

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

MINUTES OF PUBLIC MEETING

November 21, 2015

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

Public Workshop – NAC 637B

The Public Workshop was opened at 9:35 a.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 workshop stating the purpose is to solicit comments on proposed regulations which revise provisions concerning the requirements for licensure, renewal and reinstatement of a license, fitting and dispensing hearing aids, standards of practice and professional conduct and continuing education requirements and other items relating to the Board. Ms. Ponton explained the proposed regulations are required as a result of passage of AB115 which added the hearing aid specialists and apprentices to the professions governed by the Board. The proposed revisions were developed through input of various stakeholders who actively participated in work groups, and meetings; those stakeholders included hearing aid specialists, dispensing audiologists, and representatives of the International Hearing Society as well as representative members of the Board.

The first set of regulations have been assigned LCB File No. R050-15 and pertain primarily to the licensing requirements; the second set of regulations has not as yet been submitted to LCB for review, pending the outcome of this public workshop. These regulations include the dispensing and fitting of hearing aids and the apprenticeship program as well as continuing education, standards of practice and professional conduct.

Ms. Ponton summarized each section of the proposed regulations and opened the floor for comments, questions and clarifications as each section was being reviewed. The following revisions were recommended:

LCB File No. R050-15

Sec. 5 NAC 637B.036 – include “provisional” license as well as “active” license in paragraph 1
Add a new paragraph 4 limiting the renewal of a provisional hearing aid specialist license to one time. The intent is to align the time period with the two year experience requirement for eligibility for national certification.

Sec 7 NAC 637B.040 – repeal entire section which is no longer applicable.

Additional Proposed Regulations

Sponsor of an apprentice; responsibilities, supervision – revise the 3 year experience requirement to reflect it must be as a licensed hearing aid specialist or dispensing audiologist;

Extensive discussion was heard regarding levels of supervision of an apprentice, signing of documentation, and limitations on apprentices maintaining, running or operating an office. There was consensus to reword these sections to clarify the intent, establish graduated levels of supervision and responsibilities with approval of the board.

It was recommended to title the section on the apprentice program to read “Hearing Aid Apprenticeship Program” to provide clarity.

On-Site Training and Work Experience, minimum requirements – remove the hours per year reference.

Standards of Practice – a dispensing audiologist or hearing aid specialist shall- revise paragraphs 3. (a), 4 and 5 to reference “calendar” days; delete paragraph 6.

NAC 637B.400 – require 15 hours of continuing education for all disciplines;

NAC 640B.430 – add military service in paragraph 2. as an extenuating circumstance for waiver of continuing education requirements.

The public hearing was closed at 12:00 p.m.

Ms. Ponton stated the meeting would reconvene at 1:00 for the Regular Board Meeting.

Board Meeting

Call to Order, Confirmation of Quorum - The meeting was called to order at 1:20 p.m. by Rebecca Bailey-Torres. A roll call confirmed a quorum was present.

Public Comment – No comments were heard.

New Board Member Orientation – Loretta Ponton provided an overview and orientation to the Board for the new Board members.

Election of Chair and Vice Chair – After review of the responsibilities of each position, Bonnie Lamping made the motion, seconded by Elizabeth Lynner to re-elect Rebecca Bailey-Torres as the Chair of the Board. The motion passed unanimously. Nighat Abdulla made the motion, seconded by Jane McEvoy to elect Tami Brancamp as Vice-Chair. The motion passed unanimously.

Appointment of Advisory Members – Ms. Ponton provided a summary of the role and responsibilities of an advisory member, stating that Mr. Mark Butler and Mike Hodes have requested consideration for appointment to the Board as advisory members. Ms. Ponton stated that both individuals have been extremely involved and have worked closely with the Board and participated as workshop members.

Mr. Tom Rainford made the motion, seconded by Jane McEvoy to appoint Mark Butler, BC-HIS and Michael Hodes, Dispensing Audiologist as Advisory Members of the Board. The motion passed unanimously.

Approval of Minutes – Rebecca Bailey-Torres asked if there were any corrections, revisions or deletions to the minutes of October 9, 2015. It was noted that Rebecca and Nighat are the only current members who were at the October meeting as that meeting was held prior to the appointments to this Board. Rebecca and Nighat stipulated the minutes reflect the actions taken at the October 9, 2015 meeting. Mr. Tom Rainford requested a clerical correction to the spelling of his name as listed under public present.

Tom Rainford made the motion, seconded by Nighat Abdulla to approve the minutes of October 9, 2015 as corrected. The motion passed.

Biennial Audit of the Board of Examiners for Audiology and Speech Pathology – Fiscal Years 2014 and 2015 – Rebecca Bailey-Torres stated Beth Farley of Kohn & Company will present the audit report. Ms. Farley joined the meeting by teleconference.

Ms. Farley directed the members to the Audit Report and summarized the applicable sections of the audit. After discussion, Ms. Farley concluded the audit was very clean and there were no items of concern or non-compliance to report.

Elizabeth Lynner made the motion, seconded by Nighat Abdulla to approve the Biennial Audit Report for FY 2014 and 2015. The motion passed.

Application for Licensure as an Apprentice – James Forehand.

Ms. Ponton asked Mr. Forehand if he would like the Board to go into closed session. Mr. Forehand answered he had no objection to having his application considered in open session.

Ms. Ponton provided the members with a Statement of Facts and Application for review, stating the application is before the Board for consideration as the applicant has prior legal history.

After review of the documentation, Mr. Forehand was asked to explain the circumstances outlined in the statement of facts and documentation. Discussion was heard regarding the length of time since the occurrence, the mitigating factors involved and the resolution and restitution

that had been made. It was noted that there has been no re-occurrence or other legal matters since the conviction in question.

Tami Brancamp made the motion, seconded by Tom Rainford to approve Mr. Forehand's Application for licensure as a Hearing Aid Apprentice. The motion passed unanimously.

Consensus Statement with the Board of Occupational Therapy – Rebecca Bailey-Torres stated that she had been invited by the Board of Occupational Therapy to attend their Board retreat in August wherein the OT Board discussed and developed a document Productivity and Ethical Considerations, Best Practices Guidelines. Rebecca stated that at the national level, ASHA, AOTA and APTA have a joint consensus statement on this topic.

Loretta Ponton stated that the OT Board would like to have both this Board and the Nevada Board of Physical Therapy consider adopting a similar consensus document at the State level. A workgroup would be put together comprised of members from each Board representing SLP, OT and PT professions. The OT Board document would set the groundwork for the consensus paper.

Bonnie Lamping and Tami Brancamp volunteered to participate. Loretta Ponton stated she would coordinate with the OT and PT Boards.

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

Loretta Ponton stated the contract for Legislative Services with Paula Berkley expires January 15, 2016, and there is a need for continued services to assist with regulations and represent the Board at legislative meetings. An amendment to the current contract in the amount of \$12,000 to extend the contract through January 31, 2017 is requested.

Tom Rainford made the motion, seconded by Elizabeth Lynner to approve an amendment to the contract with Paula Berkley as recommended. The motion passed.

Ms. Ponton summarized the 1st Quarter FY 16 financial reports stating the reports include the transactions related to the closing of the Hearing Aid Board; with the remaining funds transferred to the Board's bank account. The HAB funds related to license renewals were allocated to deferred revenue with the balance added to the retained earnings account.

Ms. Ponton reported that license renewals for audiologists and speech-language pathologist is in process and moving smoothly. The endorsement for dispensing will be added to the Audiology licenses after license renewal to facilitate the on-line renewal for those audiologists. The GL Suite system has not yet been updated to allow on-line renewals for "dispensing".

Report from Board Chair – Rebecca Bailey-Torres reported the National Council of Boards of Examiners (NCSB) holds a conference each year. The NCSB conference will be held in New Mexico in October, 2016. They have a "board member orientation" session for new board members which is extremely informative and would recommend new Board members attend the conference.

The next meeting schedule is tentatively set for January 23rd in Las Vegas. Loretta Ponton stated a public hearing and adoption of regulations would be on that agenda; however, if LCB does not have the final revisions in time, perhaps a teleconference meeting would be possible. After discussion, it was agreed to have a teleconference on January 22rd or an in-person meeting on January 23rd if the regulations are ready. Ms. Ponton will notify the members when a final date is confirmed.

Report from Legal Counsel – Henna Rasul stated she had nothing to report.

Public Comment – There were no public comments.

Adjournment – Rebecca Bailey-Torres called for a motion to adjourn. Tom Rainford made the motion to adjourn, seconded by Bonnie Lamping. The motion passed. The meeting was adjourned at 3:30 p.m.

**Public Workshop Attendance
Public Present**

Paula Berkley
Charles Adams
James Forehand
Sandi Arcus
Steven Brooks
Lori Kunicki
Mark Butler
Melissa Maestas
Ryan Langson

**Board Meeting Attendance
Public Present**

Paula Berkley
James Forehand
Beth Farley (teleconference)