

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

MINUTES OF PUBLIC MEETING

January 23, 2016

Members Present: Rebecca Bailey-Torres, Nighat Abdulla, Tami Brancamp, Bonnie Lamping, Elizabeth Lynner, Jane McEvoy, Thomas Rainford, Mark Butler
Members Absent: Richard Johnson, Michael Hodes
Staff Present: Loretta L. Ponton, Executive Director
Sara Long, Deputy Attorney General
Public Present: See Attached Listing

Public Hearing - R050-15 – NAC 637B

The Public Workshop was opened at 12:30 p.m. by Loretta Ponton, Executive Director

Ms. Ponton welcomed the individuals in attendance and asked each individual and board members to introduce themselves.

Ms. Ponton provided an introduction to the hearing stating the purpose is to receive comments on regulations R050-15 which is proposed for adoption by the Board. Ms. Ponton stated for the record the public hearing was been posted in accordance with the requirements of the state administrative rulemaking procedures.

Ms. Ponton summarized the proposed regulation; stating that a minor revision was made to clarify the difference between a license type and status of a license from the proposed language heard at the public workshop on November 17, 2015. What was previously identified as an “Active” license has been changed to “Standard” license; the regulation also incorporates the recommendations and comments received at the public workshop.

Ms. Ponton opened the floor for comments, questions and clarifications. The following revisions were recommended:

Sec 10. NAC 637B.0365, subsection 2 - retain the first sentence which was identified for deletion. The paragraph would read:

“2. The reinstatement of a license that has been expired for 30 days or more must not be retroactive. ~~[The reinstatement becomes effective on the date of the approval of the application for reinstatement.]~~ *An application to reinstate a license must be submitted not later than 3 years after the date on which the license expired.”*

No other revisions were suggested; comments were heard in support of the proposed regulation.

The Public Hearing on LCB File R050-15 was closed at 12:45 p.m.

Board Meeting

Call to Order, Confirmation of Quorum - The meeting was called to order at 12:47 p.m. by Rebecca Bailey-Torres. A roll call confirmed a quorum was present.

Public Comment – No comments were heard.

Chair Bailey-Torres stated that agenda item 6 would be heard first to accommodate the representatives of Nevada State College who are present to answer any questions regarding their proposal.

Request for Approval of Program pursuant to NRS 637B.080 - Loretta Ponton stated that Nevada State College has submitted a proposal to expand their current Bachelor level SLP program to include a pre-internship clinical component in partnership with Scottish Rite and is requesting approval of their program so their students will remain exempt from licensure by the Board.

Loretta explained that the Board is requested to consider approval of the program under NRS 637B.080 and that approval will not change the requirements for state licensure or allow graduates of the program to practice outside the educational system.

Rebecca Bailey-Torres welcomed the representatives of Nevada State College and opened the floor for discussion.

Dean Dennis Potthoff and Elizabeth Meyerowitz, Program Coordinator of the SLP program at Nevada State College introduced themselves and stated they would be happy to address any questions from the Board.

Discussion was heard regarding the current SLP program curriculum, the staffing and supervision requirements for students participating in the proposed clinical practicum, qualifications requirements for staff including ASHA certification and state licensure, and student to staff ratios. The clinical practicum would be located at facilities provided and maintained by Scottish Rite at no cost to Nevada State College, the students would not be in “paid” internship positions; Scottish Rite Foundation provides free clinical speech services focused primarily on children and has partnerships with educational institutions throughout the United States.

Dean Potthoff stated Nevada State College intends to pursue a master’s level speech-language pathology program which had previously been approved by the Nevada System of Higher Education in 2008 but did not get off the ground due to the recession. When the master’s program is instituted, the clinical program would be incorporated into that curriculum as well.

Elizabeth Meyerowitz explained that the clinical program is in the developmental stages, they were seeking Board approval before finalizing all the details; stating they would be happy to keep the Board informed as to the status as it moves forward.

There was Board census the program as presented appears to be appropriate and would be beneficial to the students seeking a degree in speech pathology.

Bonnie Lamping made the motion to approve the Nevada State College program including the pre-internship clinical practicum as proposed, with annual reports of status and progress to be provided to the Board. Jane McEvoy seconded the motion. The motion passed.

LCB File No. R050-15 - Consideration of Public Comments - The Board considered comments received at the Public Hearing. No additional comments were heard.

Adoption of Regulations, LCB File No. R050-15 - Tami Brancamp made the motion, seconded by Thomas Rainford, to adopt R050-15 with revision to Sec 10 as discussed at the public hearing. The motion passed.

Approval of Minutes - Rebecca Bailey-Torres asked if there were any corrections or revisions to the minutes of the meeting of November 21, 2015. Hearing none, called for a motion.

Nighat Abdulla made the motion, seconded by Thomas Rainford to approve the minutes of November 21, 2015 as presented. The motion passed.

Establishment of Board Salary - Rebecca Bailey-Torres asked Loretta Ponton to present. Loretta Ponton stated Sec 46 of AB115, revised NRS 637B.130 to allows the Board to set a salary amount for board members up to a maximum amount of \$150.00 per day. The previous salary for Board activities was set at \$60.00 by the Board of Examiners for Speech Pathology and Audiology.

A review of other Board salaries found that some Boards use the maximum allowable; other pro-rate by a set number of hours and others pay at \$18.75 per hour.

After discussion of the different options, there was consensus that the salary should be pro-rated.

Elizabeth Lynner made the motion, seconded by Nighat Abdulla, to establish a board salary at \$75.00 for teleconference meetings and \$150.00 for all other activities. The motion passed.

Personnel Policies and Procedures Manual - Rebecca Bailey-Torres asked Loretta Ponton to present.

Loretta Ponton stated the personnel policies and procedures manual adopted 7/1/14 has been updated and revised. The revisions updated the Board's name, add an optional benefit to participate in a deferred compensation program; updated the class specification for the previous licensing specialist position to include administrative functions and title change to Assistant to the Executive Director / Licensing Specialist; and revises the salary range of that position to reflect the additional responsibilities. Loretta stated the needs of the Board have required the position to evolve from a part-time 10-15 hour per week data entry/licensing function to a more comprehensive assistant position in addition to licensing functions. The position's hours will be increased to 25 - 30 hours per week.

Loretta reported that with approval of the personnel policies and procedure, the Executive Director will have the authority to determine the wage rate within the range approved by the Board for any person hired to fill the position. The current licensing specialist has tendered her resignation, and the position will be filled under the new job classification.

Elizabeth Lynner made the motion, seconded by Tami Brancamp to approve the personnel policies and procedures manual as presented. The motion passed.

Contract Performance Review, Lorylynn Ltd. - Rebecca Bailey-Torres stated that the Executive Director position is a contract position and the Board does a performance review or evaluation each year. The last evaluation was done in January of 2015. Rebecca asked Loretta if she would like to present any information.

Loretta stated that the review period covered 2015 services which was the final year on her initial 4 year contract with the Board. There is a remaining balance of \$2,342.60 on that contract; the Board has awarded an additional 4 year contract for her services, effective January 1, 2016.

Historically, the Board has approved a performance award of 15% for outstanding service in each of the previous 3 years. The performance award requested, if the Board determines services have been satisfactory, is again 15% plus the remaining balance on the prior contract.

Loretta Ponton provided a summary of her achievements during 2015 which include extensive time and effort into passage of the Board's bill AB115, transition of the Hearing Aid Board functions, facilitating workgroups and workshops for implementation of the new law and development of implementing regulations; establishing policies, procedures and new licensing forms for all disciplines; updating specification for the GL Suite licensing system incorporating the new license types in addition to maintaining and enhancing working relationships with constituents and legislators. Loretta stated that her performance over the past year speaks for itself and is reflected in the composition and achievements of the new Board.

Bonnie Lamping asked whether the Board had the financial resources to support the requested amount. Ms. Ponton replied that the Board has sufficient existing funding in reserves; the projected revenue in the future has not as yet been determined as this is the first year under the new structure.

Discussion was heard from each member regarding the performance of the Executive Director, with a consensus that Loretta Ponton's service to the Board warrants a performance award.

Thomas Rainford made a motion, seconded by Nighat Abdulla to approve a performance award of 15% plus the remaining balance on the previous contract as requested. The motion passed.

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

Loretta Ponton directed the members to the written report and summarized the licensure statistics as of December 31, 2015, reporting there are 1020 licensees as of that date.

Ms. Ponton summarized the 2nd Quarter FY 16 financial reports stating revenue is at 47.52% of budget and expenses at 58.49% of budget, noting that travel expenses are higher due to the size of the new Board and one-time expenses reflected in the first half of the year. Cash assets totaled \$240,194 combined from checking and savings accounts. Ms. Ponton also noted that it is projected that personnel costs will exceed budget due to an increase in hours of the assistant/licensing specialist position necessary due to the addition of hearing aid specialists.

Ms. Ponton reported this first year will provide a baseline for future budgets; the current budget was developed prior to the passage of the new law and new Board structure.

Ms. Ponton reported that the endorsement for dispensing has been added to Audiology licenses and all hearing aid specialists and apprentices are now in the GL Suite system and may be verified on-line.

Ms. Ponton reported that the International Hearing Society will release an updated ILE licensing examination on May 1, 2016.

Rebecca Bailey-Torres asked if there were any questions; hearing none called for a motion.

Tami Brancamp made the motion, seconded by Jane McEvoy to accept the Executive Director's report. The motion passed.

Report from Board Chair – Rebecca Bailey-Torres directed the members to the proposed meeting dates in the packet and asked if there were any conflicts. Nihat Abdulla stated she would not be available April 30th and Rebecca Bailey-Torres stated she is not available November 5th but Tami Brancamp can Chair that meeting if necessary. Hearing no other comments, the Board meeting dates for 2016 were established as follows: April 30, 2016 and July 30, 2016 in Reno; November 5, 2016 in Las Vegas.

Loretta Ponton stated that dependent upon agenda items, meetings may be held by teleconference if an in-person meeting is not required. The adoption of the remaining regulations is anticipated to be on the April 30th agenda; however, if the regulation drafting is not completed by LCB in time to meet the 30 days posting requirement, it would be delayed until the July 30th meeting.

Rebecca Bailey-Torres stated that she would like members to consider attending the National Council of Boards of Examiners (NCSB) conference in New Mexico in October, 2016. The “board member orientation” session for new board members is extremely informative and would benefit new members. Tami Brancamp stated she would be interested in attending that conference. Rebecca Bailey-Torres asked members to let Loretta know if they would be interested as sufficient travel funds would need to be included in the new budget.

Report from Legal Counsel – No report.

Public Comment – There were no public comments.

Adjournment – Rebecca Bailey-Torres called for a motion to adjourn. Elizabeth Lynner made the motion to adjourn, seconded by Nighat Abdulla. The motion passed. The meeting was adjourned at 2:45 p.m.

Public Workshop Attendance
Public Present

Paula Berkley
Charles Adams
Renee Erno
Elizabeth Meyerowitz

Board Meeting Attendance
Public Present

Paula Berkley
Charles Adams
Dennis Potthoff
Elizabeth Meyerowitz
David Grugo