



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

Board Meeting Minutes of Tuesday, December 13, 2016

The Regular Business Meeting was called to order at 9:43 a.m. by Vice Chairperson, Tammy H. Brown, M.A., held at the Vern Riffe Center for Government, 77 South High St., 31st Floor – West B & C, Columbus, OH 43215.

Board Members – Roll Call:

Tammy H. Brown, M.A., CCC-A, ABA, 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
Carrie L. Spangler, Au.D., CCC-A, FAAA, Audiology Board Member

Excused Absence:

Linda L. Wellman, 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

OPEN FORUM FOR PUBLIC AND PROFESSIONAL ORGANIZATIONS

There were no comments from members of the public or professional organizations.

AGENDA

The agenda for the December 13, 2016, regular board meeting was presented and reviewed.

Motion #1

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

MINUTES

The minutes of the October 28, 2016 board meeting were reviewed.

Motion #2

Ms. Brown moved to accept the minutes as corrected of the October 28, 2016 board meeting. Ms. King seconded the motion. The motion passed unanimously.

VICE CHAIRPERSON'S COMMENTS

Tammy Brown welcomed everyone to the meeting. She stated that it was a pleasure working as a team. She thanked the board staff for their hard work with processing the licensure renewals. She also expressed her appreciation to Dr. Mitchell, who completed two terms at the October board meeting.

EXECUTIVE DIRECTOR'S REPORT

Mr. Thornton submitted a written report of significant activities occurring 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 FY2017;
- Significant legislation;
- Status of the new eLicensing 3.0 system;
- Budgeting process for FY2018-2019;
- Licensure renewal campaign;
- School Medicaid reimbursement;
- Workload determination process; and
- Fall eNewsletter

LICENSURE APPROVAL – Tammy Brown

A. License Review

Speech-Language Pathology

Motion #3

Ms. Brown moved to ratify the Speech-Language Pathology licenses granted by the Executive Director on November 1, November 15, 2016 and December 1, 2016. Ms. Mayle seconded the motion. The motion passed unanimously.

November 1, 2016

SP-12361-
SP-12362-
SP-12363-

Rachel Marie Sensabaugh
Victoria Ann Reagan
Erin Marie Baltrip

SP-12364-	Doris Ruth Bobry
SP-12365-	Leigh Katherine Carr
SP-12366-	Sara Elizabeth Presutti
SP-12367-	Sarah K. Denman
SP-12368-	Shu-Sheng Liao
SP-12369-	Abigail Lee Cureton
SP-12370-	Kelsea Jo Bryant

November 15, 2016

SP-8379-	Melanie Mehay	Re-licensure
SP-12371-	Kathryn Rose Dilger	
SP-12372-	Krista Breann Gardner	
SP-12373-	Kenneth David Edgington	
SP-12374-	Alexandria Michelle Rakowski	
SP-12375-	Leah Maria Bowen	
SP-12376-	Kelly Nicole Houghan	
SP-12377-	Kerry Elizabeth Teggart	
SP-12378-	Nicole Elaine Tofani	
SP-12379-	Rachel Ann Brown	

December 1, 2016

SP-6697-	Vaness Butsko	Re-licensure
SP-12380-	Shirley Ann DelMoro	
SP-12381-	Chelsey Elizabeth Grimes	
SP-12383-	Jordan Coakley	
SP-12384-	Florence Lim Hardjono	
SP-12385-	Chaya Mushkeh Benarousse	
SP-12386-	Alyson Elizabeth Remley	
SP-12387-	Hanna Jo Peeples	

Audiology**Motion #4**

Ms. Brown moved to ratify the Audiology licenses granted by the Executive Director on November 15, 2016, November 22, 2016, and December 1, 2016. Ms. King seconded the motion. The motion passed unanimously.

November 15, 2016

A-02046-	Michele Glovette Alexander
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November 22, 2016

A-00582-	Maureen A. Sullivan-Mahoney	Re-licensure
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Motion #7

Dr. Spangler moved to approve the initial licensure application for Audiology Aide, number **121316-NIC**. Ms. King seconded the motion. The motion passed unanimously.

Motion #8

Dr. Spangler moved to approve the initial licensure application for Audiology Aide, number **121316-DOD**. Ms. Brown seconded the motion. The motion passed unanimously.

Motion #9

Dr. Spangler moved to approve the initial licensure application for Audiology Aide, number **121316-SMI**, contingent on clarification that “screening” be added after tympanometry and otoacoustic emission on the applicant’s Aide Plan. Ms. Mayle seconded the motion. The motion passed unanimously.

Speech-Language Pathology Aides

None

Licensure Applications

None

Special Applications

None

The Board moved the Assistant Attorney General’s Report, Committee Reports, and Board Correspondence up on the agenda.

ASSISTANT ATTORNEY GENERAL’S REPORT

Senior Assistant Attorney General Hawkinson reported on HB.617.

COMMITTEE REPORTS

A. Rule Committee

Mr. Thornton updated the Board on the status of the five year rule review. He reported that the rules amended at the October meeting were finalized by the Joint Committee on Agency Rule Review.

B. Professional Competency Committee

The Professional Competency Committee will be meeting immediately following the meeting to review the audiology assistant proposal.

C. Policy and Procedures Committee

Mr. Thornton reported that he completed a review of the Board’s policies and procedures for 2016, and noted that any policies requiring updates were previously presented for approval.

CORRESPONDENCE

The Board reviewed correspondence since the last meeting. The Board reviewed a request from a licensee to carryover two hours of continuing education to the 2017-2018 practice period. After consideration, the Board denied the request noting the continuing education rules prohibit the carryover of any continuing education hours in excess of the required twenty hours.

EXECUTIVE SESSION

Motion #10

Ms. Brown 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. Mayle seconded the motion, which passed by roll call vote as follows:

Ms. Brown: yes; Dr. Froehlich: yes; Ms. King: yes; Ms. Mayle: yes; Dr. Prakup: yes; Dr. Spangler: yes.

The Board went into Executive Session at 10:35 a.m. and invited Board staff to remain in attendance.

The Board returned to Public Session at 11:06 a.m.

The Board recessed at 11:06 a.m. and returned to public session at 11:16 a.m.

INVESTIGATIONS

B. Board Actions

Previously Heard by the Board

2016-26

This case involves Tarah Lewis, COND.2016157, a conditionally licensed speech-language pathologist, who under her second conditional license entered into a Consent Agreement (Consent) May 11, 2016 for the following reasons:

- In 2014 she obtained employment and did not submit an original Supervised Professional Experience (SPE) Plan; she submitted a copy of her Plan 258 days late;
- Receipt of her SPE Report and Contacts Log (Report/Log) indicated completion of 36 fulltime weeks of experience; however, she actually completed 31;
- In August 2015 she obtained new employment and practiced 49 days under her conditional license, unsupervised and without an approved Plan. She provided service for 18 of the 49 days.

Per the Consent, her license to practice was suspended for 49 days, with 25 days stayed. She was required to continue completing the new fulltime SPE she started in October 2015, under the approved Plan and supervision. Her Plan approved end date was October 19, 2016. The Board received her Report/Log on November 22, 2016, which verified completion

of 36 fulltime weeks; however, it listed that her experience ended November 4, 2016, sixteen days beyond the end date. She and her SPE supervisor did not communicate with the Board or request an extension. She was not under an approved Amended Plan during the sixteen days.

Accordingly, the Investigative Review Group recommends the following:

Due to this being her second offense while under the terms of a Consent, and for violation of Ohio Revised Code section 4753.10(I) and Ohio Administrative Code Section 4753-3-07(E)(d)(e), offer a new Consent with the following terms:

- Grant her speech-language pathology license upon entering into a new Consent;
- Reprimand her speech-language pathology license;
- Complete 10 hours of continuing education in record keeping. Proof of these 10 hours shall be submitted to the Board office 60 days from the date the Board approves the new Consent;
- Upon obtaining SP licensure, subsequently audit her continuing education hours for two licensure biennium cycles. The 10 hours of continuing education in record keeping shall not count towards her required continuing education hours for either licensure biennium that is audited.

Motion #11

Ms. Brown moved to accept the Investigative Review Group's recommendation in case 2016-26. Ms. Mayle seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

2017-06

This case involves a speech-language pathologist who obtained licensure August 2016. She answered "No" on her Speech-Language Pathology Other State Waiver application to question number 13, "Have you ever been arrested, charged and/or convicted, pled guilty or no contest, or been granted intervention in lieu of conviction for any misdemeanor or other criminal offense in the State of Ohio or in any other state, commonwealth, territory, province, or country, (other than a minor traffic violation)?"

A month after licensure, the Board received information from a prospective employer indicating the licensee had a criminal history. From 2010 through 2012, she had three misdemeanor convictions in another state. She was not forthcoming with all three convictions until questioned multiple times by Board staff. At the October 28, 2016 board meeting, the board authorized the Investigative Review Group to offer her a Consent, upon corroboration with outside entities regarding details of her convictions. The information she provided did not corroborate with the information obtained from other independent sources.

Accordingly, the Investigative Review Group recommends to issue a Notice of Opportunity for Hearing for violation of Ohio Revised Code Section 4753.10(A) and Ohio Administrative Code Section 4753-3-08(A) and 4753-9-01(B)(1)(a)(c).

Motion #12

Ms. Brown moved to accept the Investigative Review Group's recommendation in case 2017-06. Dr. Prakup seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

New Cases

2016-49

This case involves a speech-language pathologist who is an independent contractor that travels/provides services to patients (clients) in their home. The licensee's contract with the particular agency was terminated based on home visits she reported having with patients/clients that did not occur.

Accordingly, the Investigative Review Group recommends to issue a Notice of Opportunity for Hearing for violation of Ohio Revised Code sections 4753.10(B)(I)(M) (O) and Ohio Administrative Code 4953-9-01 (A)(7)(a), (B)(1)(2)(a), (3)(a)(b).

Motion #13

Ms. Brown moved to accept the Investigative Review Group's recommendation in case 2016-49. Dr. Spangler seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

2016-68

This case involves a conditionally licensed speech-language pathologist who practiced prior to obtaining licensure. She indicates to have applied for Ohio licensure sometime after graduating from out of state in May of 2016. On June 5, 2016 she began employment and her SPE under supervision. On June 29, 2016 the Board office received her SPE Plan; however, a conditional speech-language pathology application had not been received.

Accordingly, the Investigative Review Group recommends the following:

Offer her a Consent Agreement for violation of Ohio Revised Code 4753.02 and 4753.10(I) and Ohio Administrative Code 4753-3-07(B)(2), (3)(a)(b), (4)(a)(b)(iv)(vi), with the following terms:

- She shall continue to complete her SPE;
- Her experience shall be extended by thirty (30) calendar days of her Plan approved end date, to be determined. If additional experience is needed, a completed Amended Plan shall be submitted within 30 days of the new/extended end date;
- She shall submit a completed SPE Report and Contacts Log no more than 30 days from the date her experience ends;
- She shall complete 2 hours of continuing education in the area of ethics. Proof of these 2 hours shall be submitted to the Board office 60 days from the date the Board approves the Consent Agreement;
- Once she obtains full licensure, her continuing education hours will be audited for one cycle.

The Investigative Review Group also recommends that the Board issue an advisory letter to the SPE supervisor and send a copy of the letter to the Respondent and employer.

Motion #14

Ms. Brown moved to accept the Investigative Review Group's recommendation in case 2016-68. Ms. King seconded the motion. Dr. Froehlich abstained. The motion passed unanimously.

C. Investigative Report – Ms. Stansberry

OPENED	Cases since the last Board Meeting 10/28/2016	3
CLOSED	Cases since the last board meeting 10/28/2016	10
TOTAL Open Cases	After closing any cases today (includes referrals)	15
Consumer Complaints	Of total open cases	9
Referrals	Of total open cases	6

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

Application Requirements Not Met	0
Billing Fraud	2
Continuing Education Violation	0
Conviction	0
False or Misleading Advertisement	1
Falsified/Misleading Application	2
Illegal, Incompetent, or Habitually Negligent Practice	0
Impaired Practice	1
Misrepresentation of Credentials	0
Other	1
Practicing Under Expired/Inactive License	0
Supervised Professional Experience Violations	0
Unlicensed Practice	1
Unprofessional/Unethical Conduct	7

Update of Cases Previously Heard by the Board

2015-34 Jodi Creighton, A.00892, did not appeal her Adjudication Order that was issued to her on November 3, 2016 following her October 28, 2016 administrative disciplinary hearing.

2016-40 Dr. Ronald Warrington, A.01819 - The October 28, 2016 board authorized Mr. Thornton to approve Dr. Warrington's reinstatement application upon receipt of his agreement to enter into a new Consent Agreement. He signed the Consent agreeing to the terms.

Since the last meeting – Other Enforcement Activities and/or Outcome of some of the closed cases

- 1 Warning letter- Supervised Professional Experience:
 - 1 Report and Contacts Log late by less than 60 days;
- 1 Complaint referred to the Ohio Attorney General's Consumer Protection regarding an advertisement.

Referrals to Investigations since the last board meeting:

- 3

BOARD BUSINESS**A. Board Meeting Dates, Elections and Committee Assignments for 2017**

The Board designated the following dates in 2017 for board meetings:

Wednesday, January 11 at 1:00 p.m.

Thursday, January 12 at 9:00 a.m.

Note, the January board meeting dates were subsequently changed as follows:

Wednesday, February 15 at 9:00 a.m. (full day)

Thursday, February 16 at 9:00 a.m. (half day, e.g., 9:00 a.m. to 1:00 p.m.)

Thursday, March 30 at 9:00 a.m.

Wednesday, May 17 at 9:30 a.m.

Tuesday, June 27 at 9:30 a.m.

Wednesday, August 9 at 9:30 a.m.

Friday, October 28 at 9:30 a.m.

Wednesday, December 6 at 9:30 a.m.

Ms. Brown presided over the nomination and election of the Chair and Vice Chair positions for 2017. The Board accepted nominations for the Chair position.

Motion #15

Dr. Spangler moved to nominate Ms. Tammy Brown to serve as Chairperson of the Board for 2017. Ms. Mayle seconded the motion. There were no further nominations submitted. The Board voted unanimously to accept the nomination of Tammy Brown to serve as Board Chairperson for 2017.

The Board accepted nominations for the Vice Chair position for 2017.

Motion #16

Ms. Brown moved to nominate Dr. Carrie Spangler to serve as Vice Chairperson of the Board for 2017. Dr. Froehlich seconded the motion. There were no other nominations submitted. The Board voted unanimously to accept the nomination of Dr. Carrie Spangler as Board Vice Chairperson for 2017.

After conferring with the Board, Ms. Brown announced the following Committee Assignments for 2017:

Rules Committee

Barbara Prakup, Chair

Helen Mayle

Carrie Spangler

Professional Competency Committee

Linda Wellman, Chair

Helen Mayle

Angela King

Carrie Spangler
New Audiology Board Member

Investigative Review Group

Lisa Froehlich, Chair
Tammy Brown (AUD Consultant)

Policy and Procedure Committee

Tammy Brown, Chair
Angela King

Review Committee January-June 2017

Carrie Spangler (AUD applications)
Barbara Prakup (SLP applications)

Review Committee July-December 2017

New Audiology Board Member (AUD applications)
Linda Wellman (SLP applications)

MEMBER CONCERNS

There were no board member concerns.

ADJOURNMENT

The meeting was adjourned at 12:01 p.m.

Tammy H. Brown, Chairperson

Carrie L. Spangler, Vice Chairperson

Date

Date

Gregg B. Thornton, Executive Director

Date