

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

MINUTES OF PUBLIC MEETING

June 9, 2017

Members Present:	Rebecca Bailey-Torres, Tami Brancamp, Bonnie Lamping, Jane McEvoy, Thomas Rainford, Richard Johnson; Mark Butler, Advisory Member; Michael Hodes, Advisory Member
Members Absent:	Nighat Abdulla, Elizabeth Lynner
Staff Present:	Loretta L. Ponton, Executive Director Stacey Whittaker, Licensing Specialist Sara Bradley, Sr. Deputy Attorney General Paula Berkley, Lobbyist
Public Present:	None

Call to Order, Confirmation of Quorum - Rebecca Bailey-Torres, Chair called the meeting to order at 4:03 p.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 January 28, 2017. Clerical corrections were noted on pages 2, 3 and 4. Hearing no other comments, Ms. Bailey-Torres called for a motion.

Rich Johnson made a motion to approve the minutes of January 28, 2017, as corrected; seconded by Jane McEvoy. The motion passed.

Legislative Report - Rebecca Bailey-Torres called on Paula Berkley to provide a report. Paula Berkley provided a brief summary of the 2017 Legislative Session; stating the session just ended, final prints of bills are still in process. Ms. Berkley stated there were 42 bills pertaining to Boards and Commissions being tracked, a large number died without passing from committee. There were a few bills that affect the Board, SB185 includes a prohibition on the leasing of hearing aids as a deceptive trade provision; several bills contain additional administrative and reporting requirements, but overall there were no legislative actions with significant impact on the Board. A full legislative report will be provided at the August board meeting.

Nevada State College - Loretta Ponton directed the members to the written status report provided by Nevada State College, School of Education, Speech Language Pathology Program, for the Rite of Passage Program that was presented to the Board in January, 2016.

Ms. Ponton stated NSC has requested that a representative of the Board participate in a stakeholder’s meeting to begin the discussions on a Masters Speech-Language Pathology

accreditation process. After discussion, it was agreed that Bonnie Lamping and Jane McEvoy were interested in participating if the dates and times are convenient. Tami Brancamp stated she or Dr. Watterson may be participating as a representative(s) of UNR.

Rebecca Bailey-Torres called for a motion to designate a Board representative to the NSC stakeholders group.

Rich Johnson made the motion, seconded by Tami Brancamp to authorize Bonnie Lamping and Jane McEvoy to represent the Board at the NSC stakeholders meetings. The motion passed.

Dispensing Workgroup Report and Recommendations - Mike Hodes presented the workgroup meeting report for the meeting held May 5, 2017. Mr. Hodes reported on proposed federal legislation allowing over-the-counter sales of hearing aids that would, if passed, over-ride any State laws. Mr. Hodes stated the following recommendations by the Dispensing Workgroup are presented for Board action:

Practical Exams:

- Eliminate the masking component in the practical exam as there are no standardized measurements for scoring.
- Video-record the exam process to eliminate potential liability, and purchase of video-recording equipment for each examiner.
- Change the questions related to the ear disease chart to elicit a “refer or not refer” response replacing the “describe what you see” reference; more clearly label the chart in section 4.4 to include 4hz.
- Create a flip chart of Exam Questions to help applicants visualize and understand the questions.

Written ILE Exams: A review of historical exam results justifies the Board’s 75% pass score. The 75% pass score did not cause undue hardship nor cause denial of a license to qualified applicants.

- Retain the 75% passing score requirement for both the practical and written examinations.

Official Transcript Requirement for Hearing Aid Specialist and Apprentice Applicants:

Minimum qualifications require a high school or equivalent educational level. Applicants who do not complete higher education have difficulty with providing “official transcripts” of high school or equivalent education.

- Hearing Aid Specialist and Apprentice applicants may provide alternative proof of attaining minimum educational requirements; official transcripts will not be required.

Rebecca Bailey-Torres called for a motion on the Dispensing Workgroup recommendations as presented.

Jane McEvoy made the motion, seconded by Richard Johnson to approve the recommendations as presented by the Dispensing Workgroup. The motion passed.

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

Licensure Statistics - Ms. Ponton reported on the 3rd Quarter licensure statistics reporting 1031 licensees as of March 31, 2017, with 24 applications processed and licenses issued during April and May.

Financial Statements - Ms. Ponton summarized the Fiscal Year 2017 financial statements as of March 31, 2017. Ms. Ponton reported the calculation of revenue/deferred revenue has been revised to more accurately reflect the changes to annual license terms that has affected the reported revenue, with deferred revenue increasing by approximately 20%. Revenue was reported at 65% of budget with expenses at 64% of budget. Savings will be incurred in budgeted line items for legal fees and licensing program as a full new system will not be implemented this fiscal year.

Rebecca Bailey-Torres called for a motion to accept the financial statements. Tom Rainford so moved, seconded by Rich Johnson. The motion passed.

Licensing System - Ms. Ponton reported that GL Solutions did not meet the deadline for system updates to incorporate the hearing aid specialist renewals; for the second year a dual system is being maintained.

Ms. Ponton stated that under the current conditions and based upon GL Solutions substandard service levels, it is not in the best interest of the Board to invest and expend additional resources and time into this system. A fully functional system with all necessary elements would cost over \$30,000 and most likely require at least two (2) more years, based upon the historical record and service experience.

The Board will be requested to approve a new licensing system vendor under the FY 2018 Budget approval process.

NCSB Conference - Ms. Ponton reported that the conference will be held in New Orleans and that she has reserved one room if a member wishes to attend. After discussion, no member was able to attend and Ms. Ponton was directed to cancel the reservation.

Over-the-Counter Sales of Hearing Aids - Ms. Ponton reported that subsequent to the Dispensing Workgroup meeting, the Board received correspondence from both ASHA and NCSB regarding concerns with proposed federal legislation and asking for Board support of lobbying efforts by those organizations.

After discussion, Rebecca Bailey-Torres called for a motion. Bonnie Lamping made the motion to direct the Executive Director to submit letters in opposition to the proposed legislation, Over-the-Counter Hearing Aid Act of 2017, to federal representatives and Nevada legislators; seconded by Jane McEvoy. The motion passed.

Medicaid Services Manual - Ms. Ponton reported that the Division of Health Care Financing and Policy held a public workshop regarding revisions to the Audiology section of the Medicaid Services Manual. Proposed revisions to update terminology to bring it in line with the new Board structure and professions were submitted in writing for consideration.

Ms. Ponton concluded her report summarizing the number and status of pending complaints.

Fiscal Year 2018 Budget - Rebecca Bailey-Torres asked Loretta Ponton to present.

Regulatory Licensing System Vendor - Ms. Ponton stated an informal solicitation was issued May 10, 2017, with responses due May 30, 2017. One proposal was received from Albertson Consulting Inc., Big Picture Software. That proposal is presented for consideration of approval of a contract to develop and implement a customized regulatory licensing system for the Board.

Ms. Ponton summarized the proposal, implementation timeline, implementation costs, annual maintenance, and support subscription. Ms. Ponton stated she participated in an on-line demonstration of the program and feels it is very easy to utilize and would meet all the Board's requirements. The implementation includes a full licensing database, on-line renewals and license verification. The company has over 10 years' experience in servicing regulatory Boards and has provided very strong references. If approved, the intent would be to terminate the agreement with GL Solutions upon expiration at December 31, 2017.

Rebecca Bailey-Torres called for a motion. Richard Johnson made the motion to authorize the Executive Director to execute a contract with Albertson Consulting Inc., Big Picture Software, not to exceed \$24,500 for the development and implementation of a regulatory licensing system for the Board; seconded by Tom Rainford. The motion passed unanimously.

FY 18 Budget - Ms. Ponton summarized the proposed FY 18 Budget which includes funding for the purchase of 3 video cameras, the licensing program and biennial audit of FY 16/17 financial statements. Ms. Ponton stated the FY 17 actual revenue and expenses may affect the historical data utilized in developing the FY 18 budget and stated that a revision may be requested after FY 17 year-end information is available.

Rebecca Bailey-Torres called for a motion. Jane McEvoy made the motion to approve the Fiscal Year 2018 budget as presented, seconded by Richard Johnson. The motion passed.

Regulation Review - Rebecca Bailey-Torres directed the members to the proposed regulatory language and asked Loretta Ponton to present.

Ms. Ponton explained the Board's Administrative Procedures codified in NAC 637B.050 through NAC 637B.390 were last updated in 1980, prior to the state administrative procedures act, and are outdated. These sections relate to the process for handling complaints and disciplinary hearings. The proposed new and revised language would bring the Board's regulations into compliance with state laws.

The second set of proposed regulations are new sections, creating the Advisory Committee on Fitting and Dispensing Hearing Aids as a standing committee of the Board. The committee

would be comprised of two (2) Board members and three (3) advisory members who are licensed hearing aid specialists or dispensing audiologists.

Discussion of the need and purpose of the Advisory Committee was held with consensus that there is a continued need for the expertise and input from the dispensing professions on matters relating to fitting and dispensing hearing aids.

Rebecca Bailey-Torres called for a motion on the proposed regulatory language. Tom Rainford made the motion, seconded by Richard Johnson to approve the proposed regulatory language for submittal to the Legislative Counsel Bureau for review and drafting. The motion passed.

Report from Board Chair – Rebecca Bailey-Torres expressed her appreciation for the record to Liz Lynner for her service on the Board. Loretta Ponton stated an appreciation award will be presented to Liz.

Rebecca Bailey-Torres confirmed the next meeting date for Saturday, August 5th in Reno and November 17th by teleconference.

Rebecca Bailey-Torres identified future agenda items as a Public Workshop on the regulations if they are received from LCB prior to the next meeting.

Report from Legal Counsel – Sara Bradley stated she had no report.

Public Comment – There were no public comments.

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

Richard Johnson made the motion, seconded by Tami Brancamp to adjourn. The motion passed. The meeting adjourned at 5:31 p.m.