

KENTUCKY LICENSING BOARD OF HEARING INSTRUMENT SPECIALISTS  
BOARD MEETING MINUTES

August 9, 2018  
1:30 p.m.

A regular board meeting of the Kentucky Licensing Board for Specialists in Hearing Instruments was held at the Department of Professional Licensing located at 911 Leawood Drive in Frankfort, KY.

**BOARD MEMBERS PRESENT**

Michael Stone  
Deanna Frazier  
Travis Corder  
Tobie Brown  
Lisa Nelson Brown  
Michael Hoagland  
Gregory Thompson  
Arun Gadre

**DPL STAFF**

Isaac VanHoose, Commissioner  
Megan Woodson, Board Administrator  
Aubrey Vaughan

**OFFICE OF THE ATTORNEY GENERAL**

Carson Kerr, Office of Legal Services

**BOARD MEMBERS ABSENT**

Faron Blakeman

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**CALL TO ORDER**

Mr. Stone called the meeting to order at 1:34 p.m.

**APPROVAL OF MINUTES**

The minutes from the June 8, 2018 meeting were reviewed. Mr. Hoagland made a motion to approve the June minutes. Ms. Nelson Brown seconded the motion. The motion carried unanimously.

**FINANCIAL REPORT**

The financial reports for June and July were reviewed.

**DPL REPORT**

Commissioner VanHoose discussed the Board Budget and the Memorandum of Agreement (MOA) for FY19/20. The increased administrative fee was briefly discussed. Ms. Tobie Brown made a motion to sign the MOA (FY 19/20). Mr. Thompson seconded the motion. The motion carried unanimously.

Commissioner VanHoose also advised that DPL has increased staffing, and that Aubrey Vaughan will be taking over as board administrator.

There was also discussion on how to offset the increased administrative fees. Mr. Hoagland made a motion for Mr. Kerr to do research on increasing board mailing list fees and the possibility of certifying whether the list is for commercial purposes. Dr. Gadre seconded the motion. The motion carried unanimously.

## **BOARD ATTORNEY REPORT**

Mr. Kerr presented information regarding the Kentucky General Assembly's changes to Kentucky's Open Meetings Laws. KRS 61.826 was amended to allow the use of video teleconferencing for any public meetings of Kentucky boards. KRS 61.826 was further amended regarding noticing meetings conducted by video teleconference so as to clearly state the meeting will be conducted by video teleconference and the primary location where all participants in the meeting may be seen and heard. Finally, KRS 61.810 was amended to add an exemption to the open meetings requirements regarding records related to an ongoing procurement process.

## **OLD BUSINESS**

The Legislative Review Committee had nothing new to report. It will continue to review regulations and the drafted amendments for future discussion.

The Board discussed hiring an investigator via the Request for Proposal (RFP) process. The Board wishes to use an investigator to investigate complaints and to ensure that licensees are complying with board laws such as following the appropriate stages during an apprenticeship and maintaining proper supervision. At the June 8, 2018 meeting, a motion carried unanimously to issue an RFP for an investigator. Ms. Woodson and Ms. Vaughan will check with the fiscal department on the status of the RFP.

The Board also discussed an update on over-the-counter sales. Mr. Stone explained that when the federal bill passed legalizing OTC sales, a plethora of companies started selling OTC hearing aids. However, FDA is still formulating regulations, and no one knows at this point exactly how those regulations will end up. However, FTC did tell companies to stop their sales, as FTC found them to be operating illegally until the final regulations allowing the sales are issued.

## **NEW BUSINESS**

The Board discussed who will be serving on each committee. Mr. Stone and Mr. Corder are on the Complaints Committee. Mr. Blakeman and Mr. Thompson are on the Legislative Review Committee. Ms. Nelson Brown is handling Renewals and CE Providers for the Applications Committee, and Mr. Hoagland is handling Applications. The Board noted they had previously discussed an Exam Committee, composed of Ms. Frazier and Mr. Stone. Ms. Nelson Brown will serve on the Exam Committee as well.

The Board reviewed two email inquiries. The first inquiry was whether a certain company can administer a hearing test, but not for the purposes of billing it as a diagnostic. The Board determined that the company can administer the test for testing and evaluating, but the question of whether the company can bill for the test is one for the insurance company, not the Board, to decide. The second inquiry was whether attendants are allowed to clean aids and return them to clients without a specialist present in the office. The Board determined that attendants are allowed to clean aids, change batteries, and return them without a specialist being present in the office. Ms. Woodson and Ms. Vaughan will respond to the emailed inquiries.

The Board discussed the 2018 IHS Convention and Expo.

## **COMPLAINTS**

The Complaints Committee made the following recommendations:

2017-08 – Mr. Kerr advised that this licensee is no longer practicing in the state of Kentucky and will file a note on this person requiring the person to contact the Board if the person ever comes back to Kentucky to practice.

2017-09 – Ongoing

2018HIS00002 – Ongoing

## **APPLICATIONS**

All apprentice permit and license applications were reviewed. Mr. Hoagland made a motion that all applications be approved. Ms. Nelson Brown seconded the motion. The motion carried unanimously.

The Board reviewed two renewal applications. The Board determined the first applicant needs to provide proof of five CEUs from the approved list and a calibration certificate. The second applicant's check previously bounced, and the Board gave her an extension until June. Her check was not replaced until the end of July. She is deficient in her CEU hours but is now past the extension deadline. The Board determined she can reapply when she has sufficient CEUs. Ms. Nelson Brown made a motion to defer both renewal applications until the applicants have satisfied these requirements. Ms. Tobie Brown seconded the motion. The motion carried unanimously.

The Board reviewed one application for CE from Beltone. Ms. Nelson Brown recommended to approve as five hours accepted from any source. Ms. Nelson Brown made a motion to approve the application. Mr. Thompson seconded the motion. The motion carried unanimously.

## **APPROVAL OF TRAVEL & PER DIEM**

Mr. Hoagland made a motion to approve travel and per diem for the August 9, 2018 meeting. Mr. Thompson seconded the motion. The motion carried unanimously.

## **NEXT MEETING**

The next meeting is scheduled for October 12, 2018 at the Board office. Committees will meet at 12:30 p.m., with the regular meeting of the Board beginning at 1:30 p.m. The next exams are scheduled for August 10, 2018 at the Kentucky Transportation Cabinet.

## **ADJOURNMENT**

Having no further business before the Board, Mr. Stone made the motion that the meeting be adjourned at 3:32 p.m. Ms. Nelson Brown seconded the motion. The motion carried unanimously.

Minutes prepared by Aubrey Vaughan  
August 14, 2018