

# **FLORIDA BOARD OF HEARING AID SPECIALISTS GENERAL BOARD MEETING**

**May 21, 2021 at 9:00 A.M. ET**



**Leanne Polhill, Chair**

**Janet E. Hartman, Executive Director**



Florida Board of Hearing Aid  
Specialists General Board Meeting  
May 21, 2021

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## MINUTES

### MEETING CALLED TO ORDER @ 9:00 AM EST

The meeting was called to order on Friday, May 21, 2021 at 9:00 a.m. by Leanne Polhill.

#### BOARD MEMBERS PRESENT:

Leanne E. Polhill, H.A.S., Chair  
Randy Ellsworth, H.A.S., Vice-Chair  
Pamela Dechmerowski, H.A.S.  
Thomas Hollern

#### BOARD MEMBERS NOT PRESENT:

Robert Pickard, MD

#### BOARD STAFF PRESENT:

Janet Hartman, Executive Director  
Eric Pottschmidt, MBA, Program Operations Administrator  
John B. Fricke, Jr., Assistant Attorney General  
Christina Shideler, Assistant General Counsel

#### COURT REPORTER:

For The Record - 850-222-5491

#### REVIEW AND APPROVAL OF MINUTES – February 12, 2021

**Motion:** by Pamela Dechmerowski to approve the meeting minutes.  
**Second:** by Thomas Hollern.  
**Vote:** Passed Unanimously.

#### PROSECUTOR'S REPORT

##### Case Inventory:

Total Cases open/active in PSU:	11
Cases in Emergency Action Unit:	0
Cases under legal review:	7
Cases with probable cause recommendation:	3
Total Cases where PC has been found:	1
Cases in holding status:	0
Cases pending before DOAH:	0
Cases in intake status:	0
Cases agendaed for Board:	0
Cases on Appeal:	0
<b>Total Number of Cases Older Than One Year:</b>	<b>6</b>

**Motion:** by Randy Ellsworth to prosecute the year and older cases.  
**Second:** by Thomas Hollern.  
**Vote:** Passed Unanimously.

### **PETITION FOR VARIANCE OR WAIVER (TS 00:04:30)**

James Harrison – Rule 64B6-2.003(1)(e)(2.)(a), F.A.C.

Mr. Harrison was not present and was not represented by Counsel. Board Counsel John Fricke presented the petition for variance or waiver.

Following discussion, the following action was taken:

**Motion:** by Pamela Dechmerowski to approve his request for variance or waiver.  
**Second:** by Thomas Hollern.  
**Vote:** Passed. Three aye votes, and one opposed vote from Randy Ellsworth

### **REPORTS**

**Chair’s Report - Leanne E. Polhill** – Nothing to report.

**Vice Chair’s Report - Randy Ellsworth** – Nothing to report.

### **Executive Director’s Report – Janet Hartman (TS 00:13:00)**

Legislative Update

Janet Hartman reviewed the previous legislative session concerning Hearing Ad Specialists and noted there were no changes specifically affecting Hearing Aid Specialists that got passed. Janet Hartman also noted that the upcoming 2022 legislative session begins in January and activity has already begun. Janet Hartman did note that one particular piece of legislation did pass that references disciplinary action, as well as, emergency orders for certain types of violent crimes. Upcoming reviews board counsel will provide more detail as to how this legislation will affect the boards.

Financial Report – Nothing to report.

Renewal Extension - Renewals have been extended until June 30, 2021 and executive orders will expire at that time. There is no expectation that the executive orders will get extended.

### 2022 Proposed Meeting Dates

After discussion, the following action was taken:

**Motion:** by Randy Ellsworth to approve 2022 proposed meeting dates.  
**Second:** by Pamela Dechmerowski.  
**Vote:** Passed Unanimously.

### Rule 64B6-5.001, F.A.C. Continuing Education as a Condition for Renewal

Janet Hartman, in acknowledgement of having received a series of inquiries at the board office relative to the continuing use of the distance learning format for continuing education, presented rule language for discussion by the board. The proposed changes to the rule would allow for the use of the distant learning format for continuing education for the 2021-2023 biennium.

Randy Ellsworth commented that he feels it’s time to get back to in-person meetings.

Leanne Polhill commented that this rule change is not permanent rulemaking and is being discussed only for the 2021-2023 biennium to support efforts related to removing barriers to entry into the profession, as well as, continue to support those with ongoing concerns associated with the COVID-19 pandemic.

Pamela Dechmerowski commented that she supported the comments of Randy Ellsworth, but also supported the idea of continued distance learning formats to continue to support those with immune-compromised circumstances associated with the COVID-19 pandemic. She then stated her support to continue with the distance learning format in the 2021-2023 biennium.

Leanne Polhill opened floor to public comment. Hearing none, Leanne Polhill asked for a motion.

After discussion, the following action was taken:

**Motion:** by Pamela Dechmerowski to approve proposed language as written.  
**Second:** by Thomas Hollern.  
**Vote:** Passed. Three aye votes, and one opposed vote from Randy Ellsworth

## SERC

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?

**Motion:** by Leanne Polhill votes "NO"  
**Second:** by Pamela Dechmerowski  
**Vote:** Passed Unanimously.

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

**Motion:** by Leanne Polhill votes "NO"  
**Second:** by Pamela Dechmerowski  
**Vote:** Passed Unanimously.

Would a Sunset provision be applicable to this Rule?

**Motion:** by Pamela Dechmerowski votes "NO"  
**Second:** by Randy Ellsworth.  
**Vote:** Passed Unanimously.

Janet Hartman reviewed concerns related to how laws and rules are written which reference the required examination for out-of-state applicants who are certified by NBC-HIS. Draft rule language will be brought to the next meeting to address this concern and introduce an additional national examination to satisfy the examination requirement for those who are NBC-HIS certified. This additional examination used by NBC-HIS added to Florida Administrative Code as an authorized examination would streamline licensure for out-of-state applicants, as it would not require them to take the International Licensing Examination (I.L.E.).

## **Board Counsel's Report - John B. Fricke, Jr. (TS 00:32:15)**

### Rule 64B6-7.0025, F.A.C. Out-of-State Telehealth Disciplinary Guidelines

John Fricke reviewed the proposed changes to the Board about disciplinary guidelines. The changes include failure to report actions against a license they hold in another jurisdiction, violations to the statute that allows them to provide out-of-state telehealth services and defines what is a corrective action plan. The rule change also defines what the penalties are for the violations.

After discussion, the following action was taken:

**Motion:** by Thomas Hollern to approve proposed language as written.  
**Second:** by Pamela Dechmerowski.  
**Vote:** Passed Unanimously.

## **SERC**

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?

**Motion:** by Leanne Polhill votes "NO"  
**Second:** by Pamela Dechmerowski  
**Vote:** Passed Unanimously.

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

**Motion:** by Pamela Dechmerowski votes "NO"  
**Second:** by Thomas Hollern.  
**Vote:** Passed Unanimously.

Would a Sunset provision be applicable to this Rule?

**Motion:** by Pamela Dechmerowski votes "NO"  
**Second:** by Randy Ellsworth.  
**Vote:** Passed Unanimously.

### Rules Report

John Fricke reviewed information about rules 64B6-7.002, F.A.C. and 64B6-7.0025, F.A.C.

## **RATIFICATIONS**

### Licenses Issued

Following discussion, the following action was taken:

**Motion:** by Randy Ellsworth to accept the ratification list for 3601 and 3603 professions.  
**Second:** by Pamela Dechmerowski.  
**Vote:** Passed Unanimously.

**OLD BUSINESS/NEW BUSINESS - No old or new business.**

**NEXT MEETING DATE** – July 23, 2021 @ 9:00 A.M.- Renaissance Orlando at Sea World.

**PUBLIC COMMENTS**

Jason Winn addressed the Board and Department about the previous legislative session and the good work both have done during the last session that specifically assisted in the success of being able to keep on-sales out of Florida.

**ADJOURNMENT** @ 9:42 a.m. EST.

**DEPARTMENT OF HEALTH  
BOARD OF HEARING AID SPECIALISTS  
EXPENDITURES BY FUNCTION  
For Period Ending March 31, 2021**

<u>Function</u>	<u>Direct Charges</u>	<u>Allocated Charges</u>	<u>Total</u>	<u>Percent*</u>
Director, MQA		\$ 1,045	\$ 1,045	0.75%
Bureau of Opns Admin		\$ 430	\$ 430	0.31%
Testing Services		\$ 0	\$ 0	0.00%
Licensure Support Svcs	\$ 260	\$ 5,928	\$ 6,188	4.46%
Artificial Intelligence		\$ 1,862	\$ 1,862	1.34%
Practitioner Reporting		\$ 0	\$ 0	0.00%
Systems Spt Unit		\$ 4,291	\$ 4,291	3.09%
Central Records		\$ 854	\$ 854	0.62%
Renewal Support	\$ 948	\$ 20	\$ 968	0.70%
Call Center		\$ 2,602	\$ 2,602	1.88%
Operational Services		\$ 1,227	\$ 1,227	0.88%
Imaging Services			\$ -	0.00%
Web Design Development		\$ 781	\$ 781	0.56%
Strategic Management Unit		\$ 551	\$ 551	0.40%
Background Screening	\$ 4		\$ 4	0.00%
Telehealth Providers		\$ 29	\$ 29	0.02%
Bureau of HCPR Admin		\$ 720	\$ 720	0.52%
Board Office	\$ 2,919	\$ 15,687	\$ 18,606	13.41%
Prosecution Svcs Unit - Enforce	\$ 608	\$ 9,895	\$ 10,503	7.57%
Bureau of Enforce Admin		\$ 273	\$ 273	0.20%
Consumer/Compliance Unit - Enforce	\$ 977	\$ 1,500	\$ 2,477	1.79%
Investigations Svcs Unit-Enforce		\$ 15,580	\$ 15,580	11.23%
Div of IT & Admin; Ofc of Sec		\$ 7,557	\$ 7,557	5.45%
DOAH			\$ -	0.00%
Prescription Drug Monitoring Program			\$ -	0.00%
Profiling Services			\$ -	0.00%
Practitioner Compliance			\$ -	0.00%
Impaired Practitioner		\$ 4,557	\$ 4,557	3.29%
Attorney General	\$ 21,139		\$ 21,139	15.24%
Risk Management Insurance		\$ 585	\$ 585	0.42%
Human Resource Services		\$ 228	\$ 228	0.16%
Refund of State Revenues	\$ 1,450		\$ 1,450	1.05%
Service Charge to Gen Revenue	\$ 5,926		\$ 5,926	4.27%
FDLE Transfer			\$ -	0.00%
Ch 215.32 Transfer of Funds	\$ 23,962		\$ 23,962	17.27%
Unlicensed Activity	\$ (2)	\$ 4,318	\$ 4,316	3.11%
ULA Ch 215.32 Transfer of Funds			\$ -	0.00%
			\$ -	
<b>Total</b>	<b>\$ 58,190.36</b>	<b>\$ 80,522.41</b>	<b>\$ 138,712.77</b>	<b>100.00%</b>

Cash Balance @ June 30 - Licensed Account

\$ 630,609

Cash Balance @ June 30 - Unlicensed Account

\$ (97,663)

\* Percent of the function's expenditure to the Board's total expenditures.