



Ohio Board of Speech-Language Pathology and Audiology

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

January 7, 2002

David Dinsmore
3755 Martha Road
Kent, Ohio 44240

RE: Case No. C00-13

ADJUDICATION ORDER

This matter came on for hearing at 9:45 a.m. on December 12, 2001 before the Ohio Board of Speech-Language Pathology and Audiology (hereinafter "Board"). The following Board members were present: Jane Kukula, Audiology board member, Chairperson; Cindy Satterfield, Speech-Language Pathology board member, Vice-Chairperson; Ann Glaser, Speech-Language Pathology board member; Carol Leslie, Ph.D., Speech-Language Pathology board member; Pat Mangino, Audiology board member; Debra Abel, Audiology board member, and Judith Harvey, Ph.D., public member.

The hearing was held for the purpose of the Board's review of the evidence on the question of whether or not David Dinsmore's application for a conditional Audiology license, pursuant to Section 4753.071, Ohio Revised Code, should be approved or denied. The hearing was held pursuant to the Notice of Opportunity for Hearing mailed to Mr. Dinsmore by certified mail on February 9, 2001. Mr. Dinsmore did not request a hearing. Accordingly, pursuant to *Goldman vs. Ohio State Medical Board* (1996), 110 Ohio App.3d 124 (Franklin Co.), Mr. Dinsmore could not participate in the hearing or submit additional evidence.

Mr. Dinsmore was not present.

Assistant Attorney General Elissa Miller appeared on behalf of the Board.

The following witness was called on behalf of the Board:
Sallie Debolt, Executive Director, Ohio Board of Speech-Language Pathology and Audiology.

The following exhibits were admitted into evidence:

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| State's Exhibit 1: | Notice of Opportunity for Hearing, dated February 9, 2001, and certified mail return card indicating receipt of the Notice. |
| State's Exhibit 2: | Letter notifying Mr. Dinsmore that the hearing will be held on December 12, 2001. |
| State's Exhibit 3: | Cover letter and application for conditional Audiology license submitted by Mr. Dinsmore bearing the Board's receipt stamp of April 27, 2000. |

State's Exhibit 4: Cover letter from Evelyn Jones, President, Hearing Aids & Devices, an "Absence Report" for David Dinsmore, and two pages titled "Earnings Record" for David Dinsmore.

Assistant Attorney General Miller noted that there were two allegations against Mr. Dinsmore: (1) That Mr. Dinsmore had been convicted of a felony and (2) That Mr. Dinsmore had engaged in the practice of Audiology without a license for the period September 1999 until the beginning of March 2000. She requested that the Board dismiss the allegation that Mr. Dinsmore had previously been convicted of a felony.

Upon consideration of all the evidence and testimony presented, the Board concluded that Mr. Dinsmore's application was complete and demonstrated eligibility for a conditional license, but that he had engaged in the practice of Audiology without a license for the period September 1999 until the beginning of March 2000. By motion, the Board voted to issue Mr. Dinsmore a conditional Audiology license, but to suspend the license for one (1) year.

Therefore, it is hereby ORDERED by the Ohio Board of Speech-Language Pathology and Audiology that David Dinsmore be issued a conditional Audiology license, but that upon issuance the license be immediately suspended until December 13, 2002, a period of one year.

This Adjudication Order shall become effective immediately upon receipt.

APPEAL RIGHTS

This Order may be appealed pursuant to Section 119.12, Ohio Revised Code, **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 43266, 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 filed at the Board office and the copy of said Notice of Appeal filed at the proper court of common pleas **within fifteen (15) days** of the mailing date of this Order.

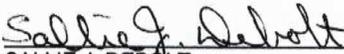
By Order of the Ohio Board of Speech-Language Pathology and Audiology


SALLIE J. DEBOLT
Executive Director

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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 12th day of December, 2001, and that this copy was mailed to David Dinsmore by certified mail number 7099 3400 0013 9262 2351 on this 7th day of January 2002.


SALLIE J. DEBOLT
Executive Director

Cc: Barbara Petrella, Assistant Attorney General
Board Members