

**STATE OF NEVADA
SPEECH-LANGUAGE PATHOLOGY, AUDIOLOGY
AND HEARING AID DISPENSING BOARD**

MINUTES OF PUBLIC MEETING

January 27, 2018

Members Present: Rebecca Bailey-Torres, Tami Brancamp, Jane McEvoy, Thomas Rainford,
Michael Hodes, Bonnie Lamping
Members Absent: Nighat Abdulla
Staff Present: Loretta L. Ponton, Executive Director
Henna Rasul, Sr. Deputy Attorney General
Public Present: None

Public Hearing - LCB File No. R016-17

Loretta Ponton, Executive Director opened the Public Hearing on LCB File No. R016-17 at 10:00 a.m.

There were no individuals present for the public hearing. There were no comments from Board members. Ms. Ponton stated no written comments had been received.

The Public Hearing was closed at 10:02 a.m.

Public Workshop - LCB File No. R140-17

Loretta Ponton opened the Public Workshop on LCB File No. R140-17 at 10:03 a.m.

There were no individuals present for the public workshop. Ms. Ponton presented written comments received from the American Speech Hearing Association expressing disagreement with the requirement that Audiologists take dispensing examinations in order to obtain a temporary license.

No other comments were made.

The Public Workshop was closed at 10:10 a.m.

Call to Order, Confirmation of Quorum -Rebecca Bailey-Torres, Chair, called the meeting to order at 10:11 a.m. A roll call confirmed a quorum was present.

Public Comment - There were no public comments

Approval of Minutes - Rebecca Bailey-Torres asked if there were any corrections or revisions to the minutes of the meeting of November 17, 2017. Hearing no comments, called for a motion.

Tami Brancamp made a motion to approve the minutes of November 17, 2017, seconded by Tom Rainford.

The motion passed with Rebecca Bailey-Torres abstaining.

Consideration of Public Comments - LCB File No. R016-17 - Loretta Ponton stated no comments were made for consideration. No action was taken.

Adoption of LCB File No. R016-17 - Rebecca Bailey-Torres called for a motion for adoption of LCB File No. R016-17.

Tom Rainford made the motion, seconded by Jane McEvoy to adopt LCB File No. R016-17 as presented. The motion passed.

Hearing in Case No. S17-01, Enid Webb, SLP for determination of violation of consent decree - Loretta Ponton summarized the timeline and terms of the Consent Decree approved by the Board September 9, 2017 with Enid Webb. Ms. Ponton stated that Ms. Webb has not complied with any of the terms of the Consent Decree, and has surrendered her license. Ms. Webb has reported by email that she will not be pursuing her career as a speech-language pathologist.

Discussion was heard regarding the terms of the Consent Decree, the original ASHA revocation of Ms. Webb's certification and the options for disciplinary action by the Board.

Rebecca Bailey-Torres called for a motion.

Mike Hodes made the motion, seconded by Tom Rainford to revoke Enid Webb's license No. SP-1221 for a period of five (5) years at which time Ms. Webb would be eligible to reapply contingent upon payment of the legal and investigative fees incurred as stated in the Consent Decree. The motion passed.

Legislative Services - Ms. Ponton stated that Paula Berkley intends to retire. The Board is requested to provide guidance on whether a solicitation should be issued for legislative services.

Discussion of the need for legislative services and the cost impact was held with a consensus that a solicitation would be helpful in determining the cost and whether services would be necessary in the future.

Rebecca Bailey-Torres called for a motion.

Tami Brancamp made the motion, seconded by Jane McEvoy to direct the Executive Director to issue a solicitation for legislative services, with proposals to be brought back to the Board for further consideration. The motion passed.

Outside Legal Counsel - Ms. Ponton stated that the Board has authority to hire outside legal counsel. The Attorney General's office provides legal services for both Board Counsel and Conflict Counsel in prosecuting cases; however the same individual cannot serve both needs.

Henna Rasul is the Board's designated Board Counsel, the Attorney General's office will assign a second Deputy Attorney General to for hearing of disciplinary cases; the Board does not have control over who is assigned.

Discussion was heard regarding the costs of AG services compared to outside legal services and the number of disciplinary cases that would require legal services. There was consensus that a solicitation would provide more information in regards to costs and availability of legal services.

Rebecca Bailey-Torres call for a motion.

Mike Hodes made the motion, seconded by Tom Rainford to direct the Executive Director to issue a solicitation for legal services and bring proposals back to the Board for consideration. The motion passed.

Contract Performance Review, Lorylynn Ltd., Executive Director Services - Rebecca Bailey-Torres stated this is the annual review of Executive Director services provided by Loretta Ponton. Ms. Ponton directed the members to the Summary of Activities report prepared for the members.

Ms. Bailey-Torres asked for comments from each member, there was consensus that services continued to be outstanding and that a full performance award was warranted.

Mike Hodes stated that the evaluation form was somewhat arbitrary and that a standardized scoring methodology or rating system might be helpful in the future.

Ms. Bailey-Torres called for a motion.

Jane McEvoy made the motion to award a full performance award of 20% for services rendered during 2017; Mike Hodes seconded the motion. The motion passed unanimously.

Executive Director's Report – Rebecca Bailey-Torres called on Loretta Ponton.

Licensure Statistics - Ms. Ponton reported on the 2nd Quarter licensure statistics reporting 1109 licensees as of December 31, 2017; 98 new licenses were issued with 63 licenses expiring during the fiscal year through the 2nd quarter.

Financial Statements - Ms. Ponton summarized the 2nd Quarter, Fiscal Year 2018 financial reports. Revenue is at \$66,471, 46% of budget, expenses are \$87,441, 48% of budget. Cash assets total \$199,181 with deferred revenue at \$95,741.

Ms. Ponton stated the National Council of State Boards of Examiners Conference is being held October 4-6 in Tyson Corner, Virginia and asked if members would be interested in attending.

Rebecca Bailey-Torres stated that the conference is very beneficial for first time Board members and encouraged anyone that hasn't previously attended to consider going. After discussion, Bonnie Lamping agreed to attend.

Ms. Ponton concluded her report stating there are no complaints pending.

Report from Legal Counsel – Henna Rasul stated she had no report.

Report from Board Chair – Rebecca Bailey-Torres stated the next meeting is April 20, 2018 which will be her last meeting. Ms. Bailey-Torres reported she has been dedicated to the Board and has served through tough times; she was committed to the legislative efforts resulting in the restructuring of the Board bringing it to where it is today.

Tom Rainford added that his term is also ending and that he hasn't yet decided whether to reapply.

Future agenda items are the public hearing and adoption of regulation R140-17 and consideration of results of the solicitations for legislative services and legal services.

Public Comment – There were no public comments.

Adjournment – Rebecca Bailey-Torres called for a motion to adjourn.

Mike Hodes made the motion, seconded by Bonnie Lamping, to adjourn.

The motion passed. The meeting adjourned at 11:27 a.m.