



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

Board Meeting Minutes of Monday, December 7, 2009

The Regular Business Meeting was called to order at 9:30 A.M. by Chairperson, Valenta Ward-Gravely, Au.D., held at Vern Riffe Center for Government & Arts, 77 South High St., 31st Floor – Board Room, Columbus, OH 43215.

Members present:

Valenta Ward-Gravely, Au.D., Audiology Board Member and Chairperson
Helene Levenfus, Au.D., Audiology Board Member and Vice Chairperson
Loretta Embry, M.A., Speech-Language Pathology Board Member
J. Paul Good, Public Member
Jane Kukula, Au.D., Audiology Board Member
Patricia Leppla, M.A., Speech-Language Pathology Board Member
Malcolm Porter, Public Member
Amy Thorpe, M.Ed., Speech-Language Pathology Board Member

Also Present: Gregg B. Thornton, Executive Director
Connie J. Stansberry, Investigator
Beverly Wilkinson, Temporary Licensing Administrator
Melissa Wilburn, Assistant Attorney General

OPEN FORUM FOR PUBLIC AND PROFESSIONAL ORGANIZATIONS

There were no comments.

AGENDA

The agenda for the December 7, 2009, regular board meeting was presented and reviewed. No amendments were made.

Motion #1

Mr. Good moved to accept the agenda. Ms. Embry seconded the motion. The motion passed unanimously.

MINUTES

The minutes of the October 16, 2009, board meeting were reviewed and approved as corrected as follows:

Motion #17

Dr. Kukula moved to propose to deny the application for an additional supervisor in audiology aide, number AUD Aide 061509-2. Mr. Good seconded the motion.

Motion #18

Mr. Good moved to table the motion proposing to deny the application for audiology aide, number AUD Aide 061509-2, *for further research and clarification of duties* related to the use of an Otoscope until the next Board meeting. Ms. Embry seconded the motion. The motion to table passed unanimously.

Subsequent motions were renumbered.

Motion #2

Ms. Embry moved to accept the minutes of the October 16, 2009, Board meeting as corrected. Dr. Kukula seconded the motion. The motion passed unanimously.

CHAIRPERSON'S COMMENTS

Dr. Ward-Gravelly

- Introduced new Speech-Language Pathology board member Ms. Amy Thorpe, M.Ed., from Toledo, Ohio, who works at Toledo Children's Hospital.
- Ms. Thorpe introduced herself and stated that she has been working at Children's Hospital for fifteen years. She also supervises/teaches at the University of Toledo.
- The Board and attending staff introduced themselves to Ms. Thorpe.

ASSISTANT ATTORNEY GENERAL'S REPORT

The Board went into Executive Session

Motion #3

Mr. Porter moved to enter Executive Session to confer with the Attorney General's Representative on matters of pending imminent court action pursuant to Section 121.22(G)(3), of the Ohio Revised Code. Ms. Embry seconded the motion, which passed by roll call vote as follows:

Dr. Levenfus: yes; Ms. Embry: yes; Mr. Good: yes; Dr. Kukula: yes; Ms. Leppla: not present; Mr. Porter: yes; Ms. Thorpe: yes; Dr. Ward-Gravelly: yes.

The Board went into Executive Session at 10:05 A.M. Mr. Thornton and staff were asked to remain in attendance.

The Board returned to Public Session at 10:30 A.M.

Motion #4

Ms. Embry moved to authorize the Executive Director to accept the settlement agreement and release of claims made and entered into by and between Diane L. Hoenig and the Ohio Board of Speech-Language Pathology and Audiology. Dr. Kukula seconded the motion. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Thornton submitted a written report of significant activities occurring since the last Board meeting. He provided updates regarding:

- Final interviews and selection of the Licensing Administrator position;
- The Board's request for a formal opinion from the Attorney General's Office regarding the use of the term Audioprosthologist;
- Board Budget and Controlling Board request;
- Board Newsletter – January 2010 release;
- DAS/CSA consolidation;
- Legislation;
- Board office move occurring on December 9, 2009;

Motion #5

Mr. Porter moved that the Board authorize Mr. Thornton to fill the vacant position for Licensing Administrator as soon as practical. Mr. Good seconded the motion. The motion passed unanimously.

INVESTIGATIONS

A. Executive Session

Motion #6

Dr. Helene Levenfus moved to enter Executive Session for the purpose of discussing proposed disciplinary action against licensees, involving pending or imminent court action under R.C. §121.22.(G)(3), and which requires that such matters be kept confidential under R.C. §149.43.(A)(2). Ms. Embry seconded the motion, which passed by roll call vote as follows:

Dr. Levenfus: yes; Ms. Embry: yes; Mr. Good: yes; Dr. Kukula: yes; Ms. Leppla: yes; Mr. Porter: yes; Ms. Thorpe: yes; Dr. Ward-Gravelly: yes.

The Board went into Executive Session at 10:52 A.M. and invited the Board staff to remain in attendance.

The Board returned to Public Session at 11:19A.M.

B. Board Actions

2008-08

This case involves a speech-language pathologist whose teaching certificate had been suspended from the Ohio Department of Education. The Respondent did not notify the Board of the suspension/discipline. At the June 2, 2009 board meeting, the Board accepted the Investigative Review Group's recommendation to issue a 119 Notice of Opportunity for Hearing and authorizing the Assistant Attorney General to negotiate a Consent Agreement to include a suspension of one year followed by 2 years of not engaging in practice with children. The Assistant Attorney General negotiated a Consent Agreement.

Accordingly, the Investigative Review Group recommends the following in case 2008-08:

- **Review and approve a redacted copy of the signed negotiated Consent Agreement and then close the case.**

Motion #7

Ms. Embry moved to accept the Investigation Review Group's recommendations in case 2008-08. Dr. Kukula seconded the motion provided that the wording of the December minutes reflects that the Board issued the Consent Agreement based on the following facts; Dr. Ward-Gravely abstained. Dr. Levenfus abstained. The motion passed uncontested:

1. The Respondent was disciplined by another licensing board, the Ohio Department of Education ("ODE");
2. The Respondent did not notify this Board of his/her discipline;
3. The Respondent was disciplined by ODE due to criminal misconduct.

2009-26

This case involves unlicensed practice by a speech-language pathologist for 117 days, due to failing to renew in a timely manner by December 31, 2008. The Respondent was issued a 2008 Continuing Education Audit for Late Renewal and did not comply.

Accordingly, the Investigative Review Group recommends the following in case 2009-26:

- Issue a Consent Agreement based on the following terms and conditions:
 - Due to this being the Respondent's first offense, suspend for 60 days. The 60 days will commence on weekends and holidays;
 - In addition to the regular required 20 hours of continuing education, the Respondent is to complete 20 hours of continuing education: 10 hours in the area of ethics and 10 hours in the area of documentation and record keeping;
 - The 20 hours must be submitted to the Board office ninety-days from the date the Board approves the Consent Agreement;
 - Audit for continuing education for the next two renewal cycles.

Motion #8

Ms. Leppla moved to accept the Investigation Review Group's recommendations in case 2009-26. Ms. Embry seconded the motion. Dr. Ward-Gravely abstained. Dr. Levenfus abstained. The motion passed uncontested.

2009-28

This case involves unlicensed practice by a speech-language pathologist, for 141 days, due to failing to renew in a timely manner by December 31, 2008. Three renewal notices were mailed to the address on file. The Respondent moved and did not notify the Board of a new address. The Respondent was issued a 2008 Continuing Education Audit for Late Renewal and complied.

Accordingly, the Investigative Review Group recommends the following in case 2009-28:

- Issue a Consent Agreement based on the following terms and conditions:
 - Due to this being the Respondent's first offense, suspend for 70 days. The 70 days will commence on holidays, Christmas/Spring break and summer;
 - In addition to the regular required 20 hours of continuing education, the Respondent is to complete 20 hours of continuing education: 10 hours in the area of ethics and 10 hours in the area of documentation and record keeping;
 - The 20 hours must be submitted to the Board office ninety-days from the date the Board approves the Consent Agreement;
 - Audit for continuing education for the next two renewal cycles.

Motion #9

Dr. Kukula moved to accept the Investigation Review Group's recommendations in case 2009-28. Mr. Good seconded the motion. Dr. Ward-Gravely abstained. Dr. Levenfus abstained. The motion passed uncontested.

2010-05

This case involves unlicensed practice by a speech-language pathologist, for 172 days, due to failing to renew in a timely manner by December 31, 2008. Two renewal notices were mailed to the address on file. The address was current. The Respondent submitted a letter to the Board of extenuating circumstances for not renewing on time.

Accordingly, the Investigative Review Group recommends the following in case 2010-05:

- Issue a Consent Agreement based on the following terms and conditions:
 - Due to this being the Respondent's first offense, suspend for 86 days; 86 days will commence through the months of December 2009 through May 2010.
 - In addition to the regular required 20 hours of continuing education, the Respondent is to complete 20 hours of continuing education; 10 hours in the area of ethics and 10 hours in the area of documentation and record keeping.

- The 20 hours must be submitted to the Board office ninety-days from the date the Board approves the Consent Agreement.
- The Respondent shall be audited for continuing education for the next two renewal cycles.

Motion #10

Mr. Good moved to accept the Investigation Review Group's recommendations in case 2010-05. Ms. Embry seconded the motion. Dr. Ward-Gravely abstained. Dr. Levenfus abstained. The motion passed uncontested.

2010-06

This case involves a speech-language pathologist who failed to renew in a timely manner by December 31, 2008. The Respondent moved out of state not notifying the Board of his/her new address. The Respondent did not have intentions of returning to Ohio. The Respondent later returned to Ohio and renewed at that time. The Respondent's license is currently active.

Accordingly, the Investigative Review Group recommends closing case 2010-06.

Motion #11

Dr. Kukula moved to accept the Investigation Review Group's recommendations in case 2010-06. Ms. Leppla seconded the motion. Dr. Ward-Gravely abstained. Dr. Levenfus abstained. The motion passed uncontested.

2010-09

This case involves a conditional speech-language pathologist who did not submit his/her Supervised Professional Experience Report ("Report") & Supervision Contacts Log ("Log") in a timely manner by 110 days.

Accordingly, the Investigative Review Group recommends the following in case 2010-09:

- Due to this being the Respondent's first offense, issue a Consent Agreement stating that the Respondent is to complete 10 hours of continuing education in the area of documentation and record keeping. The 10 hours must be submitted to the Board office ninety-days from the date the Board approves the Consent Agreement.

Motion #12

Mr. Good moved to accept the Investigation Review Group's recommendations in case 2010-09. Ms. Embry seconded the motion. Dr. Ward-Gravely abstained. Dr. Levenfus abstained. The motion passed uncontested.

2010-10

This case involves a conditional speech-language pathologist who did not submit his/her Supervised Professional Experience Report ("Report") & Supervision Contacts Log ("Log") in a timely manner by 70 days.

Accordingly, the Investigative Review Group recommends the following in case 2010-10:

- Due to this being the Respondent's first offense, issue a Consent Agreement stating that the Respondent is to complete 10 hours of continuing education in the area of documentation and record keeping. The 10 hours must be submitted to the Board office ninety-days from the date the Board approves the Consent Agreement.

Motion #13

Mr. Good moved to accept the Investigation Review Group's recommendations in case 2010-10. Ms. Embry seconded the motion. Dr. Ward-Gravely abstained. Dr. Levenfus abstained. The motion passed uncontested.

C. Investigative Report - Ms. Stansberry

OPENED	Cases since last Board Meeting 10/16/2009	4
CLOSED	Cases at last Board Meeting 10/16/2009	8
Total number OPEN cases		14

LICENSURE APPROVAL – Dr. Levenfus

A. License Review

Motion # 14

Dr. Levenfus moved to ratify the Speech-Language Pathology licenses granted by the Executive Director on November 2, 2009, November 16, 2009 and December 1, 2009. Ms. Embry seconded the motion. The motion passed unanimously.

SPEECH-LANGUAGE PATHOLOGY

November 2, 2009

Brittany Nicole	Banks	SP.9543
Jane Ann	Keneen	SP.9530
Camille Patricia	Luke	SP.9542
Abby Jean	Madel	SP.9548
Emily Lane	Manning	SP.9539
Sarah Kathrynne	Meikle	SP.9538
Brooke Erin	Mendenhall	SP.9546
Amanda Therese	Rodgers	SP.9544
Brenda Ellen	Staley	SP.9547
Dena	Stern	SP.9545
Diane Elise	Weis	SP.9541
Katherine Louise	Wenninger	SP.9549
Teresa Renee	Zeltwanger	SP.9540

November 16, 2009

Stacy L.	Craft	SP.9553
Shelby Carrera	Hansen	SP.9554
Amber Marie	Klein	SP.9551
Tiffany Nicole	Sullivan	SP.9552
Ahuva Leah	Weinschneider	SP.9550

December 1, 2009

Mary Ann	Burke	SP.5269 (re-licensure)
Kelly Nicole	Conover	SP.9557
Maria Luisa	Guerra	SP.9555
Natalie Elizabeth	Miller	SP.9558
Suzanne Marie	Ziemer	SP.9556

Motion #15

Dr. Levenfus moved to ratify the Audiology licenses granted by the Executive Director on November 2, 2009, November 16, 2009 and December 1, 2009. Dr. Kukula seconded the motion. The motion passed unanimously.

AUDIOLOGY**November 2, 2009**

Carla C.	Hellman	A.00580 (Re-License)
Samantha Grace	Otto	A.01720

November 16, 2009

Lindsey Marie	Turover	A.01721
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December 1, 2009

No Applicants

Motion #16

Dr. Levenfus moved to ratify the Conditional Speech-Language Pathology licenses granted by the Executive Director on November 2, 2009, November 16, 2009 and December 1, 2009. Ms. Embry seconded the motion. The motion passed unanimously.

CONDITIONAL SPEECH-LANGUAGE PATHOLOGY

November 2, 2009

Lisa Marie	Baumgartner	COND.2010152
Lindsay Ann	Kodramaz	COND.2010149
Raelene Jamie	Persad-Maharaj	COND.2010151
Jennifer Leigh	Saum	COND.2010150 (2nd)

November 16, 2009

Jaime Michelle	Jaffee	COND.2010153
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December 1, 2009

Heather Michelle	Davey	COND.2010155
Jamie Lynn	Flaherty	COND.2010154
Sarah Grace	Snyder	COND.2010156

STUDENT PERMIT HOLDERS

None

Licensing Summary

SLP	5884
AUD	931
Conditional SLP	300
Permit	50
AUD Aide	66
SLP Aide	17
Total	7248

The total number of active licenses has increased by 208 since the last Board meeting on October 16, 2009. While performing an internal audit of conditional licensees it was discovered that the query function in E-License does not count records that do not have the credential mail address linked to the license entry. This was corrected in each area of active licenses and a written procedure on how to link the credential mail address to the license record was provided to the office staff. Licensing will run a self-check query after every approval day to ensure this standard is being met going forward.

B. Aide Applications

Speech-Language Pathology Aides
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Motion #17

Ms. Leppla moved to approve the application for speech-language pathology aide, Number **Aide SLP 120709-1, Sarah Sarka**, for review of approval. Ms. Embry seconded the motion. The motion passed unanimously.

Audiology Aides

Motion #18

Dr. Kukula moved to approve the application for audiology aide, Number **Aide AUD 120709-1, David Hartley**, for review of approval. Ms. Leppla seconded the motion. The motion passed unanimously.

Motion #19

Dr. Kukula moved to approve the application for audiology aide, Number **Aide AUD 120709-3, Sarah Sarka**, for review of approval. Ms. Embry seconded the motion. The motion passed unanimously.

Motion #20

Dr. Kukula moved to approve the application for audiology aide, Number **Aide AUD 120709-4, Rebecca Roessner**, for review of approval. Ms. Embry seconded the motion. The motion passed unanimously.

Motion #21

Ms. Embry moved to enter Executive Session to confer with the Attorney General's Representative on matters of pending imminent court action pursuant to Section 121.22(G)(3), of the Ohio Revised Code. Ms. Leppla seconded the motion, which passed by roll call vote as follows:

Dr. Levenfus: yes; Ms. Embry: yes; Mr. Good: yes; Dr. Kukula: yes; Ms. Leppla: yes; Mr. Porter: yes; Ms. Thorpe: yes; Dr. Ward-Gravelly: yes.

The Board went into Executive Session at 12:10 P.M. Mr. Thornton and staff were asked to remain in attendance.

The Board returned to Public Session at 12:29 P.M.

Reconsideration of Tabled Motion

Dr. Kukula brought Motion #17, from the October 16, 2009 board meeting to the table.

On October 16, 2009, in Motion #17, Dr. Kukula proposed to deny the application for an additional supervisor in audiology aide, number **AUD Aide 061509-2**, which was seconded by Mr. Good.

After Board discussion, Motion #17 from the October 16, 2009 board meeting, failed with Dr. Kukula voting yes and Mr. Good abstaining.

Motion #22

Ms. Embry moved to approve the application for audiology aide, **Number Aide AUD 061509-2**, Marcie Snyder. Ms. Leppla seconded the motion, which passed with Dr. Kukula voting no and Mr. Good abstaining.

Motion #23

Dr. Helene Levenfus moved to approve the application for audiology aide, **Number Aide AUD 120709-2**, **Mary Beth Gramuglia**. Ms. Embry seconded the motion, which passed with Dr. Kukula abstaining.

BOARD BUSINESS

- A. Board Meeting Dates for 2010
 - Wednesday, January 20, 2010 – Strategic Planning
 - Thursday, January 21, 2010
 - Thursday, March 11, 2010
 - Monday, May 10, 2010
 - Tuesday, June 22, 2010
 - Friday, August 13, 2010
 - Tuesday, October 5, 2010
 - Thursday, December 2, 2010

- B. Election of Board Chair and Vice Chair for 2010

Dr. Ward-Gravelly passed the chair to Vice Chairperson Dr. Levenfus to preside over the nomination and election of the Chair of the Board for 2010.

Vice Chairperson Dr. Levenfus asked if there were any nominations for the Chair position of the Board for 2010.

Loretta Embry nominated Dr. Ward-Gravelly to serve as Chairperson of the Board for 2010.

There were no other nominations submitted. Accordingly, Dr. Levenfus declared Dr. Ward-Gravelly as the elected Chairperson of the Board for 2010. Dr. Levenfus congratulated her. Dr. Levenfus passed the chair over to the newly elected Chairperson.

Dr. Ward-Gravelly asked if there were any nominations for the Vice Chairperson position of the Board for 2010.

Loretta Embry nominated Dr. Levenfus to serve as Vice Chairperson of the Board for 2010.

There were no other nominations submitted. Accordingly, the Chairperson declared Dr. Levenfus as the elected Vice Chairperson of the Board for 2010. Dr. Ward-Gravelly congratulated her.

- C. Board Committee Assignments for 2010
- Rules Committee: Ms. Embry, Chair, Ms. Thorpe and Dr. Ward-Gravely
 - Policy and Procedure Committee: Mr. Porter, Chair, Ms. Leppla, Co-Chair, and Dr. Levenfus
 - Investigations Committee: Dr. Levenfus and Ms. Embry (SLP Consultant)
 - Professional Competency Committee: Dr. Kukula, Chair, Mr. Good and Ms. Leppla
 - Review Committee (January-June 2010): Dr. Levenfus (AUD Applications), Ms. Embry (SLP Applications)
 - Review Committee (July-December 2010): Dr. Kukula (AUD Applications), Ms. Embry and Ms. Thorpe (SLP Applications)
- D. OSSPEAC Presentation
- Mr. Thornton and Ms. Embry reported on their presentation at the OSSPEAC Conference given October 26, 2009. The presentation covered issues unique to SLP practitioners in the school setting as well as an overview about the role of the Board.
- E. Annual Report
- Mr. Thornton informed the Board that an Annual Report was not prepared for Fiscal Year 2008.

Motion #24

Dr. Kukula moved that Mr. Thornton prepare an annual report for fiscal years ending 2008 and 2009 to be filed with the Governor's Office on or before January 31, 2010. Mr. Porter seconded the motion. The motion passed unanimously.

- F. Student Permits – Updates
- Mr. Thornton reported that he attended four meetings with stakeholders since July 1, 2009 and there has been much progress towards addressing issues related to student supervision and the Student Intern Program as a whole.
 - Mr. Thornton shared documents distributed during those meetings with Ms. Embry and Ms. Leppla for review. Ms. Embry and Ms. Leppla also noted the progress being made to address the same issues.
 - A memorandum of understanding between the Board and the Ohio Department of Education will be drafted and presented at the next board meeting.
 - Dr. Ward-Gravely requested that the same documents distributed to Ms. Embry and Ms. Leppla be shared with all board members.
- G. Review of Public Comments to Board Rules –
- The Board reviewed and accepted the comments submitted by the Ohio Speech and Hearing Governmental Affairs Coalition dated November 24, 2009 regarding proposed revisions to OAC sections 4753-3-10(E)(2) and 4753-3-07(G)(1) and (G)(3)(a).

- The Board intends to file revisions of the following rules with the Joint Committee on Agency Rule Review and conduct a rules hearing pursuant to Ohio Revised Code section Chapter 119 on March 11, 2010:
 - OAC 4753-3-04(A)(2), (A)(2)(a), and (A)(2)(d)
 - OAC 4753-3-07(B)(5)(a)
 - OAC 4753-3-10(E)(2)
 - OAC 4753-3-07 (G)(1) and (G)(3)(a)
 - Dr. Kukula wanted to ensure that Revised Code section 4753.06(F) is the correct version since the Board is proposing a rule change under OAC 4753-3-04. Assistant Attorney General Wilburn will research this issue and follow up.
- H. Web-based Supervision – Tabled until January 21, 2010.
- I. Strategic Planning Meeting is scheduled for January 20, 2010.
- J. Audit Management Letter – Tabled until January 21, 2010
- K. Use of Otoscope by Audiology Aides – This issue has been assigned to the Rules Committee.
- L. Board recognition of Patt Zurlinden –
- Ms. Zurlinden’s term as a board member ended on September 26, 2009. Board policy 01-19 permits term recognition with the presentation of a plaque. Ms. Zurlinden stated that she would appreciate that recognition of her service be made with a contribution to the Cleveland Division of the Alzheimer’s Association.
 - After discussion, Mr. Porter agreed to coordinate this special request and follow up with members of the Board for personal donations.

CORRESPONDENCE

- A. Dr. Susan Baker Brehm, Ph.D. – Student SLP’s crossing the state line to interact with subjects for a study that may reduce breathlessness during speech
- There was insufficient time to discuss this correspondence before the meeting adjourned. The Executive Director consulted with the Board Chairperson regarding an appropriate response.

MEMBER CONCERNS

None

ADJOURNMENT

Motion #25

Mr. Good moved to adjourn the meeting.

The meeting was adjourned at 1:57 P.M.

Valenta G. Ward-Gravely
Dr. Valenta Ward-Gravely, Chairperson

Dr. Helene Levenfus, Vice Chair

1/21/10
Date

Date

Gregg B. Thornton
Gregg B. Thornton, Executive Director

1/21/10
Date