



**Ohio Board of Speech-Language Pathology & Audiology
77 South High Street, 16th Floor
Columbus, OH 43215**

Board Meeting Minutes of Wednesday, December 6, 2017

The Regular Business Meeting was called to order at 10:06 a.m. by Vice Chairperson, Carrie L. Spangler, held at the Vern Riffe Center for Government, 77 South High St., 31st Floor – Board Room, Columbus, OH 43215.

Board Members – Roll Call:

Carrie L. Spangler, Au.D., CCC-A, FAAA, Audiology Board Member and Vice Chairperson
Lisa A. Froehlich, Ph.D., CCC-SLP, Speech-Language Pathology Board Member
Angie N. King, Public Member
Helen L. Mayle, Public Member
Barbara L. Prakup, Ph.D., CCC-SLP, Speech-Language Pathology Board Member

Also Present:

Gregg B. Thornton, Executive Director
Connie J. Stansberry, Investigator
Cheryl R. Hawkinson, Senior Assistant Attorney General
Tammy H. Brown, guest

OPEN FORUM FOR PUBLIC AND PROFESSIONAL ORGANIZATIONS

There were no comments from the public or professional organizations.

AGENDA

The agenda for the December 6, 2017, regular board meeting was presented and reviewed.

Motion #1

Ms. Mayle moved to accept the agenda as submitted. Ms. King seconded the motion. The motion passed unanimously.

MINUTES

The minutes of the October 26, 2017 board meeting were reviewed.

Motion #2

Dr. Prakup moved to accept the minutes of the October 26, 2017 board meeting as corrected. Ms. Mayle seconded the motion. The motion passed unanimously.

VICE CHAIRPERSON'S COMMENTS

Carrie Spangler welcomed everyone to the board meeting. She thanked everyone for the opportunity to preside over the last meeting of the board. She appreciated everyone who traveled outside the central Ohio area. She thanked the staff for their hard work during the transition. She expressed appreciation to Tammy Brown for her leadership as Chairperson on the board. She expressed appreciation to Linda Wellman for her service and contributions during her tenure on the board. She also thanked Assistant Attorney General Cheryl Hawkinson for her exemplary legal representation during the past five years.

EXECUTIVE DIRECTOR'S REPORT

Mr. Thomson submitted a written report of significant activities that occurred since the last Board meeting. He provided updates regarding:

- Significant meetings, presentations, and events;
- Legislative and media contacts;
- Year-to-date revenue and expenditures for FY 2018;
- Significant legislation; and
- Board consolidation

LICENSURE APPROVAL – Carrie Spangler

Motion #3

Dr. Spangler moved to ratify the Audiology, Conditional Speech-Language Pathology, and Speech-Language Pathology licenses granted by the Executive Director since the last Board Meeting. Dr. Froehlich seconded the motion. The motion passed unanimously.

License No.	Issue Date	Applicant Full Name
A.02115	11/15/17	Chelsea Morgan Jividen
COND.2017568-SP	10/25/17	Kimberly Nicole Brief
COND.2017569-SP	11/08/17	Megan Hurley
COND.2017570-SP	11/22/17	Kelsey Lee Smith
SP.12853	10/25/17	Katherine Doerner
SP.12854	10/25/17	Monica Lee Stranlak
SP.12855	10/25/17	Hannah Marie Lahiff
SP.12856	10/25/17	Carly A Cacic
SP.12857	10/31/17	Brenda K Logsdon
SP.12858	10/31/17	Jennifer Dawson
SP.12859	11/06/17	Lyndsey Michelle Egelhoff
SP.12860	11/13/17	Chelsea Kay Tomson
SP.12861	11/13/17	Natalie Grace Patton

SP.12862	11/13/17	Miranda D. Boston
SP.12863	11/15/17	Bethany Nicole Graham
SP.12864	11/15/17	Amanda D. Williamson
SP.12865	11/15/17	Brandy Lynn Morrissey
SP.12866	11/15/17	Hannah Roth
SP.12867	11/15/17	Rachel Joanne Moledor
SP.12868	11/15/17	Stevi Rae Smith
SP.12869	11/15/17	Erin Ila Romanski
SP.12870	11/15/17	Kelly Lee Martini
SP.12871	11/15/17	Kathleen Chastel Phillips
SP.12872	11/17/17	Janine Whitney Turocy
SP.12873	11/17/17	Alexa Marie French
SP.12875	11/28/17	Caitlin Conway Dennis
SP.12876	11/28/17	Sarah Margaret Dean
SP.12877	11/28/17	Dana Goettemoeller
SP.12878	11/28/17	Grace Marie Ruiz

Audiology Aides

Motion #4

Dr. Spangler moved to approve the initial licensure application for Audiology Aide, number 120617-WOO. Ms. King seconded the motion. The motion passed unanimously.

Motion #5

Dr. Spangler moved to approve the initial licensure application for Audiology Aide, number 120617-ROH. Dr. Froehlich seconded the motion. The motion passed unanimously.

Speech-Language Pathology Aides

None

Licensure Applications

None

Special Applications

None

LICENSING SUMMARY

Audiology	1053
Speech-Language Pathology	7360
Dual – Audiology and Speech-Language Pathology	38
Inactive Audiology	38
Inactive Speech-Language Pathology	244
Conditional Speech-Language Pathology	374

Audiology Aide	85
Speech-Language Pathology Aide	4
TOTAL	9196

ASSISTANT ATTORNEY GENERAL'S REPORT

Ms. Hawkinson expressed appreciation for her time on the Board as the Assistant Attorney General. She reminded the Board about confidentiality. Anything discussed in executive session, discussions under quasi-judicial deliberations, or communications under attorney-client privilege remain confidential indefinitely.

EXECUTIVE SESSION

Motion #6

Dr. Spangler moved to enter Executive Session for the purpose of discussing issues with the Attorney General's Representative on matters of pending or imminent court action pursuant to R.C. §121.22.(G)(3), and which requires that such matters be kept confidential under R.C. §149.43.(A)(2). Ms. King seconded the motion, which passed by roll call vote as follows: Dr. Froehlich: yes; Ms. King: yes; Ms. Mayle: yes; Dr. Prakup: yes; Dr. Spangler: yes

The Board went into Executive Session at 10:45 a.m. and invited Board staff and the Assistant Attorney General to remain in attendance.

The Board returned to Public Session at 11:00 a.m.

INVESTIGATIONS

B. Board Actions

New Cases - 3

CO2017-55

This case involves a speech-language pathologist who was terminated from employment for billing to Medicaid for services not rendered April 17 – 23, 2017. She admitted to this. All inaccurate billing was removed/corrected by the employer. She was employed with this skilled nursing/rehabilitation facility, per diem basis only, for 13 months.

Accordingly, the Investigative Review Group recommends issuing a Notice of Opportunity for Hearing, for violation of Ohio Revised Code Section 4753.10(E)(l) and (M) and Ohio Administrative Code Section 4753-9-01(B)(1)(a), (2)(a), (6)(a)(2).

Motion #7

Dr. Spangler moved to accept the Investigative Review Group's recommendation in case CO2017-55. Dr. Prakup seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

CO2017-2987

This case involves a speech-language pathologist who was terminated from employment for documenting and billing (in the employer's documentation system, not to the patients insurance) for service not rendered to one patient. The patient had been discharged from the facility four

hours prior to the time she'd documented that service had been provided. She admitted to this. All inaccurate billing was removed/corrected by the employer. She was employed with this nursing facility for four months

Accordingly, the Investigative Review Group recommends issuing a Notice of Opportunity for Hearing for violation of Ohio Revised Code Section 4753.10(E)(I) and (M) and Ohio Administrative Code Section 4753-9-01(B)(1)(a), (2)(a), (6)(a)(2).

Motion #8

Ms. Mayle moved to accept the Investigative Review Group's recommendation in case CO2017-2987. Ms. King seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

CO2017-4761

This case involves a self-employed speech-language pathologist who directly contracted with an employer to provide home therapy services to children. She was fired for documenting and billing to Medicaid for services not rendered April 12 – May 31, 2017. Months prior she'd been suspended for three months for being consistently late for her appointments. The employer reinstated her contract January 2017. The documentation/billing was evident through emails, case notes and text messages she sent to clients cancelling their appointments but then billed for the very appointment(s) she cancelled. The employer indicates this resulted in over payment of public funds and fraudulent treatment notes used to monitor the progress and authorization of services for children in which she served. She was contracted for 4 years.

Accordingly, the Investigative Review Group recommends issuing a Notice of Opportunity for Hearing, for violation of Ohio Revised Code Section 4753.10(E)(I) and (M) and Ohio Administrative Code Section 4753-9-01(B)(1)(a), (2)(a), (6)(a)(2).

Motion #9

Dr. Spangler moved to accept the Investigative Review Group's recommendation in case CO2017-4761. Ms. King seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

C. Investigative Report – Ms. Stansberry

OPENED	Cases since the last Board Meeting 10/26/2017	5
CLOSED	Cases since the last board meeting 10/26/2017	12
TOTAL Open Cases	After closing any cases today (includes referrals)	15
Consumer Complaints	Of total open cases	10
Referrals	Of total open cases	4

Of the cases currently open, the Investigative Categories are listed below:

Application Requirements Not Met	0
Billing Fraud	4
Continuing Education Violation and/or Self Report	3
Conviction	0
False or Misleading Advertisement	0
Falsified/Misleading Application	0
Illegal, Incompetent, or Habitually Negligent Practice	0
Impaired Practice	1

Misrepresentation of Credentials	0
Other	0
Practicing Under Expired/Inactive License	0
Supervised Professional Experience Violations	0
Unlicensed Practice	0
Unprofessional/Unethical Conduct	6

Updates Since the last meeting – Cases or Other Information Previously Heard by the Board;
Other Enforcement Activities and/or Outcome of some of the closed cases

2015-59 Lyna Smith, SP.01713 – successfully completed all terms of her December 9, 2015. Consent Agreement. Her two year probation ends December 9, 2017.

2017-02 Robin Douglass, SP.03226, requested a continuance regarding a hearing that had been previously scheduled. She will be notified at a later date of the new hearing date, time and location.

2016-49 Ellen Friedman, SP.02248

2017-03 Sarah Cicconetti, SP.11003

Both did not appeal their Adjudication Order issued November 2, 2017. Ms. Friedman submitted continuing education course information for Board approval prior to completion; a term per her Adjudication Order.

Motion #10

Ms. Mayle moved to accept the continuing education courses submitted by Ellen Friedman per the terms of the adjudication order. Dr. Froehlich seconded the motion. The motion passed unanimously.

Educational Letters:

- Case Closure Letters – 2

Referral Letters:

- Ohio Attorney General's Consumer Protection Division – 1
- Ohio Hearing Aid Dealers and Fitters Licensing Board – 1

Referrals to Investigations – 3

2015-2016 Continuing Education (CE) Audit

The following have been audited for their 2015-2016 licensure biennium CE clock hours:

	Audited	Passed	Failed	<u>2nd</u> <u>Fall In</u> <u>a Row</u>	<u>2nd Fall</u> <u>Expired</u> <u>Status</u>	<u>3rd Fall</u> <u>&</u> <u>Expired</u>	<u>Active</u> <u>Failed</u> <u>Paid</u> <u>\$150</u> <u>(of 36)</u>	<u>Active</u> <u>Failed</u> <u>did Not</u> <u>Pay \$150</u> <u>(of 36)</u>
Random AUD 10%	45	41	4	0	0	0	1	3
Random SLP 10%	252	226	26	0	0	0	24	3
Prior Board Action: • ADJ/Consent • Educ. Letters	107	88	19	8	7	1	5	0

• Other								
Board Members 2 AUD; 2 SLP	4	4	0	0	0	0	0	0
TOTAL	408	359	49	8	7	1	30	6

The 2015-16 Audit is complete with an 88% passing rate; 12% failure rate. In comparison to the 2013-14 audit, the passing rate was 91%, 9% failure.

Notices of Opportunity for Hearing (Notices) will be Issued

At the October 26, 2017 Board meeting, the Board voted to authorize the Investigative Review Group to issue a Notice of Opportunity for Hearing, with the option to enter into a Settlement Agreement in lieu of a hearing, for failed audits as deemed appropriate.

36 - \$150 Late Renewal Fee notification letters were mailed (dated October 16, 2017) followed by two e-mail reminders sent November 2nd and 22nd, 2017. The fee payment deadline was November 30, 2017. Six (6) licensees did not pay the fee by the deadline. Of the 6, three (3) will be issued a Notice, the other 3 submitted a request for waiver.

3 – Notices will be Issued

- The following “random” first audits did not pay the \$150 fee and did not request a waiver:
 - CO2017-6077 - Did not respond to the CE Audit letter and/or the fee letter/e-mails. Zero hours were reported for 2015-16 and for 2017;
 - CO2017-6078 - Reported more than 20 hours for 2015-16; none were ethics. Zero 2017 ethics hours reported. She did not contact the board regarding additional ethics or the fee letter/e-mails;
 - CO2017-6079 - Reported 6.5 hours for 2015-16 and 12.5 hours for 2017. Only 1 hour was related to ethics and was from 2017. He did not contact the Board regarding an additional hour in ethics or the fee letter/e-mails.

3 – CE Audit Waiver Requests

Audiologist

- random, first failed audit
- completed 24 hours in 2015-16, zero in ethics
- 3.5 hours in ethics completed in 2017 (2 hours Reactivated; still a failed audit)
- requests a waiver of the \$150 fee due to he resides/practices in Georgia

Motion #11 – Herndon Durette – A.01297

Dr. Spangler moved to deny in the above referenced CE Audit Waiver and late fee requests. Ms. Mayle seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

Audiologist

- random, first failed audit
- completed 15.5 hours in 2015-16, zero in ethics
- 4.5 hours completed in 2017, 2 being in ethics (all Reactivated; still a failed audit)
- requests a waiver indicating 20 hours not completed in 2015-16 due to her husband passed away in 2015 and her father in 2016

Motion #12 – Jane Aanestad – A.00385

Dr. Prakup moved to grant the waiver of the late fee in the above referenced CE Audit Waiver due to extenuating circumstances. Ms. King seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

Audiologist

- random, first failed audit
- indicates he easily met the 2015-16 CE requirement but zero in ethics. To date he has not reported any hours to CE Broker; says he will after 12/8/2017 when he returns to the country;
- requests a waiver of the \$150 fee due to:
 - claims he submitted a letter of resignation October 2017 making the \$150 fee inapplicable;
 - resides/practices in Arkansas and only maintained Ohio licensure to supervise an audiology aide that he no longer supervises.

Motion #13 – Anthony Miltich – A.01686

Ms. King moved to deny the waiver of the late fee and continuing education in the above referenced CE Audit Waiver due to extenuating circumstances. Ms. Mayle seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

BOARD BUSINESS**A. Board Consolidation – Update**

The Board received an update on the board consolidation and transition. The Board viewed a webinar course titled, "Preparing for Organizational Change."

CORRESPONDENCE

There was no correspondence.

MEMBER CONCERNS

There were no member concerns. The Board reflected on its history of collaboration, cooperation, and transparency. It voiced optimism for the opportunities of the new consolidation.

MINUTES

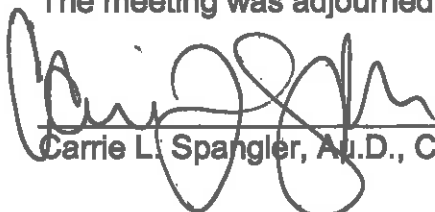
The minutes of the December 6, 2017 board meeting were reviewed.

Motion #14

Dr. Spangler moved to accept the minutes of the December 6, 2017 board meeting. Dr. Prakup seconded the motion. The motion passed unanimously.

ADJOURNMENT

The meeting was adjourned at 12:47 p.m.


Carrie L. Spangler, Au.D., CCC-A, FAAA


Lisa A. Froehlich, Ph.D., CCC-SLP

Vice Chairperson

Barbara L. Prakup, Ph.D., CCC-SLP
Barbara L. Prakup, Ph.D., CCC-SLP
Board Member

Angie N. King
Angie N. King
Board Member

Board Member

Helen L. Mayle
Helen L. Mayle
Board Member

Gregg B. Thornton, Esq.
Gregg B. Thornton, Esq.
Executive Director

December 6, 2017
Date

