

COPY



Ohio Board of Speech-Language Pathology and Audiology

77 South High Street, 16th Floor
Columbus, Ohio 43266
614-466-3145

July 9, 2002

Regina Ann Hamilton
613 Millville-Oxford Road
Hamilton, Ohio 45015

RE: Case # A02-25

ADJUDICATION ORDER

This matter came on for hearing before the Ohio Board of Speech-Language Pathology and Audiology (hereinafter "Board") on May 22, 2002. The following Board members were present: Jane Kukula, Au.D., Chairperson; Cindy Satterfield, MA, Vice Chairperson; Debra Abel, Au.D.; Patrick Mangino, MA; Judith Harvey, Ph.D., public member; Ann Glaser, MA; Ann Shotwell, public member; Carol Leslie, Ph.D. Ms. Satterfield recused herself from participating in the hearing and subsequent deliberations.

Regina Ann Hamilton (hereinafter "Ms. Hamilton") was duly notified of an Opportunity for Hearing in accordance with Chapter 119, Ohio Revised Code, by certified mail mailed to her at the above address on March 14, 2002. Ms. Hamilton did not request a hearing. Accordingly, the May 22, 2002 hearing was pursuant to the court decision in *Goldman vs. Ohio State Medical Board* (1996), 110 Ohio App.3rd 124 (Franklin Co.).

Ms. Hamilton was not present at the hearing. Assistant Attorney General Barbara Petrella was present on behalf of the Board.

The purpose of the hearing was to determine whether to grant Ms. Hamilton's application for licensure as a speech-language pathologist pursuant to Section 4753.08, Ohio Revised Code. That section authorizes the Board to waive examination and educational requirements for certain applicants, including the applicants who meet the following provision:

- (D) On January 1, 2001, holds a current certificate, except a temporary certificate, if the certificate is in good standing in the area in which licensure is sought and if an application providing bona fide proof of the certificate is filed with the board on or after January 1, 2001, but before January 1, 2002. Notwithstanding division (A) of section 4753.11 of the Revised Code, the board shall not charge a licensure fee for a license issued by waiver to the holder of such certificate. As used in this division, "certificate" means a certificate issued by the Ohio department of education to an applicant to serve as a speech and hearing therapist, a school speech-language

pathologist, a school audiologist, or any equivalent position for which a certificate is issued by the Ohio department of education.

The following exhibits were admitted into evidence:

- State's Exhibit A: Notice of Opportunity for Hearing to Regina Ann Hamilton, dated March 14, 2002, and certified mail return receipt
- State's Exhibit B: Letter to Regina Ann Hamilton, dated April 29, 2002, notifying her of the May 22, 2002 hearing
- State's Exhibit C: Application for licensure submitted by Regina Ann Hamilton
- State's Exhibit D: Copy of the State of Ohio Department of Education certificate, issued April 5, 2001 and valid from July 1, 2001, submitted by Regina Ann Hamilton as part of her application for licensure

The following witnesses testified:

Sallie J. Debolt, Executive Director, Ohio Board of Speech-Language Pathology and Audiology

Upon consideration of all the evidence and testimony presented, the Board concludes that the allegations contained in the Notice of Opportunity for Hearing dated March 14, 2002 are proven in that Ms. Hamilton's Ohio Department of Education certificate was neither issued by nor effective on January 1, 2001.

Accordingly, it is hereby ORDERED that for the reasons outlined in the March 14, 2002 Notice of Opportunity for Hearing, which is attached hereto and incorporated herein, the application of Regina Ann Hamilton for licensure based upon the waiver provided in Section 4753.08(D), Ohio Revised Code, is DENIED.

This Adjudication Order shall become effective immediately upon receipt.

APPEAL RIGHTS

Section 119.12, Ohio Revised Code, may authorize an appeal from this Adjudication Order. If so, such an appeal may be commenced by **filing the original Notice of Appeal with the Ohio Board of Speech-Language Pathology and Audiology**, 77 South High Street, 16th Floor, Columbus, Ohio 43215, and a **copy of said Notice of Appeal with the proper court of common pleas** as determined under Section 119.12, Ohio Revised Code. Such Notice of Appeal shall contain the Order appealed from and the grounds of said appeal. Such original Notice of Appeal must be

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filed at the Board office and the copy of said Notice of Appeal filed at the proper court of common pleas **within fifteen (15) calendar days** of the effective date of this Order.

By order of the Ohio Board of Speech-Language Pathology and Audiology



SALLIE J. DEBOLT
Executive Director

CERTIFICATION

I hereby certify the forgoing is a true and accurate copy of the Adjudication Order of the Ohio Board of Speech-Language Pathology and Audiology that was entered on its Journal of the 22nd day of May 2002 and that this copy was mailed to Regina Ann Hamilton by certified mail number 70993400001392621552 on this 10th day of July 2002.


SALLIE J. DEBOLT