board.

Second: by Randy Ellsworth to nominate Leanne Polhill as Chairperson of the Board

Vote: Passes Unanimously

Motion: by Pam Dechmerowski to nominate Randy Ellsworth as Vice-Chairperson of the Board.

Second: by Douglas Moore to nominate Randy Ellsworth as Vice-Chairperson of the Board.

Vote: Passes Unanimously

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

TAB 10. NEXT MEETING DATE – January 31, 2020 @ 9:00 a.m. Teleconference Meeting



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TAB 11. PUBLIC COMMENTS – No public comments.

TAB 12. ADJOURNMENT – Chair Polhill adjourned the meeting at 11:15 a.m. EST.