

**KENTUCKY LICENSING BOARD OF HEARING INSTRUMENT SPECIALISTS
BOARD MEETING MINUTES**

**February 5, 2010
2:00 p.m.**

A regular Board meeting of the Kentucky Licensing Board for Specialists in Hearing Instruments was held at the Division of Occupations and Professions in Frankfort, Kentucky on February 5, 2010.

BOARD MEMBERS PRESENT

Steve Clark
Charlie Robinette
Mike Stone
Brian Schreiner
Gerry Gordon-Brown
Lisa Brown
Dr. William Brown

OCCUPATIONS & PROFESSIONS STAFF

Francis Short, Executive Director
David Garr, Deputy Executive Director
Carolyn Benedict, Board Administrator

BOARD MEMBERS NOT PRESENT

Greg Osetinsky, M.D
Arthur Azar

Angela Evans – Assistant Attorney General

CALL TO ORDER

Mr. Clark called the meeting to order at 2:40 p.m.

Mr. Clark called for nominations for the election of new Board officers. Mr. Clark was re-elected as Board Chair. Mr. Robinette was elected as Vice Chair. Ms. Brown was re-elected as Secretary.

APPROVAL OF MINUTES

Mr. Stone made a motion to approve the minutes from the December 3, 2009 Board meeting. Dr. Brown seconded the motion. The motion carried.

FINANCIAL STATEMENT

Following review of the financial statement Ms. Gordon-Brown made a motion to accept the financial statement as submitted. Mr. Schreiner seconded the motion. The motion carried.

DIRECTOR'S REPORT

Ms. Short presented the Board with a new formula for calculating administrative fees the Board would pay to the Office of Occupations and Professions. Administrative fees for Fiscal Year 2011 will be going down from \$25,800 to \$14,555. The Board accepted this information favorably.

OLD BUSINESS

Board members reviewed the revised hearing instrument troubleshooting exam and made edits and revisions as needed. It was agreed that the revised exam be used for the April 2, 2010 exams.

Board members also reviewed the revised audiometric exams and made edits and revisions as needed. Mr. Stone will submit the additional remaining questions when they are completed and the board hopes to be able use the revised exam in April as well.

Mr. Clark reported that he is continuing to work on the written laws and regulations exam revision. He wasn't positive the exam would be ready in time for the April exams.

Ms. Evans will have the continuing education regulation in its final format for the April 1, 2010 board meeting.

NEW BUSINESS

The Audit Review Committee, consisting of Ms. Brown and Mr. Robinette, gave a report on the results of their audits of renewal applications. One of the biggest issues found during their audit was the fact that licensees were not abiding by the regulation concerning continuing education. There seemed to be quite a bit of confusion with regard to people getting

all 10 hours of continuing education from one of the entities listed in 201 KAR 7:075. The review committee had the renewals returned that were not in compliance with the regulation.

Another matter was licensee's charging clients with non-refundable earmold fees. In 2006, the board issued an interpretation stating that the earmold was considered to be an integral part of the hearing aid and therefore, should be included in the total cost of the hearing aid and subject to the 10% refund upon cancellation of the purchase agreement.

The question was raised during the review process as to whether or not the Purchase Agreement and Delivery Statement had to be two separate documents. Upon review of the statutes and regulations it was determined that as long as all the information required was included on one documents, that one document would be acceptable.

It was agreed that another audit review committee would be appointed next year at renewal time to audit as many as possible. After that, the Board would consider auditing only a certain per cent each year in order to maintain compliance with the law.

Correspondence from Steve Barlow was reviewed. Mr. Barlow was responding to the Board's request to remove language with regard to "non-refundable earmolds" from the purchase agreement. Upon review of Mr. Barlow's correspondence it was the opinion of the Board that the language be removed from their documentation. Ms. Benedict was asked to draft a letter on behalf of the Board informing Mr. Barlow of their decision.

COMPLAINTS

The following recommendations were made by the complaint committee.

09-011A – Notice of Hearing and formal charges filed
09-011B – Notice of Hearing and formal charges filed
09-012A – Notice of Hearing and formal charges filed
09-012B – Notice of Hearing and formal charges filed
09-018 – Dismissed
09-019A – Ongoing
09-019B – Ongoing
09-020 – Dismissed
09-021A – Ongoing

Mr. Stone seconded the motion. The motion carried.

APPLICATION REVIEW

Mr. Stone made a motion that the following be approved:

Phillip B. Klapper, MD under the sponsorship of Patricia Klapper

Ms. Brown seconded the motion. The motion carried.

CONTINUING EDUCATION

Ms. Brown made a motion that the following application for continuing education be approved for 5 hours:

Beltone "Practical Fitting Applications"

Ms. Gordon-Brown seconded the motion. The motion carried.

APPROVAL OF TRAVEL & PER DIEM

Dr. Brown made a motion to approve the travel and per diem. The motion was seconded by Mr. STone. The motion carried.

NEXT MEETING

Next Board meeting is scheduled for Thursday, April 1, 2010. Complaint Committee will meet at 1:00 p.m. Board meeting will meet at 2:00 p.m. Exams will be given on Friday, April 2, 2010.

ADJOURNMENT

Having no further business before the Board, Mr. Schreiner made a motion that the meeting be adjourned at 4:50 p.m. The motion was seconded by Ms. Gordon-Brown. The motion carried.

Approved
April 1, 2010