

Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008



Ohio Board of Speech-Language Pathology & Audiology
77 South High St., Flr. 16
Columbus, OH 43215
614-466-3145

MINUTES

The meeting was called to order at 9:30 A.M. by Chairperson, Valenta Ward-Gravely, Au.D, in the board room on the 31st floor of the Riffe Center, 77 South High St., Columbus, Ohio.

Members present:

Valenta Ward-Gravely, Au.D, Audiology Board Member and Chairperson
Loretta Embry, M.A., Speech-Language Pathology Board Member
Helene Levenfus, Au.D, Audiology Board Member, Vice Chair
Patricia M. Zurlinden, M.A., Speech-Language Pathology Board Member
Jane Kukula, Au.D, Audiology Board Member
Malcolm Porter, Public Member

Also Present: Patrick K. Lightfoot, Interim Executive Director
Diane L. Hoenig, Licensing Administrator
Connie Stansberry, Investigator
Melissa L. Wilburn, Assistant Attorney General

AGENDA

The agenda was presented and reviewed. Amendments were made.

Motion #1 Ms. Embry moved to accept the agenda as amended. Dr. Kukula seconded the motion. The motion passed unanimously.

E-Supervision Presentation Carol Ashdown, SLP

**Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008**

Ms. Carol Ashdown, Speech-Language Pathologist gave presentation to telesupervision. Board members asked questions for clarification. Dr. Ward-Gravely thanked Ms. Ashdown for traveling to Columbus to present this information to the Board.

OPEN FORUM PUBLIC AND PROFESSIONAL ORGANIZATION

Carol Ashdown asked if there is a way to facilitate Conditional licensure approval beyond the 1st and 15th of each month? Dr. Ward-Gravely said that the Board would take her concerns under advisement. She encouraged Ms. Ashdown to check the Board website to review board meeting minutes on-line for updates and Board actions.

MINUTES

The minutes of the October 7, 2008 meeting were reviewed and corrected.

Motion #2 Ms. Embry moved to accept the minutes of the October 7, 2008 meeting as corrected. Dr. Kukula seconded the motion. The motion passed unanimously. Dr. Kukula and Mr. Porter abstained.

CHAIRPERSON'S COMMENTS

- Dr. Ward-Gravely introduced new board members. Dr. Kukula said she was happy to return. She served on the board previously for almost 9 years and it is one of her proudest accomplishments. Dr. Kukula stated she has a private practice in Cleveland as an Audiologist.
- Mr. Porter stated that he hoped he could be useful to the board and looked forward to serving. He is currently a self employed public affairs consultant. Previously employed for ten years in the legislative branch of state government and currently resides in Bexley, Ohio.
- Dr. Ward-Gravely briefly discussed Ms. Parsons' resignation on November 14, 2008 and read her letter to the Board. Dr. Ward-Gravely asked Mr. Lightfoot to inform organizations and the Governor about the opening of a Speech-Language Pathologist position on the board and asked Mr. Lightfoot to order Ms. Parsons a plaque and gavel for her as outgoing Chairperson.
- Dr. Ward-Gravely discussed the update of Mr. Good and requested Mr. Lightfoot to send a get well card on behalf of the Board.

Election of Vice-Chair

Dr. Ward-Gravely asked if there were any open nominations for Vice Chairperson.

Motion #3 Ms. Zurlinden nominated Dr. Levenfus for Vice Chairperson. Ms. Embry seconded the motion. The motion passed unanimously.

Election of Chairperson

Ms. Levenfus opened the floor to entertain a nomination for Chairperson.

Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008

Motion #4 Ms. Embry nominated Dr. Ward-Gravely for Chairperson. Dr. Kukula seconded the motion. The motion passed unanimously.

ASSISTANT ATTORNEY GENERAL'S REPORT

Assistant Attorney General Wilburn stated the review committee is working on the older cases and streamlining Goldman hearings. Goldman hearings for today and the future should move seamlessly with a little work in streamlining the process.

INTERIM EXECUTIVE DIRECTOR'S REPORT- Mr. Lightfoot

A. Board and Commissions Fiduciary Training

Mr. Lightfoot is scheduled to attend the Boards and Commissions Fiduciary Training Audio Conference December 19, 2008 10:30 am – 11:20 am given by the Auditor of State. Learning Objectives: Fraud Related Special Audits, How to Identify Fraud, and Board Members Responsibilities. Dr. Levenfus is also scheduled to attend.

B. Governor's Management Directive

- The Governor has strengthened the sensitive records policy. The board staff will be meeting next week to discuss the revised policy. Dr. Levenfus suggested the Board's point of contact for sensitive records security should be the agency Director.
- New directive will be discussed at the 1/13/09 meeting.

C. Distribution of Ohio Department of Education criminal prohibitions

- Ms. Zurlinden indicated presentation of the Rules Committee minutes for September 10, 2008 will be later in the meeting.
- Ms. Zurlinden suggested the discussion of the ODE criminal prohibitions be placed on the long range planning meeting agenda.
- AAG Wilburn, emphasized there is a confidential law enforcement exemption needed in 4753 statute. Dr. Ward-Gravely asked AAG Wilburn to work with the office staff to begin the process of developing the exemption.

Executive Session

Motion #5 Dr. Kukula moved to enter Executive Session for the purpose of considering the appointment, employment, dismissal, promotion, demotion or compensation of a public employee pursuant to R.C. 121.22(G)(1). Ms. Zurlinden seconded the motion, which passed by roll call vote as follows: Dr. Levenfus: yes; Ms. Embry: yes; Dr. Ward-Gravely: yes; Ms. Zurlinden: yes; Mr. Porter: yes; Dr. Kukula: yes.

Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008

The Board went into Executive Session at 10:30A.M. with Mr. Lightfoot and AAG Wilburn in attendance.

11:25 A.M. Mr. Lightfoot exited executive sessions; counsel remained.

The Board re-entered public session at 11:40 A.M.

The Board staff was not in the room during deliberations. The Board staff and the AAG exited the room.

GOLDMAN HEARINGS (12:30PM)

- A. Evidentiary Review for Case Number 2002-02, M. Belpedio, speech-language pathologist
- B. Evidentiary Review for Case Number 2008-17, S. McCall, speech-language pathologist

Motion #6 Dr. Kukula moved to enter Executive Session for the purpose of quasi-judicial deliberation on these matters. Ms. Embry seconded the motion, which passed by roll call vote as follows: Dr. Levenfus: yes; Ms. Embry: yes; Dr. Ward-Gravely: yes; Ms. Zurlinden: yes; Mr. Porter: yes; Dr. Kukula: yes.

The Board went into Executive Session at 1:12 P.M. with the Board staff in attendance.

The Board re-entered into public session at 1:39 P.M.

Dr. Ward-Gravely made the following recommendation for disciplinary action:

Ms. Belpedio complete the twenty hours of continuing education for the renewal period 2005-2006 and provide an additional 10 hours of continuing education due by June 30, 2009. Five of the ten hours to be in ethics. An additional twenty hours of continuing education for the renewal cycle 2007-2008 are due December 31, 2008.

Motion #7 Dr. Kukula moved to accept Dr. Ward-Gravely's recommendation for disciplinary action. Ms. Embry seconded the motion. The motion passed unanimously. Dr. Ward-Gravely abstained.

Dr. Ward-Gravely made the following recommendation for disciplinary action:

Ms. McCall complete ten additional continuing education hours by March 31, 2009. Five of the ten hours will be in the area of ethics. Suspension of five months, staying two and half months, commencing with the first day following the last day of the current school year. Ms. McCall is required to notify the Board of the actual date of the day following the last day of the current school year.

Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008

Motion #8 Ms. Embry moved to accept Dr. Ward-Gravely's recommendation for disciplinary action Dr. Levenfus seconded the motion. The motion passed unanimously. Dr. Ward-Gravely abstained.

INVESTIGATIONS- Ms. Stansberry/AAG Wilburn

And now I will entertain a motion to go into Executive Session for the purpose of discussing proposed disciplinary action against licensees, which is pending or imminent court action under R.C. 121.22(G)(3) and involves matters that are required to be kept confidential under R.C. 149.43(A)(2).

A. Executive Session

Motion #9 Ms. Zurlinden moved to enter Executive Session for the discussion of investigations. Dr. Levenfus seconded the motion, which passed by roll call vote as follows: Dr. Levenfus: yes; Ms. Embry: yes; Dr. Ward-Gravely: yes; Ms. Zurlinden: yes; Mr. Porter: yes; Dr. Kukula: yes.

The Board went into Executive Session at 1:45 P.M. with the Board staff and counsel in attendance.

The Board reentered into public session at 2:00 P.M.

B. Board Actions

2004-17

Complaint alleged unlicensed practice of Language Arts Instructors to assist speech-language pathologists in various schools. The respondent no longer employs such individuals.

Review Group recommends closing case 2004-17.

Motion #10 Ms. Zurlinden moved to close case 2004-17. Ms. Embry seconded the motion. The motion passed unanimously. Dr. Ward-Gravely abstained.

2007-20

Denied speech-language pathology application, number SP.032207-4, for not meeting Educational Requirements. Applicant did not have a Master's Degree in speech-language pathology. A Notice of Opportunity for Hearing was issued. Applicant initially requested a hearing but has since requested to not have a hearing and to withdraw the application.

Review Group recommends closing case 2007-20.

Motion #11 Ms. Embry moved to close case 2007-20. Ms. Zurlinden seconded the motion. The motion passed unanimously. Dr. Ward-Gravely abstained.

2008-06

Complaint alleged unlicensed practice as a speech-language pathologist. Respondent was hired as a "speech coach" at a school. Records received

Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008

indicated that the respondent listed speech-language pathologist as a previous job title on a resume based on having a bachelor's in speech-language pathology. A Cease & Desist letter was issued via certified mail. The letter was received and signed for. A copy of the letter was issued to the Superintendent of the school. Review Group recommends closing case 2008-06.

Motion #12 Ms. Zurlinden moved to close case 2008-06. Dr. Kukula seconded the motion. The motion passed unanimously. Dr. Ward-Gravely abstained.

2008-13

Complaint alleged unlicensed practice of a speech-language pathologist for 911 days in a school after not renewing license by 12/31/2004. Respondent retired from the school in June 2007. A Notice of Opportunity for Hearing was issued. The respondent did not request a hearing. Status of license is currently *expired* and has been since 12/31/2004. Licensee does not plan on renewing. Review Group recommends dismissing and to issue a reprimand letter with a Goldman as an option in case 2008-13.

Motion #13 Ms. Zurlinden moved to issue a letter of reprimand and then to dismiss case 2008-13. Dr. Kukula seconded the motion. The motion passed unanimously. Dr. Ward-Gravely abstained.

2008-28

Denied audiology application, number AuD.051408-4. Applicants out of state waiver application did not meet requirements based on the time line the applicant earned their masters degree. Applicant made a verbal request to withdrawal application in lieu of a hearing. Review Group recommends closing 2008-28.

Motion #14 Dr. Kukula moved to close case 2008-28. Ms. Embry seconded the motion. The motion passed unanimously. Dr. Ward-Gravely abstained.

2009-10

Denied speech-language pathology aide application, number Aide SLP.051408-2. Some job duty descriptions listed on the application were considered out of scope. A Notice of Opportunity for Hearing was issued. The applicant submitted a letter in writing requesting to not have a hearing. Review Group recommends dismissing or a Goldman in case 2009-10.

Motion #15 Ms. Zurlinden moved to approve the review group's recommendation to dismiss case 2009-10. Ms. Embry seconded the motion. The motion passed unanimously. Dr. Ward-Gravely abstained.

2009-11

Denied speech-language pathology aide application, number Aide SLP.091108-5. Some job duty descriptions listed on application were considered out of scope. A Notice of Opportunity for Hearing was issued. The applicant did not request a hearing. Review Group recommends a Goldman in case 2009-11.

**Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008**

Motion #16 Ms. Embry moved to accept the review group's recommendation for a Goldman Hearing in case 2009-11. Ms. Zurlinden seconded the motion. The motion passed unanimously. Dr. Ward-Gravely abstained.

B. Investigator's Report

| | | |
|---------------|--|----|
| OPENED | Cases since last Board Meeting 10/7/2008 | 3 |
| CLOSED | Cases at last Board Meeting 10/7/2008 | 13 |
| | Total number OPEN cases | 23 |

LICENSURE APPROVAL- Ms. Hoenig

A. Licensure Review

Motion #17 Dr. Levenfus moved to ratify the Speech-Language Pathology licenses granted on October 15, 2008, November 3, 2008, November 17, 2008, and December 1, 2008. Ms. Zurlinden seconded the motion. The motion passed unanimously.

| |
|----------------------------------|
| SPEECH-LANGUAGE PATHOLOGY |
|----------------------------------|

October 15, 2008

| | | |
|------------------|--------|--------|
| Tiffany | Hughes | SP9216 |
| Kellie Elizabeth | Ingram | SP9217 |
| Jannie Gail | | |
| Bottom of Form | | |
| | Graham | SP9218 |
| Emily J. | Miller | SP9219 |
| Kari A. | Mello | SP9220 |
| Anne Marie | Spoto | SP9221 |
| Jessica Lewis | Irving | SP9222 |
| Lindsay S. | Ellis | SP9223 |
| Kristen Michelle | Hayes | SP9224 |

November 3, 2008

| | | |
|---------------|-----------|--------------------|
| Lauren J. | Kamin | SP2884 Relicensure |
| Erin Nicole | Ankeny | SP9225 |
| Ashley R. | Perkins | SP9226 |
| James Andrew | Jefferson | SP9227 |
| Mary Jennifer | Stenger | SP9228 |
| Rebekah Maria | Schwartz | SP9229 |
| Lynne Allison | Todd | SP9230 |
| Amy L. | Snyder | SP9231 |
| Jennifer Lee | Cuevas | SP9232 |

**Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008**

November 17, 2008

| | | |
|-------------------|------------|--------|
| Robyn Alane | Ziolkowski | SP9233 |
| Brittany Nicole | Green | SP9234 |
| Katherine Colleen | Adkins | SP9235 |

December 1, 2008

| | | |
|-----------------|----------|--------|
| Anita Marie | Blabey | SP9236 |
| Christin L. | Hart | SP9237 |
| Catherine Marie | Sayenga | SP9238 |
| Meghan Kathleen | McCarthy | SP9239 |
| Allison Lanae | Parker | SP9240 |

Total Count 26

Motion #18 Dr. Levenfus moved to ratify the Audiology licenses granted on October 15, 2008, November 3, 2008, November 17, 2008, and December 1, 2008. Ms. Embry seconded the motion. The motion passed unanimously.

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| AUDIOLOGY |
|------------------|

October 15, 2008

| | | |
|-------------|-----------|--------|
| Jamie Marie | Nicholas | A01677 |
| Laura Lea | Fragomeni | A01678 |
| Susan Mara | Binzer | A01679 |

November 3, 2008

| | | |
|------------|-------------|--------|
| Maureen | Matos-Perez | A01680 |
| Alecia Lee | Manning | A01681 |
| Marilou | Ruble | A01682 |

Total Count 6

Motion #19 Dr. Levenfus moved to ratify the Conditional Speech-Language Pathology licenses granted on October 15, 2008, November 3, 2008, November 17, 2008, and December 1, 2008. Ms. Zurlinden seconded the motion. The motion passed unanimously.

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| CONDITIONAL SPEECH-LANGUAGE PATHOLOGY |
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October 15, 2008

| | | |
|---------------|-----------|--------------|
| Renee Sylvia | Knepper | COND 2009103 |
| Kimberly Anne | MacDonald | COND 2009104 |
| Rivke Leah | Gardner | COND 2009105 |

**Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008**

November 17, 2008

| | | |
|---------------------|----------|--------------|
| Katherine Elizabeth | Over | COND 2009106 |
| Danielle Linnette | Hoffman | COND 2009107 |
| Yarixa | Barillas | COND 2009108 |
| Dena | Stern | COND 2009109 |

December 1, 2008

| | | |
|-------------------|--------|--------------|
| Natalie Elizabeth | Miller | COND 2009110 |
|-------------------|--------|--------------|

| | | |
|-------------|--|---|
| Total Count | | 8 |
|-------------|--|---|

B. Aide Application Review

Aide Licensure

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| Audiology Aides |
|------------------------|

Motion #20 Dr. Levenfus moved to approve the application for audiology aide licensure number Audiology Aide 120508-3. Dr. Kukula seconded the motion. The motion passed unanimously.

Motion #21 Dr. Levenfus moved to approve the application for audiology aide licensure number Audiology Aide 120508-4. Ms. Embry seconded the motion. The motion passed unanimously.

Motion #22 Dr. Levenfus moved to approve the application for audiology aide licensure number Audiology Aide 120508-5. Dr. Kukula seconded the motion. The motion passed unanimously.

Motion #23 Dr. Levenfus moved to approve the application for audiology aide licensure number Audiology Aide 120508-6. Ms. Zurlinden seconded the motion. The motion passed unanimously.

Motion #24 Dr. Levenfus moved to approve the application for audiology aide licensure number Audiology Aide 120508-7. Dr. Kukula seconded the motion. The motion passed unanimously.

Motion #25 Dr. Levenfus moved to approve the application for audiology aide licensure number Audiology Aide 120508-8. Ms. Zurlinden seconded the motion. The motion passed unanimously.

Motion #26 Dr. Levenfus moved to approve the application for audiology aide licensure number Audiology Aide 120508-9. Ms. Zurlinden seconded the motion. The motion passed unanimously.

**Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008**

Motion #27 Dr. Levenfus moved to approve the application for audiology aide licensure number Audiology Aide 120508-10. Ms. Embry seconded the motion. The motion passed unanimously.

Motion #28 Dr. Levenfus moved to approve the application for audiology aide licensure number Audiology Aide 120508-11. Ms. Zurlinden seconded the motion. The motion passed unanimously.

Motion #29 Dr. Levenfus moved to Table the application for audiology aide licensure number Audiology Aide 120508-12, supplemental plan includes a function that is outside of the scope of practice for an Audiology Aide. Ms. Zurlinden seconded the motion. The motion passed unanimously.

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| Licensure Applications |
|-------------------------------|

Motion #30 Ms. Embry moved to approve the application for speech-language pathology application licensure number SLP 120508-1. Dr. Kukula seconded the motion. The motion passed unanimously.

Motion #31 Ms. Embry moved to approve the application for speech-language pathology application licensure number SLP 120508-2. Ms. Zurlinden seconded the motion. The motion passed unanimously.

Discussion of received student permit tabled.

| | |
|-----------------|------------|
| SLP | 5870 |
| AuD | 950 |
| Conditional SLP | 225 |
| Permit | 35 |
| AuD Aide | 75 |
| SLP Aide | 23 |
| <hr/> Total | <hr/> 7178 |

Break 2:22PM

CORRESPONDENCE

- A. Wakefield- Assessment Tests
 - Assessment test usage is not defined in §4753, the Board defers to ASHA. Consider consulting the publisher.
- B. Farnham- Maximum # of Students
 - Ohio Department of Education and Employer related issue.
- C. Kaires- Ethics Question

**Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008**

- §4753 code of ethics does not address. Employer and facility policy related issue, consider contacting Medicaid and United way. This is a business decision.
- D. Witwer- Food Texture
 - It is the facility's decision which foods are fit. An SLP needs to do by his/her best judgment. Patient care is the primary concern.
- E. Cook- Fee Waiver
 - The board is looking at the option but §4753 does not accommodate at this time. It's under review by the Board at this time.
- F. Fitzsimmons- Audiology Resource Link
 - The Board agreed that adding this organization as a link to our web page is appropriate.
- G. Anthony – Vestibular Testing
 - §4753 addresses the exemptions for the scope of practice of Audiology Aides. Aides perform diagnostic evaluations but not screenings.

BOARD BUSINESS

- A. Appointment of Committees
 - i. Rules Committee: Dr. Levenfus, Ms. Embry
 - ii. Professional Competency Committee: Ms. Embry, Chairperson, Mr. Good, Dr. Kukula, Mr. Porter
 - iii. Policy and Procedure Committee: Dr. Levenfus, Chairperson, Ms. Zurlinden, Mr. Good, Mr. Porter
 - iv. Investigations Review Group: Dr. Ward-Gravely, Ms. Embry (SLP consultant)
 - v. Review Committee January – June 2009: Ms Zurlinden, Dr. Kukula
 - vi. Review Committee July – December 2009: New SLP representative, Dr. Levenfus.
- B. Meeting Dates for 2009
 - i. January 12, 2009 (Strategic Planning)
 - ii. January 13, 2009
 - iii. March 5, 2009
 - iv. May 1, 2009
 - v. June 15, 2009
 - vi. August 18, 2009
 - vii. October 16, 2009
 - viii. December 7, 2009
- C. Long Range Planning Meeting Agenda
 - i. §4753 inactive status
 - ii. HB 130
 - iii. Grandfather extensions to return to practice
 - iv. Confidentiality statement into §4753

**Ohio Board of Speech-Language Pathology & Audiology
December 5, 2008**

- v. Rules: Web based supervision, final report for student permits
- D. OOA Meeting/Speech Advisory Committee/OSHLA
 - i. OAA meeting February 20, 2009 Breakfast presentation requested of the Board.
 - ii. March 5, 2009 Advisory Meeting 10:00 am - Noon

Ms. Zurlinden discussed the minutes from the Rules Committee meeting on 9/10/2008.

Motion #32 Ms. Zurlinden moved to approve the 9/10/2008 Rules Committee minutes. Ms. Embry seconded the motion.

MEMBER CONCERNS

Dr. Levenfus stated received 157 on-line applications, with 16 duplicates, for the Director's position. Interviews planned for January 13, 2009 Board meeting.

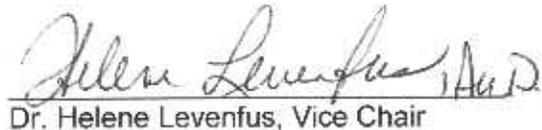
Dr. Levenfus asked the executive director to be mindful of website updates that need to take place.

ADJOURNMENT

Motion #33 Ms. Zurlinden voted to adjourn the meeting. Ms. Embry seconded the motion.

The meeting was adjourned at 4:27 P.M.


Dr. Valenta Ward-Gravely, Chairperson


Dr. Helene Levenfus, Vice Chair

4/13/09
Date

1/13/09
Date