



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

Board Meeting Minutes of Friday, August 12, 2011

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

Board Members Present:

Helene Levenfus, Au.D., Audiology Board Member and Chairperson
Loretta Embry, M.A., Speech-Language Pathology Board Member and Vice Chairperson
Jane Kukula, Au.D., Audiology Board Member
Karen Mitchell, Au.D., Audiology Board Member
Malcolm Porter, Public Member
Amy Thorpe, M.Ed., Speech-Language Pathology Board Member

Board Members Absent:

Patricia Leppla, M.A., Speech-Language Pathology Board Member

Also Present:

Gregg B. Thornton, Executive Director
Michelle Cunningham, Licensing Administrator
Darlene Young, Administrative Assistant
Connie J. Stansberry, Investigator
Melissa L. Wilburn, Assistant Attorney General

OPEN FORUM FOR PUBLIC AND PROFESSIONAL ORGANIZATIONS

There were no comments from the public or professional organizations.

AGENDA

The agenda for the August 12, 2011, regular board meeting was presented and reviewed.

Motion #1

Dr. Kukula moved to accept the agenda as submitted. Ms. Thorpe seconded the motion. The motion passed unanimously.

MINUTES

The minutes of the June 22, 2011 board meeting were reviewed. The following corrections were made: line 427, Motion #17 should reflect that Audiology Aide application 06222011-1 was tabled.

Motion #2

Dr. Kukula moved to accept the minutes of the June 22, 2011 board meeting as corrected. Dr. Mitchell seconded the motion. The motion passed unanimously. Dr. Kukula abstained.

CHAIRPERSON'S COMMENTS

Dr. Levenfus extended a warm welcome to everyone in attendance at the meeting. She reported that the Governor's Office announced the appointment of Ms. Elizabeth Tracy to complete Mr. Paul Good's remaining term on the board as the public member. Mr. Good passed away earlier this year. Dr. Levenfus reported that Ms. Patricia Leppla would be absent due to a death in her family. Dr. Levenfus also reported that the Ohio Department of Education (ODE) informed the Board of the passing of Dr. Kathe Shelby, Director of ODE's Office for Exceptional Children. Dr. Levenfus expressed her appreciation, on behalf of the entire Board, to the office staff for their continued hard work and support.

EXECUTIVE DIRECTOR'S REPORT

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

- Reported on significant meetings, presentations, and events;
- Reported on the Board's year-to-date revenue and expenditures for FY2012. Mr. Thornton reported the final revenue and expenditure totals for the last fiscal biennium – FY2010 to FY2011. Mr. Thornton stated that he contacted the Office of Budget and Management to review the expenditures and revenue for FY2010-2011. He stated that the Board's surplus is no longer available. The Board will have to raise licensure fees in order to ensure that revenue is sufficient to cover known expenses during the current fiscal biennium, i.e., FY2012-2013;
- Reported the number of license verification letters issued since the last meeting;
- Updated the Board on significant legislation;
- Updated the Board on personnel matters;
- Reported that the summer quarter eNewsletter will be distributed before the end of summer;
- Reported that he will contact the new board member to schedule a new board member orientation;
- Updated the Board regarding the workgroup's progress regarding the sale of hearing aids via the Internet;

- Updated the Board on the status of the Medicaid Billing issue for conditional license holders;
- Updated the Board on the status of the audit being conducted by the State Auditor's Office;
- Updated the Board on the status of the office layout re-configuration;
- Updated the Board regarding personnel matters;
- Updated the Board regarding the Board's presentation at the Ohio School Speech Pathology Educational Audiology Coalition (OSSPEAC) Conference.

INVESTIGATIONS

A. Executive Session

Motion #3

Ms. Thorpe 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; Dr. Kukula: yes; Ms. Leppla: absent; Dr. Mitchell: yes; Mr. Porter: yes; Ms. Thorpe: yes.

The Board went into Executive Session at 10:12 a.m. and invited the Board staff to remain in attendance.

The Board returned to Public Session at 10:24 a.m.

B. Board Actions

2010-24

This case involves a speech-language pathologist that billed for services they did not render. The Respondent worked for an in care home health facility and traveled to dementia patients' homes to provide speech therapy services. The Respondent was employed for 9 months. During their last two months of employment, before resignation, the Respondent had billed for 25 different appointments that involved 9 patients, yet did not provide the services. The Respondent admitted to this falsification verbally to their former supervisor and to the Board Investigator. They have been licensed since 2007. At the May 17, 2011 board meeting, the Board accepted the Investigative Review Group's (IRG) recommendation below:

- *Issue a Notice of Opportunity for Hearing or offer a Consent Agreement based on the following terms and conditions:*
 - *Suspend for 5 years.*
 - *Complete 15 continuing education hours; 5 hours in the area of ethics, 5 hours in the area of documentation and record keeping and 5 hours in billing.*
 - *Submit proof of these 15 hours 90 days from the date the Board approves the Consent Agreement.*

The Respondent agreed to the above-terms and signed the Consent Agreement.

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

Motion #4

Dr. Kukula moved to accept the Investigative Review Group's recommendation in case 2010-24. Ms. Embry seconded the motion. The motion passed uncontested. Dr. Levenfus abstained.

2011-34

This case involves a speech-language pathologist that worked in a rehabilitation facility. They submitted for billing for two patients, over a period of two days, yet service was not provided. The Respondent truly thought they provided service to the two patients, however later realized they could not have because one patient had been discharged and the other patient had passed away. The discrepancies were discovered by the Respondent's supervisor just prior to actual billing, via a computer 'screen shot', of services that were about to be billed. The Respondent has been licensed since 2003. At the June 22, 2011 board meeting, the Board accepted the IRG's recommendation to offer a Consent Agreement with the following terms and conditions:

- *Suspend for 1 year, staying all but 7 days.*
- *Following the suspension, place on probation for 3 years.*
- *During probation, complete 10 hours of continuing education in the area of billing and documentation and record keeping. Submit proof of the hours 90 days from the date the Board approves the Consent Agreement.*
- *During the probationary period the following terms must be met:*
 - *No violations of Chapter 4753*
 - *No misdemeanors*
 - *No felonies*
 - *Violation to the terms of probation will result in additional disciplinary action under Chapter 119 of the Ohio Revised Code.*

The Respondent agreed to the above-terms and signed the Consent Agreement.

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

Motion #5

Dr. Mitchell moved to accept the Investigative Review Group's recommendation in case 2011-34. Ms. Thorpe seconded the motion. The motion passed uncontested. Dr. Levenfus abstained.

2011-83

This case involves a misleading advertisement. A company advertised in an Ohio newspaper. The advertisement is for a Personal Sound Amplification Product, not a hearing aid. The advertisement reads, "Pioneering audiologist invents reading glasses for your ears." Their website states the same information. When the company was contacted and asked who their "pioneering audiologist" was, it was revealed that the individual was not an Ohio audiologist, that the company is based in another state and that more information about the individual could be obtained by contacting the manufacturer, which is also in that state. The

manufacturer was contacted and a representative told the Board Investigator that the individual was in a meeting. A message was left for the individual to return the Board's call. The Board did not receive a return call. After contacting the other state's licensing board, it was found that the individual is not an audiologist but rather a hearing aid specialist, whose license expired in 2007. According to the other state's Department of State, Division of Corporation's website, the manufacturer is listed as a profit corporation and is registered under the individual with the expired license.

Accordingly the IRG recommends issuing a Cease and Desist for advertising to Ohio consumers in a manner which would imply that the advertisement was referring to an Ohio audiologist. A violation of ORC 4753.01(D).

Motion #6

Ms. Embry moved to accept the Investigative Review Group's recommendation in case 2011-83. Ms. Thorpe seconded the motion. The motion passed uncontested. Dr. Levenfus abstained.

2011-89

This case involves a speech-language pathologist who submitted their Supervised Professional Experience Report (Report) and Supervision Contacts Log (Log) late by 124 days. The Board Investigator had much difficulty trying to contact the Respondent to gather information regarding the late arrival of the Report and Log. The Respondent did not respond to voice messages, e-mails or letters that were mailed, over a period of 3 months. When the Respondent finally did correspond with the Board Investigator, they had indicated they'd been out of the country. This individual received their speech-language pathology license on 4/1/2011.

Accordingly the IRG recommends the following:

Due to this being the Respondent's first offence, offer a Consent Agreement based on the following terms and conditions:

- Complete 10 continuing education hours in the area of documentation and record keeping.
- Submit proof of these 10 hours 90 days from the date the Board approves the Consent Agreement.
- Due to the high expectation to communicate promptly with the Board:
 - The Respondent shall cooperate with all lawful requests of the Board within 30 calendar days, pursuant to Ohio Administrative Code 4753-9-01(B)(1)(c)(ii).
 - The Respondent shall notify the Board in writing when they will be out of town for an extended period of time.

Motion #7

Ms. Thorpe moved to accept the Investigative Review Group's recommendation in case 2011-89. Dr. Kukula seconded the motion. The motion passed uncontested. Dr. Levenfus abstained.

2011-122

This case involves a speech-language pathologist that submitted their Report and Log late by 127 days. This individual received their speech-language pathology license on 8/1/2011.

Accordingly the IRG recommends the following:

Due to this being the Respondent's first offence, offer a Consent Agreement based on the following terms and conditions:

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

Motion #8

Ms. Embry moved to accept the Investigative Review Group's recommendation in case 2011-122. Dr. Kukula seconded the motion. The motion passed uncontested. Dr. Levenfus abstained.

2012-01

This case involves a misleading printed mailer advertisement involving a hearing center. The advertisement reads, "Call to speak to an audiology professional" and "Our audiology team..." followed by the names of two individuals and the credentials H.I.S. They are hearing instrument specialists, licensed in Ohio. The company has two Ohio locations. They do not employ an audiologist. When asked to speak to the audiology professional, one of the individuals stated, "I am an audiology professional, but I am not an audiologist. I am a hearing instrument specialist." Their website only lists one of the individuals as a staff member, and as a professional hearing aid dispenser. The business name is registered as a corporation on the Ohio Secretary of State's website. One individual is listed as the agent/registrant. The individual that stated they were an audiology professional is listed as the incorporator.

Accordingly the IRG recommends issuing a Cease and Desist for using the term "audiology team" and "audiology professional" when they are not licensed audiologists. A violation of ORC 4753.01(D).

Motion #9

Dr. Mitchell moved to accept the Investigative Review Group's recommendation in case 2012-01. Ms. Thorpe seconded the motion. The motion passed uncontested. Dr. Levenfus abstained.

2012-03

This case involves an audiologist that renewed late by 131 days and was audited for their continuing education hours. The Respondent did not obtain any hours during the 2010 renewal period. They attested yes on their 2011-2012 late renewal application that all 20 hours were or would be complete by 12/31/2010. The Respondent has rarely practiced audiology in the past 4 years. The last time they did work was in December of 2010. They did not practice while their license was expired, in 2011, for the 131 days. They were not planning on renewing but then saw a job opportunity and applied. Their intent was to complete 20 hours of continuing education and then renew, all before possibly starting the new job, should they have been offered the job. The Respondent was offered the job and sooner than expected. Therefore they renewed, late, and checked yes to having completed the required hours, knowing they had not. The Respondent contacted the Board Investigator,

after receiving the audit notice, and admitted to making this poor choice. 12 days after that call, the Board office received proof of 32 hours of continuing education completed between 5/26/2011 – 6/6/2011, all completed on-line.

Accordingly the IRG recommends the following:

Due to this being the Respondent's first offence and knowing they had not completed any continuing education hours during the 2010 renewal period yet attested yes to having completed them, offer a Consent Agreement based on the following terms and conditions:

- Complete 5 hours of continuing education in the area of record keeping and 5 hours in the area of ethics.
- Submit proof of these 10 hours 60 days from the date the Board approves the Consent Agreement.
- Of the 32 hours submitted with the audit, 20 of the 32 and the above 10 hours cannot be used towards the next renewal.

Motion #10

Ms. Embry moved to accept the Investigative Review Group's recommendation in case 2012-03. Dr. Mitchell seconded the motion. The motion passed uncontested. Dr. Levenfus abstained.

C. Investigative Report – Ms. Stansberry

OPENED	Cases since the last Board Meeting 6/22/2011	22
CLOSED	Cases since the last board meeting 6/22/2011	29
Referrals	Of total open cases	8
TOTAL Open	After Closing Cases Today	27

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

Aide changed supervisors but no application filed	0
Ceu Audit issues	9
Conviction applications	0
Deceased (verified)	0
Denied Refund	0
Falsified Records/Unethical	0
Late Plan (or none)	0
Late Report and Log (or none)	4
Late Plan, Report and Log	0
Misleading Advertisement	4
Misrepresentation (Other)	0
No Plan on file	0
Other	1
Public Records Request	0
Re-licensure application ceu review	0
Renewal application issue (ceu's not completed by 12/31/2010)	0

Restoration application review ceu's	0
Supervision of an Aide termination, did not notify Board	0
Unlicensed Practice	2
Unlicensed Practice due to late renewal/ceu audit	5
Unprofessional	2

2010 CEU Audit

The following have been audited for continuing education for the 2010 renewal period:

	Audited	CEUs Received	Reviewed/ Complied
▪ Random AUD, 5%	39	39	38
▪ Random SLP, 5%	246	244	233
▪ Late Renewals 1/1/11 – 3/8/11	112 (107)	106	100
▪ Consents	17 (15)	15	15
▪ Reprimand	1	1	1
▪ Other	2	2	2
▪ Yes to 1 st Renewal	6	6	6
▪ AUD Board Members	3	3	3
▪ SLP Board Members	3	3	3
▪ Late Renewals after 3/8/11	<u>16</u>	16	<u>3</u>
	438		404

To date, 92% of the 2010 Continuing Education Audit review is complete.

Of the 112 Late Renewals, 5 were newly licensed and did not have to obtain any ceu's, therefore only 107 were actually audited.

Of the 17 Consents audited, 2 were newly licensed and did not have to obtain any ceu's, therefore only 15 were actually audited.

LICENSURE APPROVAL – Ms. Embry

A. License Review

Speech-Language Pathology

Motion #11

Ms. Embry moved to ratify the Speech-Language Pathology licenses granted by the Executive Director on July 1, 2011, July 15, 2011 and August 1, 2011. Dr. Kukula seconded the motion. The motion passed unanimously.

July 1, 2011

Karen

Semersky
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SP.4317 (Re-licensure)

Rhenda	Remle	SP.10077
Shannon	Spears	SP.10081
Molly	Moorman	SP.10082
Kathryn	Sullivan	SP.10083
Nancy	Saxon	SP.10084
Caroline	Banks	SP.10085
Nicole	Tondo	SP.10086
Megan	Modney	SP.10087
Abby	Friedberg	SP.10088
Tanya	Mey	SP.10089
Amy	Flor	SP.10090
Claire	Frasure	SP.10091
Megan	Exner	SP.10092
Saralyn	Chickos-Scherley	SP.10093
Alea	Newsom	SP.10094
Lara	Schwinn	SP.10095
Tracy	Klosterman	SP.10096
Ashley	Wyse	SP.10097
Ann	Kobilarcik	SP.10098
Amy	Harsha	SP.10099
Susan	Riddlebaugh	SP.10100
Angela	McCullough	SP.10101
Amanda	Bisson	SP.10102
Breann	Ragor	SP.10103
Kaci	Osborne	SP.10104
Devora	Scheinbaum	SP.10105
Anne	Marsh	SP.10106
Jaclyn	Walton	SP.10107
Jana	Randazzo	SP.10108
Taylor	Vild	SP.10109
Jenna	Horlacher	SP.10110
Nancy	Cahall	SP.10111
Brittany	Davis	SP.10112
Sara	Van Woerkom	SP.10113
Ashley	Andino	SP.10114
Callie	Scott	SP.10115
Erin	Govert	SP.10116
Elea	Asher	SP.10117
Katherine	Sydowski	SP.10118
Susan	Wetli	SP.10119
Monique	Mills	SP.10120

Courtney	Graham	SP.10121
Carly	Heilman	SP.10122

July 15, 2011

Katie	Georges	SP.10123
Molly	McDaniel	SP.10124
Bethany	McFerin	SP.10125
Molly	Gaffney	SP.10126
Jessica	Allen	SP.10127
Kristen	Vajda	SP.10128
Barbara	Carvalho	SP.10129
Jessica	Baronti	SP.10130
Kathleen	Day Hill	SP.10131
Jennifer	Haynes	SP.10132
Lauren	Bauer	SP.10133
Courtney	Qualter	SP.10134
Kerri	Biggs	SP.10135
Sarah	Best	SP.10136
Brianne	Roseberry	SP.10137
Jodi	Newcomer	SP.10138
Erin	Fleeter	SP.10139
Rachel	Bear	SP.10140
Kristen	Deyhle	SP.10141
Alisha	Wright	SP.10142
Cynthia	Nambiar	SP.10144
Allyssa	Dible	SP.10145
Berkeley	DiNicola	SP.10146
Vanessa	Smith	SP.10147
Monica	Mallue	SP.10148
Greta	Erickson	SP.10149
Meaghan	Wilson	SP.10150
Kristy	Young	SP.10151
Yen	Nguyen	SP.10152
Brianne	Bush	SP.10153
Blake	Peters	SP.10154
Rachel	Morris	SP.10155
Nicole	Allison	SP.10156
Andreana	Somich	SP.10157
Layla	Olive	SP.10158

August 1, 2011

Julianne	Wolf	SP.10143
Shana	Lucius	SP.10159
Sherly	Kennedy	SP.10160
Allison	Sebastian	SP.10161
Kathleen	Walsh	SP.10162
Kathleen	Magelaner	SP.10163
Rachel	Smay	SP.10164
Jaclyn	Becker	SP.10165
Sufia	Nisar	SP.10166
Lauren	Wills	SP.10167
Javonne	Mullins	SP.10168
Stephanie	Schmidt	SP.10169
Laurel	Teller	SP.10170
Sarah	Greb	SP.10171
Cassandra	Decker	SP.10172
Brooke	Davis	SP.10173
Meredith	Pearson	SP.10174
Emily	Church	SP.10175
Connie	Hartman	SP.10176
Teressa	Battaglia	SP.10177
Abby	Beckman	SP.10178
Kaitlin	Jones	SP.10179
Rebecca	Gardner	SP.10180
Katharine	Rex	SP.10181
Kelly	Sustar	SP.10182
Andrea	Grote	SP.10183
Katie	Ellis	SP.10184
Lindsay	Brumfield	SP.10185
Vincci	Chan	SP.10186
Lauren	Christensen	SP.10187
Elizabeth	Kent	SP.10188
Rachel	Thomas	SP.10189

Audiology**Motion #12**

Ms. Embry moved to ratify the Audiology licenses granted by the Executive Director on July 1, 2011, July 15, 2011, and August 1, 2011. Dr. Kukula seconded the motion. The motion passed unanimously.

July 1, 2011

Elizabeth	Cooper	A.00689
Theresa	Hammer	A.01776
Jennifer	Phelan	A.01777
Mostafa	Youssif	A.01778
Ashleigh	Wells	A.01779
Katherine	Brinkman-Nguyen	A.01780
Alyse	Rante	A.01781
Tamara	Francini	A.01782

July 15, 2011

Gina	Groves	A.01783
Sarah	Hobbs	A.01784
Lisa	Wolfe	A.01785
Jessica	Snyder	A.01786
Ashley	Gipson	A.01787
Elena	King	A.01788
Matthew	Stone	A.01789

August 1, 2011

Suzanne	Lindgren	A.00958
Rachelle	Miano	A.01790

Conditional Speech-Language Pathology

Ms. Embry moved to ratify the Conditional Speech-Language Pathology licenses granted by the Executive Director on July 1, 2011, July 15, 2011 and August 1, 2011. Ms. Thorpe seconded the motion. The motion passed unanimously.

July 1, 2011

Jessica	Hicks	COND.2012001
Victoria	Bowman	COND.2012002

Natalie	Koesel	COND.2012003
Amy	Warren	COND.2012004
Paula	Phipps	COND.2012005
Carol	Leach	COND.2012006
Mary Beth	Klimkowski	COND.2012007
Nicola	Holdsworth	COND.2012008
Katie	Collins	COND.2012009
Karen	Tanveer	COND.2012010
Allison	Kinneberg	COND.2012011
Kara	Berling	COND.2012012
Stephanie	Hutzel	COND.2012013
Emily	Watkins	COND.2012014
Ellery	Thompson	COND.2012017
Kari	Kemen	COND.2012015
Christina	Hanneken	COND.2012016
Stacey	Bosley	COND.2012018
Kathryn	Beerman	COND.2012019
Taryn	Murphy	COND.2012020

July 15, 2011

Andrea	Jutte	COND.2012022
Katie	Dupps	COND.2012023
Brittany	Figgins	COND.2012024
Stephanie	Murray	COND.2012025
Kristen	Sterl	COND.2012026
Sarah	Krone	COND.2012027
Vanessa	Camen	COND.2012028
Shawna	Kennedy	COND.2012029
Katelyn	Ketchum	COND.2012030
Allison	Windau	COND.2012031
Rebecca	Hendricks	COND.2012032
Melissa	Massery	COND.2012033
Katie	Joyner	COND.2012034
Rachel	Dolan	COND.2012035
Kathleen	Gaetano	COND.2012036

August 1, 2011

Gail	Morrison	COND.2010179
Christina	Horak	COND.2012037
Melanie	Murray	COND.2012038
Megan	Sturm	COND.2012039

Julie	Koesters	COND.2012040
Jessica	Stern-Enzi	COND.2012041
Debra	Colson-McCarthy	COND.2012042
Jeannine	Brigger	COND.2012043
Christie	Lewis	COND.2012044
Adrienne	James	COND.2012045
Margaret	Wehner	COND.2012046
Brooke	Payne	COND.2012047
Mary Anne	Kane	COND.2012048
Stephanie	Wheeler	COND.2012049
Rachel	Whitcraft	COND.2012050
Rhonda	Magill	COND.2012051
Sarah	Sponseller	COND.2012052
Abigail	Scott	COND.2012053
Melissa	Groff	COND.2012054

LICENSING SUMMARY

Speech-Language Pathologist	6091	
Audiologist	931	
Inactives	133	AUD 25 / SLP 108
Conditional SLP	242	
Permit Holders	20	
SLP-Aide	10	
AUD-Aide	63	
TOTAL	7490	

B. Applications for Review

Audiology Aides

Motion #13

Dr. Levenfus moved to leave Aide AUD 06222011-1 on the table pending additional clarification of duties. Ms. Thorpe seconded the motion. The motion passed unanimously.

Motion #14

Dr. Mitchell moved to approve the application for Audiology Aide, number **Aide AUD 08122011-1**. Ms. Thorpe seconded the motion. The motion passed unanimously. Dr. Kukula abstained.

Motion #15

Dr. Mitchell moved to approve the application for Audiology Aide, number **Aide AUD 08122011-2**. Ms. Embry seconded the motion. The motion passed unanimously. Dr. Kukula abstained.

Licensure Applications

There are no additional complete applications that are pending for blind review.

Special Cases

Motion #16

Ms. Thorpe moved to approve the request to waive supervisor qualifications stipulated by Ohio Administrative Code section 4753(D)(1)(b) of 24 Months of full time clinical experience in the past 60 months for conditional license holder 2011240.

Ms. Embry seconded the motion. The motion passed unanimously.

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 would be meeting immediately following the board meeting. Ms. Embry reviewed the proposed committee agenda and highlighted the rules that will be finalized for rule making process. A rules hearing is scheduled for the October 12 board meeting.

B. Professional Competency Committee – Dr. Jane Kukula

Dr. Kukula reported that the Professional Competency Committee met on August 11, 2011. Dr. Kukula reported that the committee approved proposed changes to the continuing education requirements. She reported that committee is recommending that their recommendations be referred to the Rules Committee. Dr. Kukula indicated that the committee plans to discuss establishing requirements for training and continuing education for individuals who supervise conditional licensees during the supervised professional experience. Dr. Kukula stated that the committee also discussed scenarios brought forward by the Executive Director for guidance and clarification related to contact logs recently submitted for completion of the supervised professional experience. She stated that most of the issues discussed can be resolved by updating the board's prescribed forms. The Executive Director will review other scenarios with the board chairperson and/or Review Committee, as necessary. Dr. Kukula reported that the committee reviewed a request from a licensee to accept teaching experience at a university as satisfying part of the continuing education requirements for the 2009-2010 practice biennium. Dr. Kukula reported that the committee reviewed the supporting documentation and would be recommending that the Board approve the request. Dr. Kukula concluded her report by indicating that the committee discussed transitional and logistical issues after her term on the board expires, in September, to ensure the committee's momentum continues.

Motion #17

Ms. Thorpe moved to accept the Professional Competency Committee's recommendation to refer the draft of the proposed changes to the continuing education requirements to the Rules

Committee for further review. Ms. Embry seconded the motion. The motion passed unanimously.

Motion #18

Dr. Kukula moved to accept the Professional Competency Committee's recommendation that three hours of continuing education be granted for the documented continuing education experience submitted by license number SP.8718 for the 2009-2010 license biennium, pursuant to Ohio Administrative Code section 4753-4-01(B)(5). Dr. Mitchell seconded the motion. The motion passed unanimously.

C. Policy and Procedures Committee – Mr. Malcolm Porter and Ms. Patricia Leppla

Mr. Porter reported that the Policy and Procedures Committee is in the process of completing their review of the first group of policies. He reported that he would confer with the Executive Director prior to the next board meeting to update the time frame the committee will need to complete its review of all board policies and procedures.

Without objection, Dr. Levenfus moved the following items under Board Business up on the agenda.

BOARD BUSINESS

A. Annual Conference - National Council of State Boards for Speech-Language Pathology and Audiology

The Board reviewed the conference program for the National Council of State Boards for Speech-Language Pathology and Audiology. (NCSB) The Board has been a long-standing member of this organization and noted that the mission of NCSB is to facilitate the role of state licensure boards through communication and education. The Board noted that several topics scheduled for the NCSB annual conference relate to issues the Board is currently addressing or will be addressing in 2012. Therefore, the Board determined that resuming our attendance at the national conference is critical to fulfilling the Board's mission of consumer protection.

Motion #19

Dr. Kukula moved to authorize appropriate travel expenditures for the Executive Director and one board member to attend the annual conference of the National Council of State Boards for Speech-Language Pathology and Audiology from October 13 – 15, 2011, in Las Vegas, Nevada. Ms. Embry seconded the motion. The motion passed unanimously.

B. 4th Year AUD Clinical Externship – clarification of status of applicant for AUD licensure upon university's conferring of Au.D. degree

The Board discussed an issue brought forward by the Licensing Administrator regarding the status of audiology applicants who completed their 4th year AUD clinical experience and have an application pending with the Board. The issue relates to receipt of applications from AUD applicants who may believe it is appropriate to continue practicing under their 4th year clinical externship program after graduating, pending the disposition on their licensure application. After discussion, the Board determined that as long as the degree was conferred by the

university, AUD applicants cannot practice audiology, even under supervision, until their audiology license has been issued by the Board. Mr. Thornton will contact the ten graduate universities in Ohio to make them aware of this requirement, update the application form for AUD licensure, and include this clarification in future newsletters and university presentations.

ASSISTANT ATTORNEY GENERAL'S REPORT

EXECUTIVE SESSION

Motion #20

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

The Board went into Executive Session at 11:45 a.m. and invited Board staff to remain in attendance.

The Board returned to Public Session at 11:50 a.m.

The Board recessed for lunch at 12:20 p.m. and returned to Public Session at 1:30 p.m.

BOARD BUSINESS (continued)

C. Sale of used/reconditioned hearing aids

Dr. Levenfus recognized Judy L. Lazor, Au.D., and Leigh M. Temsey, Au.D., who were present to give their perspective on the issue related to the sale of used/reconditioned hearing aids. The Board recognized that we currently have statutes and rules that require all authorized individuals to fit and dispense hearing aids in accordance with local, state, and federal regulations; in particular those promulgated by the federal Food and Drug Administration and Ohio Consumer Sales Practice Act. The Board will continue to monitor this issue to ensure that proper and appropriate disclosure is made to consumers who receive used or reconditioned hearing aids from audiologists.

D. Review of proposed bill – student caseload ratios in school settings – requiring time study

The Board discussed the proposed legislation being supported by the Occupational Therapy and Physical Therapy Associations which requires the Ohio Department of Education (ODE) to conduct a time study on case load ratios for occupational therapists and physical therapists working in school settings. In May 2010, the Board was approached about supporting this legislation. As a result, speech-language pathologists and educational audiologists were

included in the proposed bill. The Board received an update from Bernadette Laughlin, with the ODE, about the status of ODE's request for proposal that was issued last year. The RFP was issued as part of the ODE Caseload Steering Committee's recommendation to study alternative processes for calculating the FTE of service provider ratios for all special education service providers and intervention specialists. Ms. Laughlin reported that the ODE caseload project is progressing. A total of 21 school districts were selected. Ms. Laughlin reported that the school districts represent rural, suburban, urban, etc. areas. Proposals have already been submitted and data has been collected. Ms. Laughlin reported that the research supports that caseload ratios should be based on a "student-needs" approach, rather than purely a "head-count." Ms. Laughlin reported that ODE is confident that the ODE caseload project will result in improvements for determining how many students all service providers in the school setting should have on their caseload. After discussion, the board entertained the following motion.

Motion #21

Mr. Porter moved that the Board withdraw its support of any proposed legislation at this time regarding caseload ratios, but remain engaged in discussion with interested parties. Ms. Thorpe seconded the motion. The motion passed unanimously.

E. Review of proposed bill – prohibiting direct sale of hearing aids to Ohio consumers via the internet

The Board received an update from Mr. Thornton regarding proposed language that will prohibit direct sale of hearing aids to Ohio consumers via the Internet. The Board reviewed the proposed language and proposed changes. Mr. Thornton will present the changes to the workgroup for consideration. The Board determined that it would like to see the official draft of the bill before voting on whether to support the proposed legislation.

F. Telepractice – clarification about aides as support personnel

The Board discussed the role of speech-language pathology and audiology aides as support personnel in school settings when therapy services are delivered via telepractice. The Board clarified that the duties of the aide, and supervision requirements for the aide, in traditional face-to-face therapy would be the same for services provided via telepractice. In 2012, the Board plans to review and adopt rules that will set forth the requirements and guidelines related to the role of support personnel facilitating during the delivery of services via telepractice.

Dr. Levenfus summarized the discussions and board actions taken for agenda items that were moved up on the agenda for the benefit of individuals from the public who arrived to the board meeting after the lunch recess.

CORRESPONDENCE

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

Board also reviewed general correspondence received on August 12, 2011, during the lunch recess, related to otoacoustic emission testing and directed Mr. Thornton to respond back.

The Board took a break at 2:40 p.m. and resumed the board meeting at 2:55 p.m.

EXECUTIVE SESSION

Motion #22

Ms. Embry 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; Dr. Kukula: yes; Ms. Leppla: absent; Dr. Mitchell: yes; Mr. Porter: yes; Ms. Thorpe: Yes.

The Board went into Executive Session at 2:55 p.m. and invited Mr. Thornton to remain in attendance.

The Board returned to Public Session at 3:05 p.m.

MEMBER CONCERNS

There were no member concerns expressed during the meeting.

ADJOURNMENT

The meeting was adjourned at 3:10 p.m.

Dr. Helene Levenfus, Chairperson

Ms. Loretta Embry, Vice Chair

Date

Date

Gregg B. Thornton, Executive Director

Date