



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

**Board Meeting Minutes of Thursday, March 8, 2012**

The Regular Business Meeting was called to order at 9:30 A.M. by Chairperson, Helene Levenfus, Au.D., held at Hilton-Columbus at Easton Town Center, 3900 Chagrin Drive; Columbus, Ohio 43219.

**Board Members – Roll Call:**

Helene Levenfus, Au.D., Audiology Board Member and Chairperson  
Amy K. Thorpe, M.Ed., Speech-Language Pathology Board Member and Vice Chairperson  
Loretta T. Embry, M.A., Speech-Language Pathology Board Member  
Patricia L. Leppla, M.A., Speech-Language Pathology Board Member  
Karen K. Mitchell, Au.D., Audiology Board Member  
Malcolm J. Porter, Public Member  
Elizabeth L. Tracy, Public Member

**Also Present:**

Gregg B. Thornton, Executive Director  
Darlene D. Young, Administrative Assistant  
Brandy R. Thomas, Administrative Assistant  
Connie J. Stansberry, Investigator  
Melissa L. Wilburn, Assistant Attorney General

**OPEN FORUM FOR PUBLIC AND PROFESSIONAL ORGANIZATIONS**

There were no comments.

**AGENDA**

The agenda for the March 8, 2012, regular board meeting was presented and reviewed.

**Motion #1**

Dr. Mitchell moved to accept the agenda as submitted. Ms. Embry seconded the motion. The motion passed unanimously.

## **MINUTES**

The minutes of the January 19, 2012 board meeting were reviewed.

### **Motion #2**

Ms. Tracy moved to accept the minutes of the January 19, 2012 board meeting. Ms. Embry seconded the motion. The motion passed unanimously.

## **CHAIRPERSON'S COMMENTS**

Dr. Levenfus extended a warm welcome to everyone in attendance at the meeting. She thanked the Rules Committee for their hard work in reviewing the public comments received regarding the proposed changes to the continuing education requirements. Dr. Levenfus also thanked the board staff for all of their hard work and dedication in successfully carrying out the board's day-to-day operations since December.

*Without objection, Dr. Levenfus proceeded on the agenda with the Executive Director's Report.*

## **EXECUTIVE DIRECTOR'S REPORT**

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

- Significant meetings, presentations, and events;
- Board's year-to-date revenue and expenditures for FY2012;
- Number of license verification letters issued since the last meeting;
- Significant legislation;
- Personnel matters;
- Winter quarter eNewsletter, which was distributed on February 3, 2012;
- Progress of the Internet Sales Workgroup regarding the sale of hearing aids via the Internet;
- Status of the Medicaid Billing issue for conditional license holders;
- Status of the audit being conducted by the State Auditor's Office;
- Status of proposed rules for reimbursement of speech-generating devices;
- Ethics financial disclosure statement;
- Status of the business filing statements;
- Board member vacancies and appointments;
- Revisions to the supervised professional experience report and contacts log;
- Licensure renewal campaign for 2012;
- Public comments to the proposed changes to the continuing education requirements

## **ASSISTANT ATTORNEY GENERAL'S REPORT**

Assistant Attorney General Melissa L. Wilburn, Esq., requested that the Board enter into Executive Session.

## **EXECUTIVE SESSION**

### **Motion #3**

Ms. Embry 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. Leppla seconded the motion, which passed by roll call vote as follows: Dr. Levenfus: yes; Ms. Embry: yes; Ms. Leppla: yes; Dr. Mitchell: yes; Mr. Porter: yes; Ms. Thorpe: yes; Ms. Tracy: yes.

*The Board went into Executive Session at 10:20 a.m. and invited Mr. Thornton to remain in attendance.*

*The Board returned to Public Session at 10:45 a.m.*

*The Board took a break at 10:45 a.m. and resumed the board meeting at 11:00 a.m.*

## **INVESTIGATIONS**

### **A. Executive Session**

#### **Motion #4**

Ms. Embry 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. Tracy seconded the motion, which passed by roll call vote as follows: Dr. Levenfus: yes; Ms. Embry: yes; Ms. Leppla: yes; Dr. Mitchell: yes; Mr. Porter: yes; Ms. Thorpe: yes; Ms. Tracy: yes.

*The Board went into Executive Session at 11:00 a.m. and invited the Board staff to remain in attendance, along with Assistant Attorney General Melissa L. Wilburn, Esq.*

*The Board returned to Public Session at 11:07 a.m.*

### **B. Board Actions**

#### **2012-60**

This case involves a speech-language pathologist who submitted her Supervised Professional Experience Report (Report) and Supervision Contacts Log (Log) late by 73 days after completing her supervised professional experience year (PEY). She stated that she mailed her Report and Log within the required 30 days, of completing her PEY, and assumed it had been received. She admitted that it was her fault and that her supervisor had nothing to do with the late submission of paperwork. She obtained speech-language pathology licensure in November of 2011.

**Accordingly the Investigative Review Group (IRG) Committee recommends the following:**

*Due to this being the Respondent's first offense, and for violating Ohio Administrative Code (OAC) section 4753-3-07(G)(1), offer a Consent Agreement based on the following terms and conditions:*

- *Complete 10 continuing education hours in the area of documentation and record keeping due 90 days from the date the Board approves the Consent Agreement.*

#### **Motion #5**

Ms. Leppla moved to accept the Investigative Review Group's recommendation in case 2012-60. Ms. Thorpe seconded the motion. Dr. Levenfus abstained. Dr. Mitchell abstained. The motion passed uncontested.

#### **2012-95**

This case involves a conditional speech-language pathologist who submitted her Plan for Supervised Professional Experience (Plan) late by 114 days. She claimed to have faxed and mailed the Plan within the required 30 days, of employment; however she did not have a fax or certified mail receipt to prove this. She obtained her conditional speech-language pathology licensure in June of 2011 and it expires in December of 2012. At the January 19, 2012 board meeting, the Board accepted the IRG's recommendation to offer a Consent Agreement with the following terms and conditions:

*Due to this being the Respondent's first offense, and for not submitting a Plan within 30 days of employment, submitting the Plan late and for failure to practice according to the Plan, a violation of OAC section 4753-3-07(E)(4)(b)(c)(e), offer a Consent Agreement based on the following terms and conditions:*

- *Extend the current experience/Plan approved end date by the same number of days the initial Plan was late (114 days).*
- *Complete 10 education in training hours, in the area of documentation, due 90 days from the date the Board approves the Consent Agreement.*
- *Complete an additional 10 education in training hours, in the area of documentation, due 30 days before the conclusion of the new experience/Plan approved end date.*
- *Once full licensure is obtained, audit for continuing education hours for the 2<sup>nd</sup> and 3<sup>rd</sup> renewal cycles, meeting the required hours pursuant to OAC section 4753-4-01(A).*

The Respondent agreed to the above-terms and signed the Consent Agreement as well as submitted a completed new Amended Plan for Supervised Professional Experience.

**Accordingly the IRG recommends the Board accept the Consent Agreement and close the case.**

#### **Motion #6**

Ms. Embry moved to accept the Investigative Review Group's recommendation in case 2012-95. Ms. Tracy seconded the motion. Dr. Levenfus abstained. Dr. Mitchell abstained. The motion passed uncontested.

#### **2012-108**

This case involves a speech-language pathologist who submitted her Report and Log late by 176 days after completing her PEY. She also practiced for 12 days beyond her Plan approved end date yet had not submitted an Amended Plan, which is required pursuant to

OAC section 4753-3-07(E)(4)(d). She and her supervisor both indicated they did not know the Report and Log were due 30 days from ending the PEY. Both did not know the requirement for an Amended Plan. The Respondent was under the impression that the Report and Log were due after her conditional license expired. If she had waited until then, her paperwork would have been 235 days late. She obtained speech-language pathology licensure in February of 2012.

**Accordingly the IRG recommends the following:**

*Due to this being the Respondent's first offense, and for violating OAC section 4753-3-07(G)(1), offer a Consent Agreement based on the following terms and conditions:*

- *Complete 10 continuing education hours in the area of documentation and record keeping due 90 days from the date the Board approves the Consent Agreement.*

**Motion #7**

Ms. Embry moved to accept the Investigative Review Group's recommendation in case 2012-108. Ms. Thorpe seconded the motion. Dr. Levenfus abstained. Dr. Mitchell abstained. The motion passed uncontested.

**C. Investigative Report – Ms. Stansberry**

<b>OPENED</b>	Cases since the last Board Meeting 1/19/2012	10
<b>CLOSED</b>	Cases since the last board meeting 1/19/2012	11
<b>Referrals</b>	Of total open cases	9
<b>TOTAL Open</b>	After Closing Cases Today	16

**Of the cases currently open (and after closing any cases today):**

Aide changed supervisors but no application filed	0
CE Audit issues	0
Conviction applications	1
Deceased (verified)	0
Denied Refund	0
Billing Issues/Falsified Records	3
Hearing Test/Hearing Aids On-Line	1
Late Plan (or none)	1
Late Report and Log (or none)	2
Late Plan, Report and Log	0
Misleading Advertisement	0
Misrepresentation (Other)	1
No Plan on file	0
Other	1
Public Records Request	0
Re-licensure application CE review	0
Renewal application issue (CE not completed by 12/31/2010)	0
Restoration application review CE	1

Supervision of an Aide termination, did not notify Board	0
Unlicensed Practice	2
Unlicensed Practice due to late renewal/ceu audit	0
Unethical	0
Unprofessional	3

### 2010 Continuing Education (CE) Audit

The following have been audited for CE for the 2010 licensure period:

	Audited	CE's Received	Reviewed/ Complied
▪ Random AUD, 5%	39	39	38
▪ Random SLP, 5%	246	246	245
▪ Late Rnwls 1/1/11 – 3/8/11 (112)	106	106	106
▪ Consents (17)	15	15	15
▪ Reprimand	1	1	1
▪ Other	2	2	2
▪ Yes to 1 <sup>st</sup> Renewal	6	6	6
▪ AUD Board Members	3	3	3
▪ SLP Board Members	3	3	3
▪ Late Renewals after 3/8/11	<u>20</u>	<u>20</u>	<u>20</u>
	<b>441</b>	<b>441</b>	<b>439</b>

To date, 100% of the 2010 Continuing Education Audits have been reviewed to completeness. The compliance rate is 99.5%.

#### Summary of Compliance (99.5%):

- 2 licensees, randomly selected for audit, surrendered their license, instead of complying with the audit.
- Of the 112 Late Renewals (renewed 1/1/2011 – 3/8/2011), 5 were newly licensed and did not have to obtain any CE clock hours and 1 became re-licensed on 2/8/2011; therefore the audit completion percentage is based on a total of 106 audits for late renewal applications versus 112.
- Of the 17 audits that occurred as a result of a Board Consent Agreement, 2 were newly licensed and did not have to obtain any CE clock hours; therefore the audit completion percentage is based on 15 audits versus 17.

To date, the number of audits that resulted in opening a case and being issued a **Warning Letter (WL) or Consent Agreement (CA): 34**

- Number of WL issued – 23, along with summary:
  - 1 random audit completed zero CE clock hours during the 2010 licensure period
  - 8 random audits completed less than 20 hours during the 2010 licensure period
  - 4 late renewal audits completed zero CE hours during the 2010 licensure period

- 10 late renewal audits completed less than 20 hours during the 2010 licensure period

*Warning Letters were issued to those that completed zero or less than 20 CE clock hours during the 2010 licensure period; however, these licensees completed additional hours in 2011 requesting the Board to accept and consider the hours as applicable towards the 2010 audit. These individuals will be audited for their CE clock hours after the next renewal period.*

- Eight licensees who were randomly audited completed less than 20 CE clock hours by 12/31/2010 however attested “Yes” on their 2011-2012 renewal application that they would complete the hours by then. They renewed on these dates:

8/31/10	12/15/10
9/27/10	12/16/10
11/29/10	12/21/10
12/13/10	12/30/10

- One licensee who was randomly audited completed zero CE clock hours by 12/31/2010 however attested “Yes” on their 2011-2012 renewal application that they would complete the hours by then. They renewed on the following date:

12/27/10
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- Ten licensees who were audited for late renewal completed less than 20 CE clock hours by 12/31/2010 however attested “Yes” on their 2011-2012 renewal application that they had completed the hours by then. They renewed on these dates:

1/1/11	1/24/11
1/1/11	1/31/11
1/4/11	4/7/11
1/18/11	5/11/11
1/20/11	7/27/11

- Four licensees who were audited for late renewal completed zero CE clock hours by 12/31/2010 however attested “Yes” on their 2011-2012 renewal application that they had completed the hours by then. They renewed on these dates:

1/10/11	3/18/11
1/11/11	12/30/11

- Number of Consent Agreements (CA) issued – 11, along with summary:
  - 10 licensees were audited because they renewed late. The CA was issued due to the licensee’s admission to practicing under an expired license.

- 1 licensee was audited due to a late renewal of their license. Although the licensee did not practice under an expired license, the licensee admitted to attesting on their renewal application that all 20 CE clock hours were completed by 12/31/2010, even though zero hours were completed by then.

## **LICENSURE APPROVAL – Ms. Thorpe**

### **A. License Review**

<b>Speech-Language Pathology</b>
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#### **Motion #8**

Ms. Thorpe moved to ratify the Speech-Language Pathology licenses granted by the Executive Director on February 1, 2012, February 15, 2012, and March 1, 2012. Ms. Leppla seconded the motion. The motion passed unanimously.

#### **February 1, 2012**

Jillian	Zak	SP. 10293	
Lisa	Landes	SP. 10294	
Morgan	Wilkins	SP. 10295	
Susan	Morse	SP. 10296	
Jennifer	Scott	SP. 10297	
Susan	Goldberg	SP. 10298	
Lekshmi	Hymavathy	SP. 10299	
Kathy	Thomas	SP. 1370	(relicensure)

#### **February 15, 2012**

Christa	Deckard	SP. 10300	
Christina	Wheeler	SP. 10302	
Katie	Taylor	SP. 10303	
Margaret	Stroney	SP. 10304	
Lisa	Zitko	SP. 10305	
Nicole	Moran	SP. 10306	
Carolyn	Charnesky	SP. 10307	
Kendall	Caley	SP. 10308	
Tara	Burge	SP. 8958	(relicensure)

#### **March 1, 2012**

Lucy	Staines	SP. 10301	
Brett	Bumbico	SP. 10309	
Natalie	Jackson	SP. 10310	
Lauren	Keil	SP. 10311	
Jessica	Thornton	SP. 10312	

Erin	Mayhaus	SP. 10314
Lori	Matta	SP. 10316
Heather	Koch	SP. 10317
Marianne	Bernadsky	SP. 10318
Laura	Brust	SP. 10319
Samantha	Ditmer	SP. 10320
Leah	Harrigan	SP. 10321
Heather	Ream	SP. 10322
Abigail	Zollman	SP. 10323
Allison	Eggert	SP. 10324
Sarah	Trace	SP. 10325
Laruel	Workman	SP. 10326
Stacy	Verhoff	SP. 10327
Emily	Burger	SP. 10328
Megan	Knapke	SP. 10329

<b>Audiology</b>
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**Motion #9**

Ms. Thorpe moved to ratify the Audiology licenses granted by the Executive Director on February 1, 2012, February 15, 2012, and March 1, 2012. Ms. Leppla seconded the motion. The motion passed unanimously.

**February 1, 2012**

None

**February 15, 2012**

Kevin	Mochizuki	A. 01798
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**March 1, 2012**

None

<b>Conditional Speech-Language Pathology</b>
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**Motion #10**

Ms. Thorpe moved to ratify the Conditional Speech-Language Pathology licenses granted by the Executive Director on February 1, 2012, February 15, 2012, and March 1, 2012. Ms. Leppla seconded the motion. The motion passed unanimously.

**February 1, 2012**

Lori	George	COND.2012198	
Colleen	Carlile-Divito	COND.2012199	
Jennifer	Elerick	COND.2011056	(2 <sup>nd</sup> COND.)

**February 15, 2012**

Jennifer	Snider	COND. 2012200	
Anna	Fredman	COND. 2011148	(2 <sup>nd</sup> COND.)

**March 1, 2012**

Elizabeth	MacConnell	COND. 2011094	(2 <sup>nd</sup> COND.)
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**LICENSING SUMMARY**

Speech-Language Pathologist	6248
Audiologist	939
Inactives AUD / SLP	24/107
Conditional SLP	309
Permit Holders	46
SLP-Aide	10
AUD-Aide	65

<b>TOTAL</b>	<b>7748</b>
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**B. Applications for Review**

<b>Audiology Aides</b>
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**Motion #11**

Dr. Levenfus moved to approve the initial application for Audiology Aide, number **Aide AUD 03082012-1**. Ms. Thorpe seconded the motion. The motion passed unanimously.

**Motion #12**

Dr. Levenfus moved to approve the initial application for Audiology Aide, number **Aide AUD 03082012-2**. Ms. Thorpe seconded the motion. The motion passed unanimously.

**Motion #13**

Dr. Levenfus moved to approve the initial application for Audiology Aide, number **Aide AUD 03082012-3**. Ms. Leppla seconded the motion. The motion passed unanimously.

**Motion #14**

Dr. Levenfus moved to approve the initial application for Audiology Aide, number **Aide AUD 03082012-4**. Dr. Mitchell seconded the motion. The motion passed unanimously.

**Motion #15**

Dr. Levenfus moved to approve the initial application for Audiology Aide, number

**Aide AUD 03082012-5.** Dr. Mitchell seconded the motion. The motion passed unanimously.

<b>Speech-Language Pathology Aides</b>
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None

<b>Licensure Applications</b>
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There are no additional complete applications that are pending for blind review.

<b>Special Applications</b>
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None

*Without objection, Dr. Levenfus moved Committee Reports up on the agenda.*

## **COMMITTEE REPORTS**

### **A. Rules Committee – Ms. Loretta Embry**

Ms. Embry reported that the Rules Committee met on March 7, 2012. The committee reviewed public comments to the proposed changes to the continuing education requirements. The committee will continue to accept public comments through March 2012, and review all comments for consideration at the next committee meeting in May. Ms. Embry reported on the committee's final recommendations for proposed rule changes on name changes and licensure fees and new rules for guidelines on telepractice.

### **Motion #16**

Ms. Thorpe moved to accept the Rules Committee's report and recommendations. Ms. Leppla seconded the motion. The motion passed unanimously.

### **B. Professional Competency Committee – Ms. Amy Thorpe**

Ms. Thorpe reported that the Professional Competency Committee is scheduled to meet immediately following the board meeting. Ms. Thorpe reviewed the agenda items, which will be reported on at the May board meeting.

### **C. Policy and Procedure Committee – Mr. Malcolm Porter and Ms. Patricia Leppla**

Ms. Leppla reported that the Policy and Procedure Committee continues to review board policies and expects the committee to complete its task by the June board meeting.

*Without objection, Dr. Levenfus moved Correspondence up on the agenda.*

## **CORRESPONDENCE**

The Board reviewed general correspondence that the Executive Director responded to since the January board meeting after consultation with the Board Chairperson and other board members.

*The Board recessed for lunch at 12:00 noon and returned to Public Session at 1:30 p.m.*

## **BOARD BUSINESS**

### **A. Strategic Planning – Update**

The Board reviewed the final draft of the strategic plan for 2012 and entertained the following motion after discussion.

#### **Motion #17**

Ms. Thorpe moved to approve the Strategic Plan for 2012 as submitted. Dr. Mitchell seconded the motion. The motion passed unanimously.

### **B. Licensure Renewal Fee Increase**

Mr. Thornton updated the Board on the discussions and meetings with the Office of Budget and Management (OBM) and Department of Administrative Service – Central Service Agency (DAS-CSA) regarding the increase of the license renewal fee for speech-language pathology, audiology, and dual licenses for the 2013-2014 practice biennium. The Board noted that the license renewal fee was lowered in 2006 from \$150 to \$100 in order to draw down surplus revenue in the regulatory board account. After discussion, the Board entertained the following motion.

#### **Motion #18**

Ms. Thorpe moved that the Board amend appropriate rules to set the license renewal fee for the 2013-2014 practice biennium at \$120.00 for speech-language pathologists, \$120.00 for audiologists, \$170.00 for dual license holders, and \$50.00 for aides. Ms. Leppla seconded the motion. The motion passed unanimously.

### **C. Review of Continuing Education Experience**

The Board reviewed a request to approve continuing education experience sponsored by Blue Sky Therapy. After discussion, the Board entertained the following motion.

#### **Motion #19**

Ms. Thorpe moved to approve the continuing education program sponsored by Blue Sky Therapy entitled: "Dementia Capable Care: Foundation," for the 2011-2012 practice biennium, pursuant to Ohio Administrative Code section 4753-4-01(B)(5). Ms. Embry seconded the motion. The motion passed unanimously.

**EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS**

**Motion #20**

Dr. Mitchell moved to enter Executive Session for the purpose of considering the appointment, employment, dismissal, promotion, demotion or compensation of a public employee pursuant to Section 121.22(G)(1) of the Ohio Revised Code. Mr. Porter seconded the motion, which passed by roll call vote as follows:

Dr. Levenfus: yes; Ms. Embry: yes; Ms. Leppla: yes; Dr. Mitchell: yes; Mr. Porter: yes; Ms. Thorpe: yes; Ms. Tracy: yes.

*The Board went into Executive Session at 1:50 p.m. and invited Mr. Thornton and Assistant Attorney General Wilburn to remain in attendance for a portion of the executive session.*

*The Board returned to Public Session at 2:30 p.m.*

**MEMBER CONCERNS**

There were no member concerns expressed during the meeting.

**ADJOURNMENT**

The meeting was adjourned at 2:30 p.m.

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Dr. Helene Levenfus, Chairperson

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Ms. Amy Thorpe, Vice Chairperson

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Gregg B. Thornton, Executive Director

\_\_\_\_\_  
Date