



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

Official Board Meeting Minutes of March 5, 2009

The Regular Business Meeting was called to order at 9:30 A.M. by Chairperson, Valenta Ward-Gravely, Au.D., held at Hilton Easton, in the Lilac Room, 3900 Chagrin Dr., Columbus, Ohio, 43219.

Members present:

Valenta Ward-Gravely, Au.D., Audiology Board Member and Chairperson
Helene Levenfus, Au.D., Audiology Board Member and Vice Chairperson
Jane Kukula, Au.D., Audiology Board Member
Loretta Embry, M.A., Speech-Language Pathology Board Member
Malcolm Porter, Public Member (10:00 A.M. arrival)
Patricia Leppla, M.A., Speech-Language Pathology Board Member
Patricia M. Zurlinden, M.A., Speech-Language Pathology Board Member

Members absent:

J. Paul Good, Public Member – Excused absence

Also Present:

Gregg B. Thornton, Esq., Executive Director
Connie Stansberry, Investigator
Deborah Howard, Administrative Assistant
Diane L. Hoenig, Licensing Administrator
Melissa L. Wilburn, Assistant Attorney General
Davida L. Parsons Weaver, Former Board Member

OPEN FORUM FOR PUBLIC AND PROFESSIONAL ORGANIZATIONS

- Davida L. Parsons Weaver – Former Board Member and Immediate Past Chairperson

The Board expressed its sincere appreciation to former Board Member and Immediate Past Chairperson, Davida L. Parsons Weaver, who served on the Board from September 27, 2007, until November 10, 2008. Dr. Ward-Gravely presented Ms. Parsons Weaver with a plaque and gavel for her distinguished service to the Board.

The Board also expressed its appreciation to former Board Member and Vice Chairperson, Dr. Dawn E. Gleason, who served on the Board from December 11, 2006, until October 26, 2008. Dr. Gleason was unable to be present. The plaque noting her distinguished service to the Board will be presented to her in the near future.

AGENDA

The agenda for the March 5, 2009, regular board meeting was presented and reviewed. The following amendments were made:

- The full Board will attend the Ohio Department of Education Speech-Language Pathology (“ODE/SLP”) Advisory Board meeting at 10:00 A.M. in the New Albany Room.
- The Executive Director’s report will be added.
- Discussions and official actions related to Board investigations will be moved from 10:30 A.M. to 1:00 P.M.

Motion #1

Ms. Zurlinden moved to accept the agenda as amended. Ms. Embry seconded the motion. The motion passed unanimously.

MINUTES

The minutes of the January 30, 2009, special Board meeting were reviewed and corrected as follows:

- The Board accepted a verbal report made by the former Interim Executive Director.

Additionally, after discussion initiated by Dr. Ward-Gravely, the Board noted that the regular meeting minutes for March 5, 2009, will contain a verbatim transcription of the statements Dr. Nancy Creaghead, professor and head of the Department of Communication Sciences and Disorders at the University of Cincinnati, submitted in her letter to the Board, dated February 11, 2009. Dr. Creaghead’s statements will be duly recorded and made part of the Board’s official proceedings taken during the Correspondence Section appearing on today’s agenda.

Motion #2

Ms. Zurlinden moved to accept the minutes of the January 30, 2009, Board meeting, as corrected. Ms. Embry seconded the motion. The motion passed unanimously.

CHAIRPERSON'S COMMENTS

Dr. Ward-Gravely

- Introduced Ms. Patricia Leppla as the new Speech-Language Pathology Board member. Ms. Leppla attended the Board orientation in February 2009.
- Mr. Porter also attended the orientation for new Board members.
- Introduced Mr. Gregg B. Thornton as the new Executive Director for the Board, effective as of March 2, 2009. Dr. Ward-Gravely met with Mr. Thornton prior to his start date for orientation, which included meeting the Board staff members and reviewing various office procedures and Board related issues.
- Nada Allender, Project Coordinator, for the Ohio Master's Network Initiatives in Education (OMNI) invited the Board to attend their ODE/SLP Advisory Board meeting at 10:00 A.M. All Board members and the executive director will attend.
- Public Board member Mr. J. Paul Good is recuperating and hopes to be well enough to attend the Board meeting on May 1, 2009.

EXECUTIVE SESSION

Motion #3

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. Dr. Kukula seconded the motion, which passed a roll call vote as follows:

Dr. Ward-Gravely: yes; Dr. Levenfus: yes; Dr. Kukula: yes; Ms. Embry: yes; Ms. Leppla: yes; Ms. Zurlinden: yes.

The Board went into Executive Session at 9:45 A.M. The Board staff including Mr. Thornton was not in the room during deliberations.

The Board invited Mr. Thornton into Executive Session at 9:47 A.M.

The Board recessed from Executive Session at 10:00 A.M. to attend the ODE/SLP Advisory Board meeting in the New Albany Room.

The Board returned to Executive Session at 10:37 A.M.

The Board returned to Public Session at 10:54 A.M.

LICENSURE APPROVAL – Dr. Levenfus

A. License Review

Motion #4

Dr. Levenfus moved to ratify the Audiology license granted by the Executive Director on February 2, 2009. Dr. Kukula seconded the motion. The motion passed unanimously.

AUDIOLOGY

March 2, 2009

Dawn B.	McKinney	A01684
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Motion #5

Dr. Levenfus moved to ratify the Conditional Speech-Language Pathology licenses granted by the Executive Director on February 2, 2009, and March 2, 2009. Dr. Kukula seconded the motion. The motion passed unanimously.

Conditional Speech-Language Pathology
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February 2, 2009

Amanda Therese	Rodgers	COND 2009133
Cayla Renee	Barcheski	COND 2009134
Tiffany Nicole	Sullivan	COND 2009135
Kathryn Ellen	Riccomini	COND 2009136
Teresa R.	Zeltwanger	COND 2009137
Brittany N.	Banks	COND 2009138

March 2, 2009

Emily J.	Chouinard	COND 2009139
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Motion #6

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

Speech-Language Pathology

February 2, 2009

Katherine Lee	Persavich	SP 7558 Relicensure
Janelle E.	Pickens	SP 7127 Relicensure
Jamie Lynn	Kelly	SP 9254
Kristen Michelle	Tu	SP 9255
Melissa R.	Larson	SP 9256
Lindsay R.	Riegler	SP 9257
Sarah R.	George	SP 9258
Meghan Renee	Stahlhut	SP 9259

Emily Marie	Rohlf	SP 9260
Tiffany Rachelle	Tyler	SP 9261
Gina Ann	Hollinger	SP 9262
Mary A.	Powell	SP 9263
Michelle Suzanne	Bourgeois	SP 9264
Lauren	Deitrick	SP 9265
Sarah Nicole	Taulker	SP 9266
Sandra Marie	Winter	SP 9267
Kaleena Grace	Headlee	SP 9268
Kayla Renee	Haun	SP 9269

February 16, 2009

Kathlyn E.	Birr	SP 9270
Katie L	Garcia	SP 9271
Erin Lynn	Lyons	SP 9272
Stephanie Ann	Miklich	SP 9273
Tricia L.	Kline	SP 9274

March 2, 2009

Heather Rae	Brown	SP 9275
Krista Nicole	Jones	SP 9276
Carol Reese	Fitzgerald	SP 9277
Katherine Babits	Gerus	SP 9278
Heather	Woutat	SP 9279
Jennifer Lynn	Sheargold	SP 9280
Lisa Renee	Venzon	SP 9281
Keshia Kenyetta	Allen	SP 9282
Emily Ann	Mayberry	SP 9283
Samantha Dale	Sussky	SP 9284
Bhairavi D.	Tanna	SP 9285
Amy Michelle	Stumbo	SP 9286
Alicia Ann	Sofo	SP 9287
Kelly Marie	Parsons	SP 9288
Nathalie Jaye	Paulus	SP 9289
Sydney Elyse	Mattis	SP 9290
Ashley S.	McDermott	SP 9291
Abby Voelkerding	Mathews	SP 9292
Kelly J.	Johns	SP 9293
Jennifer Lynn	Howald	SP 9294
Mallory Reed	Hawley	SP 9295
Gina Marie	Friszman	SP 9296
Katherine Elizabeth	Epps	SP 9297
Katie Sue	Cooper	SP 9298

Angela Renee

Borton

SP 9299

B. Aide Applications

Speech-Language Pathology Aides

Ms. Embry moved to table the renewal application for speech-language pathology aide, number **SLP Aide 030509-2** for clarification of duties. The application listed duties that were not in line with the statute delineating the scope of practice for speech-language pathology aides. The Board's Licensing Administrator will follow-up with the applicant and reference pertinent Board statutes and/or rules that address the specific duties listed on the application, which the Board did not consider to be within the scope of practice. Specifically, the applicant will be advised that implementing, evaluating, and establishing goals are not within the scope of practice.

Audiology Aides

Dr. Kukula moved to table the application for audiology aide, Number **AUD Aide 030509-1** for clarification of "co-treat" duties in the submitted plan.

Motion #7

Dr. Kukula moved to approve the application for audiology aide, Number **AUD Aide 030509-3**. Ms. Embry seconded the motion. The motion passed unanimously.

Motion #8

Dr. Kukula moved to approve the application for audiology aide, Number **AUD Aide 030509-4**. Ms. Embry seconded the motion. The motion passed unanimously.

Licensure Applications

Dr. Levenfus moved to table the foreign application for audiology, Number **AUD 011309-4**. The Board will ask the applicant to provide verification of taking the Praxis Series™ examination in Audiology, which is administered by the Educational Testing Service ("ETS"). If the applicant did not take this exam, the Board's Licensing Administrator will advise that the aforementioned exam must be completed. The applicant's test score must be submitted directly to the Board by ETS.

Student Permit**None**

Licensing Summary

SLP	5582
AUD	885
Conditional SLP	215
Permit	35
AUD Aide	61
SLP Aide	17
Total	6795

Ms. Hoenig shared statistics from customer satisfaction surveys submitted online by licensees via Survey Monkey.

EXECUTIVE DIRECTOR'S REPORT

- Mr. Thornton summarized the goals and expectations he shared with the office staff on March 2, 2009. He plans to meet with each staff member to review specific job duties. He is presently acclimating himself to the office and reviewing related policies and procedures. He provided a copy of his meeting agenda with the Board.

The Board recessed for lunch at 11:55 A.M. and resumed official business at 1:16 P.M.

CORRESPONDENCE

The Board discussed the following correspondences and directed Mr. Thornton to respond accordingly:

- A. Lisa Rademacher – If an Audiologist purchases an audiology business that held a corporate license with the Ohio Hearing Aid Dealers and Fitters Licensing Board, does the Audiologist need to purchase the corporate license?
 - The Executive Director is to respond that if the Ohio Hearing Aid Dealers and Fitters Licensing Board requires a corporate license, then an appropriate license is required. Mr. Thornton will also follow-up with Blake Chadwell, Board Secretary, for the Hearing Aid Dealers and Fitters Licensing Board and respond back to the correspondent accordingly.
- B. Jennifer Hayhurst – Seeks clarification regarding physician supervision of a Speech-Language Pathologist performing Fiberopic Endoscopic Evaluation of Swallowing (“FEES”).

- The Executive Director is to respond that the Board does not oversee physician supervision or the practice of medicine. The FEES test is within the scope of practice for a speech-language pathologist. Speech-language pathology means the application of principles, methods, or procedures related to the development and disorders of human communication. Disorders include any and all conditions, whether of organic or nonorganic origin, that impede the normal process of human communication including disorders and related disorders of speech, articulation, fluency, voice, oral and written language...pursuant to R.C. §4753.01(B). Furthermore, pursuant to Ohio Administrative Code sections 4753-9-01(A)(4) and (5) a speech-language pathologist shall be proficient in areas of treatment, objective in the application of skills, and practice within their established standards of practice and training recognized by the American Speech-Language Hearing Association.
- C. Nancy Creaghead, Ph.D. – Dr. Creaghead requested that the following statement be entered into the minutes regarding supervision of student permit holders.

“I have read the minutes from the January 13, 2009 Board meeting, which included the following summary of my comments:

‘Ms. Creaghead stated that having additional supervision could be a possibility but right now they have not identified enough speech-language pathologists to provide the additional supervision. In the future this could be a distinct possibility.’

This statement does not accurately reflect the information that I provided at the Board meeting. The information provided in the January 5, 2009 letter that was signed by the participating university program directors reflects the information that I intended to provide to the Board. I did indicate that sufficient speech-language pathologists are not available in the target school districts to provide direct observation of 25% of the entire five days of the interns’ service. This is the reason that the intern project is needed. I did not talk about future possibilities of a larger amount of time for direct observation. I believe that the above quoted statement is a misinterpretation of my answer to a question about the possibility of using ‘tele-supervision’ for the interns. I did answer that we are investigating the possibility of using tele-supervision in the future, but it is not currently available as a means of increasing the amount of direct observation of the interns.

I am requesting that this clarification of my comments be read into the minutes of the next Board meeting.

Thank you for allowing me to comment and to clarify my comments.”

*Signed
Nancy A. Creaghead*

The Board also directed Mr. Thornton to determine whether the former Interim Executive Director responded to correspondence submitted by Louis Staffilino, Associate Superintendent, with the Ohio Department of Education, Center for the Teaching Profession, related to this issue.

D. Janet Soinski – Inquired whether a patient who receives speech therapy services under a grant funded research project may receive therapy if they are receiving speech therapy services elsewhere.

- The Executive Director will respond that it is legal and ethical for a patient who is receiving speech therapy elsewhere to receive speech therapy through the research project in question.

E. Linda Davidson – Seeks clarification regarding information she received from the Board office regarding the practice of Audioprosthologists.

- The Executive Director will respond clarifying the Board’s interpretation of law relative to Audioprosthologist and address any misunderstanding that may have resulted from communications with the Board office staff.

ASSISTANT ATTORNEY GENERAL’S REPORT

Assistant Attorney General Melissa Wilburn provided the Board with the following update:

- There is no new information to report regarding the Governor’s Executive Order 2008-04S, related to the definition of “*paper filing*.”
- Section 4743.06 of the Ohio Revised Code is a new statutory provision requiring licensing Boards to deny any license applicant, convicted of a felony, a request for licensure, without a 119 administrative hearing. AAG Wilburn will continue to keep the Board updated on the status of this legislation.
- Senate Bill 648 (“Joe The Plumber”):
 - May require state employees to maintain a log whenever they access a licensing database containing personal information about a licensee, such as a social security number.
 - In order to facilitate logistical issues, state agencies may need to have licensees sign a “permission slip” or authorization form allowing Board

personnel to access information in their file for the purpose of issuing, renewing or taking enforcement action against a license.

ODE/SLP Advisory Board – Discussion of supervision of student permit holders

The Board resumed discussions regarding the supervision of student permit holders with the ODE/SLP Advisory Board from earlier in the morning. Those in attendance with the advisory board included:

- Kelly O'Reilly – Governmental Affairs Coalition
- Louis Staffilino – Associate Superintendent, Ohio Department of Education, Center for the Teaching Profession
- Nancy Creaghead, Ph.D. – Professor and Department Head, Department of Communication Sciences and Disorders, College of Allied Health Sciences of the University of Cincinnati
- Nada Allender – OMNI Project Coordinator

AAG Wilburn requested a break and Chairperson Ward-Gravelly officially called for a break from the proceedings.

After the Board returned from a ten minute break, AAG Wilburn advised the ODE/SLP Advisory Board that due to the current discussion becoming more substantive in nature and not appearing on the Board's agenda in advance of the Board meeting for adequate public notice to all interested parties, the Board would need to resume its meeting schedule. The Board would consider any request from the ODE/SLP Advisory Group to be placed on the agenda at a future Board meeting in order to resume the discussion.

Mr. Staffilino stated that he wanted the following noted for the record:

- There are 34 (thirty-four) people intending to apply again in May for student permits, and the Advisory Board would like this Board to issue their licenses.
- It would be difficult to stop this process, in light of the five million dollars being provided by a federal grant. It may take twelve months to recruit new candidates for the program, if we do not resolve this issue.

The discussion ended with the intent to resume at a future date.

INVESTIGATIONS

A. Executive Session

Motion #9

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

The Board went into Executive Session at 3:15 P.M. and invited the Board staff to attend, along with AAG Wilburn.

The Board left Executive Session and re-entered Public Session at 3:25 P.M.

B. Board Actions

Case 2006-15

This complaint alleged **unethical practice** by a speech-language pathologist while on the job and under the influence of an illegal substance. Following the May 2008 Goldman Hearing, the Board issued an Adjudication Order suspending the licensee from the practice of speech-language pathology. The suspension took effect on September 10, 2008, and will terminate when the Respondent renews for licensure in 2010. The Board also ordered that the Respondent be subject to six months of random drug testing following the renewal of license. The Respondent moved out of state and did not renew their license. The Respondent advised the Board's investigator that there is no intent to renew their license to practice speech-language pathology.

Accordingly, the Investigation Review Group recommended closing Case 2006-15.

Case 2008-02

This complaint alleged **insufficient continuing education** for renewal based on a 2006 Continuing Education Audit and **fraud/falsifying documents** by a speech-language pathologist. Following the December 2008 Goldman Hearing, the Board issued an Adjudication Order requiring the Respondent to complete 20 (twenty) hours of continuing education for the renewal period 2005-2006. In addition, 10 (ten) hours of continuing education must be completed by June 30, 2009.

The Respondent did not renew their license to practice speech-language pathology for the 2009-2010 renewal period, and does not plan to re-apply in the near future after being contacted by the Board's investigator. The terms of the Adjudication Order were not met and the status of this license is currently expired. The Respondent was advised that pursuant to R.C. §4753.09, if the application for renewal of a license is made one year or longer after the application for renewal is due, the person shall apply for licensure as provided in section 4753.06 or division (B), (C), or (D) of section 4753.08 of the Revised Code.

Accordingly, the Investigation Review Group recommended closing Case 2008-02.

Case 2008-11

This complaint alleged **insufficient continuing education** for renewal based on a 2006 Continuing Education Audit and **fraud/falsifying documents** by a speech-language pathologist. Following the May 2008 Goldman Hearing, the Board issued a Revocation

Order which permitted application for re-licensure, along with requiring proof of continuing education. The Respondent submitted a re-licensure application and evidence of continuing education. The Board approved both and entered into a Consent Agreement with the respondent. Under the terms of this Consent Agreement, the Respondent must submit all future renewal applications in a timely manner and be subject to a Continuing Education Audit for 2008. The Board's investigator confirmed that the Respondent has been audited.

Accordingly, the Investigation Review Group recommended closing case 2008-11.

Case 2008-17

This complaint alleged **unlicensed practice** as a speech-language pathologist in the Toledo school district for 310 days. Following the December 2008 Goldman Hearing, the Board issued an Adjudication Order: 1) suspending the license for five months (staying 2½ months), commencing the first day following the last day of the current school year, for failure to biennially renew the license and causing the license to expire on 12/31/2006; 2) requiring that ten hours of continuing education be completed by 3/31/2009; and 3) requiring five of the ten continuing education hours be in ethics. The suspension and continuing education will be Board monitored.

Accordingly, the Investigation Review Group recommended closing case 2008-17.

Case 2009-07

This complaint alleged **unlicensed practice**. The Initiator, an audiologist, alleged that an Ohio Hearing Aid Dealer and Fitter license holder engaged in the practice of audiology without a license, based on seeing the Respondent's name advertised as an audiologist. The Board's investigator requested supporting documentation from the Initiator. After a substantial period of time, the Initiator has not followed-up with the Board's investigator.

Accordingly, the Investigation Review Group recommended closing case 2009-07.

Case 2009-11

The Board denied the application for speech-language pathology aide, Number 091108-5, at the September 11, 2008 Board meeting. The Board issued a Notice of Opportunity for Hearing, which was followed by notice of a Goldman Hearing. The Respondent called the Board's investigator and also faxed a letter requesting that their aide application be withdrawn and did not request a hearing.

Accordingly, the Investigation Review Group recommended closing case 2009-11.

Case 2009-12

This complaint alleged **unlicensed practice** for thirty-nine (39) days by a conditional speech-language pathologist working at a rehabilitation service center. The Respondent notified the Board that their conditional license expired and did not apply for full licensure in a timely manner. Respondent has since applied for a license, which was approved by the Board. The Board will advise Respondent to be more aware of all

laws and rules governing the practice of speech-language pathology and audiology, specifically related to renewing a license in a timely manner. The Board will also advise Respondent's supervisor about their responsibility to adequately monitor the license status of a conditional license holder. Appropriate Advisory Letters will be issued by the Board's investigator.

Accordingly, the Investigation Review Group recommended closing case 2009-12.

Case 2009-17

This complaint alleged **unlicensed practice** for thirty-nine (39) days by a conditional speech-language pathologist working for a hospital. The Respondent notified the Board that their conditional license expired and did not apply for full licensure in a timely manner. Respondent has since applied for a license, which was approved by the Board. The Board will advise Respondent to be more aware of all laws and rules governing the practice of speech-language pathology and audiology, specifically related to renewing a license in a timely manner. The Board will also advise Respondent's supervisor about their responsibility to adequately monitor the license status of a conditional license holder. Appropriate Advisory Letters will be issued by the Board's investigator.

Accordingly, the Investigation Review Group recommended closing case 2009-17.

Case 2009-19

This complaint alleged **unlicensed practice** for thirty-eight (38) days by a speech-language pathologist working for a school district on a contract basis. The Respondent notified the Board that they failed to renew their license in a timely manner, by 12/31/2008. Respondent has since renewed their license and submitted the appropriate late fee. The license is currently active.

Accordingly, the Investigation Review Group recommended suspending the Respondent's license for thirty-eight days, with nineteen (19) days stayed, in case 2009-19. The Board will determine the commencement date of the suspension and notify the Respondent.

Motion #10

Ms. Zurlinden moved to accept the investigation review group's recommendations in cases 2006-15, 2008-02, 2008-11, 2008-17, 2009-07, 2009-11, 2009-12 and 2009-17. Ms. Embry seconded the motion. Dr. Ward-Gravely abstained. The motion passed uncontested.

Motion #11

Ms. Zurlinden moved to accept the investigation review group's recommendation in case 2009-19. The Board will also order the applicant to submit a written letter to the Board's investigator indicating the date of their last day of school. The suspension will commence immediately following the last day of school. Ms. Embry seconded the motion. Dr. Ward-Gravely abstained. The motion passed uncontested.

C. Investigative Report - Ms. Stansberry

- Tabled

COMMITTEE REPORTS

- Ms. Zurlinden will provide the Board staff with the proposed rule changes discussed at the Rules Committee meeting on March 4, 2009. The rules will be posted on the Board’s web site for public comment and reviewed at the Board meeting on May 1, 2009.

Dr. Ward-Gravely tabled the remaining Board agenda items for discussion until the next Board meeting on May 1, 2009.

ADJOURNMENT

Motion #12

Ms. Zurlinden moved to adjourn the meeting. Ms. Embry seconded the motion.

The meeting was adjourned at 3:40 P.M.

Dr. Valenta Ward-Gravely, Chairperson

Dr. Helene Levenfus, Vice Chair

Date

Date

Signatures on file in the Board Office