

KENTUCKY LICENSING BOARD OF HEARING INSTRUMENT SPECIALISTS  
BOARD MEETING MINUTES

October 7, 2011  
1:30 PM

A regular Board meeting of the Kentucky Licensing Board for Specialists in Hearing Instruments was held at the Office of Occupations and Professions located at 911 Leawood Drive in Frankfort, KY.

BOARD MEMBERS PRESENT

Steve Clark  
Michael Hoagland  
Gerry Gordon-Brown  
Peter Pearlman  
Faron Blakeman

OCCUPATIONS & PROFESSIONS STAFF

Jeremy Horton, Deputy Executive Director  
Adriana Lang, Board Administrator

BOARD MEMBERS NOT PRESENT

Arthur Azar  
Greg Osetinsky, M.D.  
Debra Drewry  
Lisa Brown

OTHERS PRESENT

Angela Evans – Assistant Attorney General  
John Stephen- Executive Director of the Executive Branch  
Ethics Commission

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CALL TO ORDER

Mr. Clark called the meeting to order at 1:40 PM.

ETHICS TRAINING

Mr. John Steffen, Executive Director from the Executive Branch Ethics Commission spoke to the Board regarding the Executive orders 2008-454 and 2009-882 . Mr. Steffen discussed the Prohibition against Self Dealing, Obligation to disclose and abstain and Acceptance of gifts. Mr. Steffen informed the Board that (1) no member of a state policy-making or regulatory board or commission, personally or through a business of which the member owns or controls an interest of more than five percent (5%), or by any other person for the member's use or benefit (spouse), may hold or enjoy, in whole or in part, any contract, agreement, lease, sale, or purchase made, entered into, awarded, or granted by the board, commission, authority, council or committee on which he or she serves. (2) A state policy-making or regulatory board or commission member must disclose to other members of the board, commission, authority, council or committee of which he or she is a member, any direct or indirect interest in any undertaking that puts the member's personal interest in conflict with that of the board or commission on which he or she serves and if a member who is required to publicly disclose a direct or indirect interest is required to abstain from all decisions concerning his or her interest if the decision will affect him or her as a member of a business, profession, occupation, or group differently from other members of the business, profession, occupation or group. (3) Members of policy-making or regulatory boards and commissions are subject to the gift rules applicable to executive branch public servants found in KRS 11A.045(1). A board or commission member, and his or her spouse and dependent children, are prohibited from accepting gifts, including but not limited to travel expenses, meals alcoholic beverages, and honoraria, totaling a value of more than \$25.00 per source, in a single calendar year, from any person or business that is: (1) Doing business with (2) Regulated by (3) Seeking grants from (4) Involved in litigation against (5) Lobbying, or (6) Attempting to influence the actions of the board, commission, authority, or council on which the member serves. Mr. Steffen discussed the Advisory Opinion 08-16 and Advisory Opinion 09-12. No actions were taken.

APPROVAL OF MINUTES

The minutes from the August 4, 2011 meeting were reviewed. Mr. Pearlman made a motion to approve the minutes. Mrs. Gordon-Brown seconded the motion. The motion carried unanimously.

FINANCIAL REPORT

Following the review of the financial report, Mr. Pearlman made a motion to accept the financial report as submitted. Mr. Hoagland seconded the motion. The motion carried unanimously.

OFFICE OF OCCUPATIONS AND PROFESSIONS REPORT

Jeremy Horton provided the following report:

- 1) Correspondence from Jon Durkin regarding Vicky Durkin's license. Mr. Blakeman made a motion for a staff member to send a letter in response to Ms. Durkin. The motion, seconded by Mr. Pearlman, carried unanimously.
- 2) Provided an updated on the new financial report and a detailed explanation of the breakdown categories.
- 3) Discussed a Memorandum that was sent from the Executive Director, Shannon Tivitt, to all members of the Board stating that the Boards under the Office of Occupations and Professions will no longer utilize the Office of Inspector General (OIG) for investigative services, he further explained that moving forward each Board will have to follow the Kentucky State Guidelines when there is a need to hire an investigator.
- 4) Discussed a memorandum from Ms. Tivitt stating that the Office of Occupations and Professions hired two new supervisors, and with an update with the budget process. He asked the members to submit any input regarding the budget to the Board office by November 1, 2011.
- 5) Mr. Clark stated that he did not receive his per diem for the month of June. Mr. Horton stated that he will check into the matter.

ATTORNEY'S REPORT

Ms. Evans provided the Board drafts of proposing amended language of 201 KAR 7:040 Examination and 201 KAR 7:075 Continuing Education Requirements. The Board reviewed and discussed both documents.

OLD BUSINESS

The Board reviewed Lynzee Alworth's application for licensure. Mr. Horton brought to the Board's attention that there were some administrator errors made during of Ms. Alworth's application's process, he discussed the matter and asked the Board to provide guidance as to her current application status. Mr. Pearlman made a motion to approve Ms. Alworth's license and to send her an apology letter for the delay. The motion seconded by Mrs. Gordon-Brown, carried unanimously.

NEW BUSINESS

Mr. Clark recused himself from discussion of a correspondence from Robert Holland and he left the room at 3:40 p.m. Mr. Clark returned to the room at 3:43 p.m.

The Board reviewed a correspondence from Robert Holland. Mr. Pearlman made a motion to give Mr. Holland a one year extension to obtain ten (10) hours of continuing education as required by 201 KAR 075 (3). The motion, seconded by Mr. Blakeman, carried. Mr. Pearlman made a motion to reinstate Lisa Schultz apprentice license #11-04 allowing her to begin on stage two under the sponsorship of Robert Holland. The motion, second by Mr. Blakeman, carried.

The Board reviewed correspondence from Brooke Freeman Dinsmore requesting change in sponsorship. Mrs. Gordon-Brown made a motion to approve Robert Manning as Ms. Dinsmore's new sponsor. The motion, seconded by Mr. Hoagland, carried unanimously.

The Board reviewed an informational correspondence from Kim Kain regarding the 2011 KY Employees Charitable Campaign (KECC).

The Board reviewed an informational correspondence from Debra Davidson regarding the Kentucky Deferred Comp.

The Board reviewed informational e-mails from Amy Cole.

The Board reviewed an e-mail from Elizabeth LeCompte stating that the mileage reimbursement will remain 47¢ per mile.

COMPLAINTS

The following report and recommendations were made by the Complaint Committee:

2011-05 – Dismissed no violation.

2011-06– Ongoing.

Janice Keen – Ongoing

Mr. Hoagland made a motion to accept the Complaint Committee recommendations at today’s meeting. Mr. Gordon-Brown seconded the motion. The motion carried unanimously.

APPLICATION REVIEW

The application committee made a recommendation that the following applications be approved:

Apprentices:

Alanda Johnson under the sponsorship of Harold Strange

Mary San Miguel under the sponsorship of Tonya Barlow

Sit for the Exams:

Jennifer Dively

Karen Kallio

CONTINUING EDUCATION

No CEU applications were submitted for review.

APPROVAL OF TRAVEL AND PER DIEM

Mr. Hoagland made a motion to approve the travel and per diem. The motion was seconded by Mrs. Gordon-Brown. The motion carried unanimously.

NEXT MEETING

Mr. Clark reminded the Board that the next meeting is scheduled for Thursday, December 1, 2011, the next exam will December 2, 2011. The complaint committee will meet at 12:30 p.m. with the regular meeting of the Board meeting beginning at 1:30 p.m.

ADJOURNMENT

Having no further business before the Board, Mr. Hoagland made a motion that the meeting would be adjourned at 4:35 p.m. The motion was seconded by Mrs. Gordon-Brown. The motion carried unanimously.