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3 **Ohio Board of Speech-Language Pathology and Audiology**
4 **77 South High Street, 16th Floor**
5 **Columbus, Ohio 43215**
6 **614-466-3145**
7 **MINUTES**
8 **January 30, 2004**
9
10

11 The meeting was called to order at 9:25 A.M. by Chairperson, Jane M. Kukula, Au.D. in
12 The Board Room, 77 South High Street, 31st Floor, Columbus, Ohio.
13

14 **Members present:** Jane M. Kukula, Au. D., Audiology Board Member, and
15 Chairperson
16 Debra B. Abel, Au.D., Audiology Board Member and Vice-
17 Chairperson
18 Carol P. Leslie, Ph.D., Speech-Language Pathology Board Member
19 and Secretary
20 Ann Shotwell, Public Board Member
21 Patricia Zurlinden, M.A., Speech-Language Pathology Board
22 Member
23

24 **Also Present:** Michael J. Setty, Executive Director
25 Doug Hart, Licensing Administrator
26 Vickie DiCesare, Investigator
27 Deborah Howard, Administrative Assistant
28 Dominick Chieffo, Assistant Attorney General
29
30

31 **PUBLIC AND PROFESSIONAL ORGANIZATIONS' COMMENTS**
32

33 Dr. Kukula welcomed Constance Block and Jason Marlatt from the Ohio Department of
34 Health Universal Infant Hearing Screening and Early Intervention Program. Ms. Block
35 and Mr. Marlatt addressed the Board on the issue of paper pencil hearing screening test
36 under consideration for use with the 0-3 ear population.
37

38 ODH is considering the test to meet the hearing screening requirement of IDEA Part C
39 Early Intervention (EI) legislation. This legislation requires states to conduct a hearing
40 screening at no cost to the family as a part of eligibility determination for EI services.
41 There are currently approximately 7,000 children served in Ohio in EI/Help Me Grow,
42 which qualify for services under IDEA.
43

1 The Department, Bureau of Early Intervention Services issued a memo to the HMG
2 programs providing guidance on this issue, e.g. referring the child to one of the ODH
3 hearing screening clinics (otherwise known as POD clinics); or contacting the child's
4 primary care physician to determine if a hearing screening has been conducted and what
5 were the results.

6
7 Many of the counties are having difficulty meeting this requirement due to a lack of
8 community resources and being able to obtain the information from the physicians. As a
9 result, many programs are purchasing hearing screening equipment and conducting
10 hearing screening in the homes, which is inappropriate. The state of Virginia, and many
11 other states use a staged paper screening process, (e.g. if the child had a hearing
12 screening at birth then do...., if the child never received a screening then do ...) ODH
13 would like to adopt a similar process like the Virginia tool.

14
15 The Board's concerns regarding the proposed test center around the unknown sensitivity
16 and specificity of the test, its use with the 0-3 year population, and the personnel who
17 would be performing the hearing screening. The Board decided to seek input from the
18 audiology community.

19
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21 **AGENDA**

22
23 The agenda was presented and reviewed. Amendments were made.

24 **Motion# 1** Dr. Abel moved to accept the agenda as amended. Dr. Leslie seconded the
25 motion, which passed unanimously.

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28 **CHAIRPERSON'S COMMENTS**

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30 Dr. Kukula welcomed Patricia Zurlinden, M.A. to the Board as a Speech-Language
31 Pathologist Member.

32
33 Dr. Kukula also commented to the Consensus Conference on the 4th Year Training of
34 AuD Students she recently attended with Mr. Setty. The conference hit on key issues in
35 the clinical training needing consideration as the model of education of audiologists'
36 changes. As a result a few aspects of Chapter 4753 or the Administrative Code will need
37 to be reviewed. Dr. Kukula will take these issued up Ad Hoc Committee on Audiology
38 Issues.

39
40 **Motio#2** Ms. Shotwell moved to enter Executive Session for the discussion of legal
41 matters. . Dr. Abel seconded the motion, which passed by roll call vote as follows: Dr.
42 Abel: yes; Dr. Kukula: yes; Dr Leslie: yes; Ms. Shotwell: yes; Ms. Zurlinden: yes.

43
44 *The Board went into executive session at 9:50 A.M. With Mr. Setty and Mr.*
45 *Chieffo attending.*
46

1 *The Board returned to Public Session at 10:05 A.M.*
2
3

4 **EXECUTIVE DIRECTOR'S REPORT**
5

6 Data Transfer from the VAX to the CAVU licensing system has been completed. The
7 data was verified for accuracy. We have several excellent work-study students assisting
8 us on data input in this project. We are now ready to go live and test the system.
9

10 Drafts of the Annual Report and January Newsletter were composed for Board Review.
11 These will be discussed under Board Business.
12

13 A ten-year-old black and white Laser Printer was replaced with four individual laser
14 printers at the staff's work areas. The printers were purchased from state surplus for a
15 total cost of \$120. Special cable connectors were also purchased for these printers at a
16 cost of \$82. Three desk chairs were also purchased for a total cost of \$30.
17

18 The operating costs of the Board continue to remain within budget projections with
19 significant surplus in the personnel expenses.

20 We have received notice from the Department of Administrative Services that the
21 planning for the FY 2006-2007 Budgets will begin in March. The State is looking for a
22 zero growth budget from FY 2005 to FY 2006. This will be quite a challenge in view of
23 the fact that we can expect a 10%-15% increase in health insurance costs and we can
24 expect pressure to increase pay levels for OCSEA employees since their pay was frozen
25 at FY 2003 levels.
26

27 The Executive Director attended an American Academy of Audiology Conference on
28 Fourth Year Au.D. Students, with Dr. Kukula. The conference provided an excellent
29 overview of the issues confronting this Board in response to the changes in this
30 profession.
31

32 Expenses incurred by the Executive Director included the following:

33 AAA conference	\$533
34 Mileage to Miami U.	\$ 74
35 Computer cables	82

36

37 Time off during the past two months was December 18, 19, 24, and 26.
38

39 The Executive Director submitted the FY 2003 Financial Disclosure form to the Ethics
40 Commission.
41

42 The Executive Director will be giving a presentation to The Ohio State University
43 audiology and speech-language pathology students on February 19 and April 13.
44

45 **ASSISTANT ATTORNEY GENERAL'S REPORT**
46

1 Mr. Chieffo noted that state law gives special consideration to individuals called to active
2 duty for license renewals. Extensions are to be given while the individual is on active
3 duty.

4
5 Mr. Chieffo addressed the issue of the Board's authority in disciplining an individual
6 practicing speech-language pathology or audiology without a license. The Board is not
7 able to discipline an individual who is unlicensed under our laws and rules. In order to
8 discipline anyone they must be an SLP or Audiologist. If there is no license there is
9 nothing to suspend, revoke or to refuse to issue or renew. This also applies to a person
10 who was once licensed, failed to renew and continues to practice without renewal.
11 However, when the renewal application is filed the board can discipline by refusing to
12 renew. If the person practiced, never having held a license, the board can refuse to issue
13 a license should that person ever apply. Chapter 119 must be followed in such a process
14 unless a consent agreement is entered into.

15
16 The only statutory remedies that remain are contained in Revised Code Section 4753.9,
17 which provides

18 If any person has engaged in any practice which constitutes an offense
19 under the provisions of this chapter or rules promulgated thereunder by the
20 board, the board may apply to the court of common pleas of the county for an
21 injunction or other appropriate order restraining such conduct, and the court may I
22 issue such order.

23 The fact of the matter is that the board simply has no jurisdiction to discipline a person
24 that has never held a license or a person who continues to practice after the license has
25 expired. The License itself is the operative factor granting the board jurisdiction to
26 discipline.

27
28 Mr. Chieffo also noted a recent bulletin, which prohibits purchasing goods or services
29 from vendors who have outstanding debts to the State.

30
31
32 **INVESTIGATIONS**

33
34 **Motion#3** Ms. Shotwell moved to enter into Executive Session for the discussion of
35 investigations of licensees. Ms. Zurlinden seconded the motion, which passed by roll call
36 vote as follows: Dr. Abel: yes; Dr. Kukula: yes; Dr Leslie: yes; Ms. Shotwell: yes; Ms.
37 Zurlinden: yes.

38
39 *The Board and Staff went into Executive Session at 10:30 A.M.*

40
41 *The Board and Staff returned to Public Session at 10:45A.M.*

42
43 The Investigative Review Group recommended closing Case A03-27. The licensee
44 passed away.

45

1 **Motion#4** Dr. Abel moved to close case A03-27. Ms. Zurlinden seconded the motion,
2 which passed uncontested. Dr. Abel abstained.

3

4 The Investigative Review Group recommended closing Case A03-45. The Board
5 received a written request to withdrawal her February 2003 SLP aide application.

6

7 **Motion#5** Dr. Abel moved to close case A03-45. Dr. Leslie seconded the motion,
8 which passed uncontested. Dr. Abel abstained.

9

10 The Investigative Review Group recommended closing case A03-30. The Board
11 received a written request to withdrawal her December 2002 SLP aide application.

12

13 **Motion#6** Ms. Shotwell moved to close case A03-30. Dr. Abel seconded the motion,
14 which passed uncontested. Dr. Abel abstained

15

16 The Investigative Review Group recommended closing case A03-29. The licensee
17 submitted a renewal in 2003 showing zero hours of continuing education. The licensee
18 later completed and sent in required continuing education documentation.

19

20

21 **Motion#7** Dr. Abel moved to close case A03-29. Ms. Zurlinden seconded the motion,
22 which passed uncontested. Dr. Abel abstained

23

24 The Investigative Review Group recommended a consent agreement and a case (A02-45)
25 closure for Michael Fraas SP6174 for unlicensed practice.

26

27 **Motion#8** Dr. Abel moved to accept the consent agreement and case (A02-45) closure to
28 Michael Fraas SP6174 for unlicensed practice. Ms. Shotwell seconded the motion, which
29 passed uncontested. Dr. Abel abstained.

30

31 The Investigative Review Group recommended a consent agreement and a case (A02-47)
32 closure for Kimberly Singleton-Filio SP2796 for unlicensed practice and supervision of a
33 conditional licensee during the same period.

34

35 **Motion#9** Dr. Abel moved to accept the consent agreement and case (A02-47) closure
36 for Kimberly Singleton-Filio SP2796 for unlicensed practice. Ms. Zurlinden seconded
37 the motion, which passed uncontested. Dr. Abel abstained.

38

39 The Investigative Review Group recommended a consent agreement and case (A03-44)
40 closure for unlicensed practice and supervision of a conditional licensee.

41

42 **Motion#10** Ms. Shotwell moved to issue the consent agreement and case (A03-44)
43 closure for unlicensed practice. Dr. Abel seconded the motion, which passed Dr. Kukula
44 opposed. Dr. Abel abstained.

45

46 The Investigative Review Group recommended closing case C03-35

1

2 **Motion#11** Dr. Abel moved to close case C03-35. Dr. Leslie seconded the motion,
3 which passed uncontested. Dr. Abel abstained

4

5 The Investigative Review Group recommended closing case A03-32.

6

7 **Motion#12** Dr. Abel moved to close case A03-32. Ms. Shotwell seconded the motion,
8 which passed uncontested. Dr. Abel abstained

9

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11 **LICENSURE**

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13 **Motion#13** Dr. Abel moved to ratify the Speech-Language Pathology licenses granted
14 by the Executive director on December 15, 2003, January 2, 2004 and January 15, 2004.
15 Dr. Leslie seconded the motion, which passed unanimously.

16

17 **Approved December 15, 2003**

18 James Montgomery SP 7900

19 Pamela Reese SP 7901

20 Hearther Godish SP 7902

21 Kelly Wade SP 7904

22 Patricia Schneider SP 7905

23 Elizabeth Papa SP 7906

24 Hylah Leatherwood SP 7907

25 **Approved January 2, 2004**

26 Jodi Davidson SP7908

27 Katie Ruth SP7909

28 Judith Hagerty SP7910

29 Diane Betman SP7911

30 Judith DeSanto SP7912

31 Mona Shah SP7913

32 Deanna Miles SP7914

33 **Approved January 15, 2004**

34 Cheryl J. Burke SP7903

35 Amy J. Shimer SP7915

36 Amy L. Sonntag SP7916

37 Stephanie A. Kardos SP7917

38 Emily J. Rodgers SP7918

39

40 **Motion#14** Dr. Abel moved to ratify the Conditional Speech-Language Pathology
41 licenses granted by the Executive director on December 15, 2003, January 2, 2004 and
42 January 15, 2004. Dr. Leslie seconded the motion, which passed unanimously.

43

44 **Approved December 15, 2003**

45 Ryan E. Peters CSP2004079

1 **Approved January 2, 2004**

2 Susan Ash CSP2004070
3 Lora Stagl CSP2004071
4 Hilary Compton CSP2004072
5 Andrea Roth CSP2004073
6 Nichole Peltier CSP2004074
7 Kristen Dempsey CSP2004075
8 Elizabeth Stiffler CSP2004076
9 Angela Wells CSP2004077
10 Summer Dilbone CSP2004078

11

12 **Approved January 15, 2004**

13 Meredith Taylor CSP2004080
14 Tonya Yaros CSP2004081
15 Ellen Armistead Busse CSP2003015-2nd Conditional
16 Brooke Mowry CSP2004082
17 Lauren Messinger CSP2004083
18 Laura L. Nosse CSP2004084
19 Vaughn, Shelly CSP2004085

20

21 **Motion#15** Dr. Abel moved to ratify the Audiology licenses granted by the Executive
22 Director on January 2, 2004 and January 15, 2004. Dr. Leslie seconded the motion,
23 which passed unanimously.

24

25 **Approved January 2, 2004**

26 Sheryl Williams A01461
27 Nichole Hacker A01462

28 **Approved January 15, 2004**

29 James W. Ouzts A01458

30

31 **Motion#16** Dr Abel moved to ratify the Conditional Audiology licenses granted by the
32 Executive director on December 15, 2003, and January 15, 2004. Dr Leslie seconded the
33 motion, which passed unanimously.

Approved December 15, 2003

Sarah Lallathin CA 2004021

Approved January 15, 2004

Natalie R. Resczynski CA 2004022

Motion#17 Dr. Leslie moved to approve the Speech-Language Pathology Aide license
for Debra Ramsey and Jennifer Lack. Ms Zurlinden seconded the motion, which passed
unanimously.

Motion#18 Dr. Leslie moved to propose to deny the speech-language pathology aide
licenses for Sheri Storlie and Amanda Leis, due to the assigned activities constitute the

practice of speech-language pathology. Dr. Abel seconded the motion, which passed unanimously.

Motion#19 Ms. Shotwell moved to table until the March 11 meeting the Speech-Language Pathology aide licenses for Sheri Storlie and Amanda Leis. Dr Leslie seconded the motion, which passed unanimously.

Motion#20 Dr. Leslie moved to approve the Audiology Aide license for Sheri Storlie and Amanda Leis. Dr. Abel seconded the motion, which passed unanimously.

Motion#21 Dr. Abel moved to propose to deny the Speech-Language Pathology license for Carol J. Belas because she does not possess a Masters degree in Speech-Language Pathology. Dr. Leslie seconded the motion, which passed unanimously.

Motion#22 Dr Leslie moved to accept the request of Angela D. Wells to withdraw her application for SLP Aide. Ms. Shotwell seconded the motion, which passed unanimously.

Motion#23 Dr. Abel moved to accept the SPE time of Meredith K. Taylor, CSP2004080, prior to licensure in Ohio. Ms. Zurlinden seconded the motion, which passed unanimously.

Motion#24 Dr. Abel moved to accept the forty hours of continuing education hours for Michelle Beckett, SP3711 and require twenty continuing education hours for the next renewal. Ms. Zurlinden seconded the motion, which passed unanimously.

CORRESPONDENCE

Bonnie Hoynacke: Do supervisors need ASHA's CCC's to supervise student teachers?

ASHA certification for supervisors of student teachers in an educational setting is not a requirement of this Board. Though it is not a requirement for this Board it may be a requirement dictated by the educational institution or the Department of Education.

Lisa Gibbs: Does R.C. 4753 address training requirements or certification in cerumen management?

R.C. 4753 is silent on training and certification for cerumen management. It is however, the responsibility of the audiologist to possess the training and skills required of any area of practice prior to exercising these procedures on patients.

Phyllis Breen: How long should practicing licensees keep records of their continuing education?

Continuing education records should be kept a minimum of four years prior to the date of the most recent license renewal. For example, with the last renewal in December of 2002, then records should be kept for CEU's back to January 1998. A safe general rule of thumb is to retain CE records for six years.

Christine D. Wedesky: The mother of my school based client refuses to comply with my recommendations for proper eating procedures at home. Follow-up diagnostic procedures are also refused by the mother. What is my recourse legally and ethically?

This issue is not addressed in Chapter 4753 O.R.C., however, it is the responsibility of a licensee to document recommendations and compliance issues. Further, the Board recommends that she seek advice from her supervisor and employer.

Judy O'Brien: Does the State of Ohio have a time period for how long an audiological evaluation may be used for fitting a hearing aid?

Chapter 4753 O.R.C. does not address this issue, though other federal and state laws may limit the time period.

COMMITTEE REPORTS

Ad Hoc Committee on Audiology Issues

The committee met on December 10, 2003 and discussed the number of audiology aides one supervisor can adequately supervise, scope of practice and 4th year Au.D. students.

Following discussions with state audiologists it was determined that the number of aides under one supervisor needs to be determined on a case-by-case basis. The issues to be considered include, setting, number of audiologic tests performed and reviewed by the supervisor, number of locations aides are physically located in and accessibility of the supervisor to aides.

The committee discussed further defining the audiology scope of practice in the Chapter 4753 O.A.C. to clarify issues such as interoperative monitoring, cerumen management, and other issues.

The committee discussed the recommendations of the state work group addressing the changes in clinical training of audiologists. It was determined that the committee would

readdress the issue following the national consensus conference Dr. Kukula and Mr. Setty will be attending.

The committee goals:

1. Address the scope of practice issues in Chapter 4753 O.A.C.
2. Review Chapter 4753 O.A.C. and recommend changes needed to reflect the educational changes of audiologists to ensure entry level requirements are met.

Rules Committee

Dr. Abel is compiling a list of issues to be addressed in this year's rule changes. The Committee will meet before the March 11th Board Meeting.

Professional Competency Committee

Dr. Leslie submitted the following goals for the Professional Standards Committee for this year:

1. Orient committee members to most recent work of the committee in changing Procedures and forms for the Professional Experience Year.
2. Review other approaches to competency based licensing and certification for for potential changes to rules and or law for Ohio licenses in Speech-Language Pathology and Audiology.
3. Develop possible changes for the licensure law that focus on competency.

Policy and Procedure Committee

Dr. Leslie submitted the following goals for the Policy and Procedure Committee:

1. Review Policy and Procedures Manual for currency and accuracy.
2. Propose content changes and modifications to best meet the needs of the Board.

BOARD BUSINESS

A. Newsletter

The Board approved the release of the January Newsletter. Dr Kukula will submit comments from the Board Chair to be included in the newsletter.

B. Annual Report to the Governor

The Board approved the submission of the FY 2003 Annual Report to the Governor.

C. Early intervention Hearing Screening use of Paper Pencil Testing

The Board still has concerns regarding the proposed paper pencil hearing screening test. These center around the unknown sensitivity and specificity of the test, its use with the 0-3 year population, and the personnel who would be performing the hearing screening.

The Board will seek more input on the proposed hearing screening test from the Ohio audiology community.

D. Executive Director Evaluation

Motion#25 Dr. Abel moved to enter into executive session to discuss matters regarding the employment of public employees. Ms. Shotwell seconded the motion, which passed by roll call vote as follows: Dr. Abel: yes; Ms. Glaser: yes; Dr Kukula: yes; Dr. Leslie: yes; Mr. Mangino: yes; Ms. Satterfield: yes; and Ms. Shotwell: yes.

The Board entered Executive Session at 2:00 P.M. absent Ms. Howard, Ms. DiCesare ,and Mr. Hart.

Mr. Setty left the Executive Session at 2:10 P.M.

The Board returned to Public Session at 2:30P.M.

E. Committee Assignments

Ms. Parsons was assigned to the Administrative Systems Committee, Policy and Procedure Committee, and the Review Committee (January to June).

Ms. Zurlinden was assigned to the Professional Competency Committee, Rules Committee, and the Review Committee (July to December).

MINUTES

Minutes of the December 10, 2003 Board Meeting were corrected.

Motion#26 Ms. Shotwell moved to approve the December 10, 2003 Board Minutes as corrected. Dr. Abel seconded the motion, which passed unanimously

BOARD MEMBER CONCERNS

Dr. Leslie discussed the issue of identity verification and background checks, including fingerprinting, as a requirement for licensure. These methods are being used increasingly by institutions to decrease the possibility of identity theft and professional misrepresentation. Dr. Leslie suggested the Board consider these tools as part of the application process.

ADJOURNMENT

Motion#27 Dr. Abel moved to adjourn the meeting at 3:35 P.M. Ms. Shotwell seconded the motion, which passed unanimously.

Jane M. Kukula, Au.D., Chairperson

Date

Carol P. Leslie, Ph.D., Secretary

Date

