



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

Board Meeting Minutes of Tuesday, August 9, 2016

The Regular Business Meeting was called to order at 9:32 a.m. by Chairperson, Karen K. Mitchell, Au.D., held at the Vern Riffe Center for Government, 77 South High St., 31st Floor – West B & C Room, Columbus, OH 43215.

Board Members – Roll Call:

Tammy H. Brown, M.A., CCC-A, ABA, FAAA, Audiology Board Member and Vice Chairperson
Angela N. King, Public Member
Helen L. Mayle, Public Member
Karen K. Mitchell, Au.D., Audiology Board Member and Chairperson
Barbara L. Prakup, Ph.D., CCC-SLP, Speech-Language Pathology Board Member
Carrie L. Spangler, Au.D., CCC-A, FAAA, Audiology Board Member
Linda L. Wellman, Ph.D., CCC-SLP, Speech-Language Pathology Board Member

Excused Absence:

Lisa A. Froehlich, Ph.D., CCC-SLP, Speech-Language Pathology Board Member

Also Present:

Gregg B. Thornton, Executive Director
Connie J. Stansberry, Investigator
Cheryl R. Hawkinson, Senior 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 9, 2016, regular board meeting was presented and reviewed.

Motion #1

Ms. King moved to accept the agenda as submitted. Ms. Brown seconded the motion. The motion passed unanimously.

MINUTES

The minutes of the June 14, 2016 board meeting were reviewed.

Motion #2

Ms. Brown moved to accept the minutes of the June 14, 2016 board meeting. Dr. Wellman seconded the motion. The motion passed unanimously.

CHAIRPERSON'S COMMENTS

Dr. Karen Mitchell welcomed everyone to the meeting. She thanked Dr. Spangler, Dr. Wellman, Dr. Froehlich, and Mr. Thornton for the school related articles that appeared in the summer newsletter. She thanked Dr. Wellman, Dr. Froehlich, Dr. Spangler, Ms. Mayle, and Mr. Thornton for their participation and input on the Related Service Personnel Shortage Workgroup. Dr. Mitchell also thanked the board staff for their continued teamwork and professionalism with processing the licensure applications for recent graduates.

EXECUTIVE DIRECTOR'S REPORT

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

- Significant meetings, presentations, and events;
- Legislative and media contacts;
- Final revenue and expenditures for FY2016;
- Year-to-date revenue and expenditures for FY2017;
- Significant legislation;
- Status of the new eLicensing 3.0 system;
- Budgeting process for FY2018-2019;
- Licensure renewal campaign; and
- Summer Newsletter

Motion #3

Dr. Mitchell moved to modify the board meeting agenda and discuss board business item 19B – School Medicaid Reimbursement Update. Dr. Wellman seconded the motion. The motion passed unanimously.

BOARD BUSINESS – ITEM B: SCHOOL MEDICAID REIMBURSEMENT UPDATE

Mr. Thornton updated the Board regarding the school Medicaid reimbursement change. In response to inquiries regarding the August 1, 2016 effective date that requires a physician's order, referral, or prescription for reimbursement of services provided by related service personnel, the Ohio Department of Medicaid (ODM) and Ohio Department of Education advised that they are confident that the Center for Medicare and Medicaid Services will approve a one-year extension of the new change until June 2017. ODM is still reviewing the Board's position

letter communicated in March 2016 regarding the scope of practice under Ohio Revised Code Chapter 4753. The Board will continue to monitor this issue and take appropriate action.

PROPOSED DISCIPLINARY ACTION HEARINGS PURSUANT TO OHIO REVISED CODE CHAPTER 119 – GRETCHEN THOMAS, CASE NO. 2016-42

Dr. Wellman disclosed that she was familiar with Gretchen Thomas. Dr. Wellman indicated that she has not had any contact with Thomas for over ten years, and interacted with her on a professional level. Dr. Wellman indicated that she could serve on the hearing panel in an objective, fair, and impartial manner.

Motion #4

Dr. Mitchell moved that Dr. Wellman participate in the hearing involving Gretchen Thomas. Ms. Mayle seconded the motion. The motion passed unanimously.

At approximately 10:07 a.m., the Board conducted an administrative disciplinary hearing, pursuant to Chapter 119 of the Ohio Revised Code, in the matter of Gretchen Thomas, SP.2610. The Board was represented by Senior Assistant Attorney General, Cheryl R. Hawkinson. Ms. Thomas requested a hearing but did not appear. She submitted her contentions in writing. Dr. Mitchell presided over the disciplinary hearing. The hearing concluded at approximately 11:23 a.m.

QUASI-JUDICIAL DELIBERATION, PURSUANT TO OHIO REVISED CODE CHAPTER 119 – GRETCHEN THOMAS, CASE NO. 2016-42

At approximately 11:30 a.m., the Board recessed for the purpose of having a quasi-judicial deliberation, pursuant to Ohio Revised Code Chapter 119, the matter of Gretchen Thomas, SP. 2610.

The Board invited Mr. Thornton to remain in attendance. Dr. Froehlich, the Investigative Review Group's Chairperson, was not in attendance for the board meeting or hearing. Ms. Stansberry and Assistant Attorney General Hawkinson were recused and did not participate in the deliberations or any vote on this matter.

The Board returned to public session at approximately 12:14 p.m.

RETURN TO PUBLIC SESSION – ADJUDICATION ORDER AND VOTE ON DISCIPLINARY ACTION - GRETCHEN THOMAS, CASE NO. 2016-42

The Board made the following Findings of Fact, Conclusions of Law, and Order in the matter of Gretchen Thomas, SP.2610:

Findings of Fact:

1. Ms. Thomas is licensed as a speech-language pathologist in the State of Ohio, license number SP.2610.

2. On September 11, 2014 and October 16, 2014, Ms. Thomas documented having provided speech therapy services to a student under the student's Individualized Education Plan (IEP) when the student was signed out of the school building during the time she documented she provided the speech services.
3. Ms. Thomas submitted her speech therapy services for billing, as set forth in Findings of Fact number two causing her school district to bill Medicaid.
4. Ms. Thomas failed to implement the requirements of the student's IEP start date: October 24, 2014 and end date: October 23, 2015, by not providing speech-language services in accordance with the student's IEP. The District's service documentation log demonstrates that speech therapy services were not provided for 120 minutes per month as required by the student's IEP for the following months: November 2014, December 2014, January 2015, February 2015, April 2015, May 2015, and August 2015.
5. State's Exhibits #1-13 were introduced and accepted as evidence in this matter.
6. Respondent's Exhibit #1 was introduced and accepted as evidence in the matter.
7. The testimony and the Exhibits establish that Ms. Thomas failed to implement the requirements of the student's IEP and documented having provided speech services to the student when the student was signed out of the school building.

Motion #5

Ms. King moved to accept the Board's findings of fact in the matter of Gretchen Thomas, Case No. 2016-42. Ms. Brown seconded the motion. The motion passed unanimously.

Conclusions of Law:

Based on consideration of all the evidence and the testimony, the Board finds:

1. Ms. Thomas documented having provided speech therapy services to a student under the student's Individualized Education Plan (IEP) when the student was signed out of the school building during the time she documented she provided speech services, in violation of Ohio Revised Code section 4753.10(B)(l) and (M), and Ohio Administrative Code section 4753-3-08(B)(E)(1) and (2) and (l) and (M), 4753-9-01(A)(5),(6),(7)(b), and (B)(1)(a), (B)(2)(a), and (6)(a)ii and (iii).
2. Ms. Thomas submitted her speech therapy services for billing, as set forth under 4(a), causing the District to bill Medicaid, in violation of Ohio Revised Code section 4753.10(E)(1) and (2).
3. Ms. Thomas failed to implement the requirements of the student's IEP by not providing speech language services in accordance with the student's IEP, in violation of Ohio Administrative Code section 4753-9-01(B)(1), and (6)(a)(iii).

Motion #6

Ms. Brown moved to accept the Board's conclusions of law in the matter of Gretchen Thomas, Case No. 2016-42. Dr. Prakup seconded the motion. The motion passed unanimously.

Board's Action and Order:

The Board hereby **REVOKES** Ms. Thomas' license to practice speech-language pathology in the state of Ohio.

Motion #7

Ms. Mayle moved to accept the Board's order of disciplinary action in the matter of Gretchen Thomas, Case No. 2016-42. Dr. Wellman seconded the motion. The motion passed unanimously.

The Board recessed at approximately 12:20 p.m. and returned to Public Session at approximately 12:40 p.m.

PROPOSED DISCIPLINARY ACTION HEARINGS PURSUANT TO OHIO REVISED CODE CHAPTER 119 – ROMAINE REAGLE, CASE NO. 2016-59

At approximately 12:40 p.m., the Board conducted an administrative disciplinary hearing, pursuant to Chapter 119 of the Ohio Revised Code, in the matter of Romaine Reagle, COND-SP.2015031.

The Board was represented by Senior Assistant Attorney General, Cheryl R. Hawkinson. Ms. Reagle did not request a hearing. Dr. Mitchell presided over the disciplinary hearing. The hearing concluded at approximately 1:02 p.m.

QUASI-JUDICIAL DELIBERATION, PURSUANT TO OHIO REVISED CODE CHAPTER 119 – ROMAINE REAGLE, CASE NO. 2016-59

At approximately 1:02 p.m., the Board recessed for the purpose of having a quasi-judicial deliberation, pursuant to Ohio Revised Code Chapter 119, the matter of Romaine Reagle, COND-SP.2015031.

The Board invited Mr. Thornton to remain in attendance. Dr. Froehlich, the Investigative Review Group's Chairperson, was not in attendance for the board meeting or hearing. Ms. Stansberry and Assistant Attorney General Hawkinson were recused and did not participate in the deliberations or any vote on this matter.

The Board returned to public session at approximately 1:05 p.m.

RETURN TO PUBLIC SESSION – ADJUDICATION ORDER AND VOTE ON DISCIPLINARY ACTION – ROMAINE REAGLE, CASE NO. 2016-59

The Board made the following Findings of Fact, Conclusions of Law, and Order in the matter of Romaine Reagle, COND-SP.2015031:

Findings of Fact:

1. Ms. Reagle is licensed as a conditional speech-language pathologist in the State of Ohio, license number COND.2015031.

2. Ms. Reagle was granted a conditional license on August 1, 2014. She began employment with Premier Therapy under supervision of a person fully licensed by the Board on August 4, 2014; however, she did not submit or practice under an approved SPE Plan. After completion of thirty-six fulltime weeks of experience she submitted her SPE Report and Supervision Contacts Log (Report/Log) 240 days late. On the date the Board received her Report/Log, the Board informed Ms. Reagle that she did not have a Plan on file. Two days later she submitted a Plan. Based on her employment start date, her Plan was received 511 days late.
3. Ms. Reagle's second conditional license was granted on February 1, 2016. On the application she listed the same employer, same SPE supervisor and a new practice site. Her start date was scheduled for February 1, 2016. She did not submit the required Plan regarding the new practice site because she was terminated from employment on January 30, 2016. Ms. Reagle failed to notify the Board of her termination, and did not cooperate with the Board's requests and/or investigation to wit: she did not respond to the Board Investigator's e-mails and voice mail messages.
4. Ms. Reagle's SPE supervisor reviewed a copy of the Plan that Ms. Reagle submitted to the Board's office 511 days late. Ms. Reagle's SPE supervisor confirmed verbally, in writing, and in her affidavit that she did not complete, date or sign the Plan. In particular page 3, titled, "To be Completed by the Supervisor," is not the supervisor's handwriting, not her signature and not how she dates documents.
5. State's Exhibits #1 through 8 were introduced and accepted as evidence in this matter.
6. The testimony and the Exhibits establish that Ms. Reagle did not submit her supervised professional experience plan or supervised professional experience report and contacts log in a timely manner. The testimony and the Exhibits further establish that Ms. Reagle failed to notify the Board of her termination of employment and did not cooperate with the Board's requests and/or investigation. The testimony and Exhibits further establish that Ms. Reagle's professional experience supervisor attested that her purported date and signature contained on the supervised professional experience plan that Ms. Reagle submitted to the Board was not the supervisor's handwriting, not her signature, and not how she dates documents.

Motion #8

Ms. King moved to accept the Board's findings of fact in the matter of Romaine Reagle, Case No. 2016-59. Dr. Spangler seconded the motion. The motion passed unanimously.

Conclusions of Law:

Based on consideration of all the evidence and the testimony, the Board finds:

1. Ms. Reagle failed to submit or practice under an approved Supervised Professional Experience (SPE) Plan or SPE Report and Contacts Log in a timely manner, in violation of Ohio Revised Code section 4753.10(M) and Ohio Administrative Code section 4753-3-07(E)(4)(b) and (e), and (G)(1).

2. Ms. Reagle failed to notify the Board of her termination for employment and did not cooperate with the Board's requests and/or investigation, in violation of Ohio Revised Code section 4753.10(M) and Ohio Administrative Code section 4753-3-03, 4753-3-07(E)(4)(c), and (e), and 4753-9-01(B)(1)(c)(ii).
3. Ms. Reagle submitted a falsified SPE Plan that was not the signature and date of her SPE supervisor, in violation of Ohio Revised Code section 4753.10(B), (E)(1), (I), and (M), and Ohio Administrative Code section 4753-3-07(D)(3), (E)(1), and (4)(b) and (e), 4753-3-08(B), (E)(1), (I), and (M), and 4753-9-01(B)(1)(a), and (c)(i)(ii).

Motion #9

Ms. Brown moved to accept the Board's conclusions of law in the matter of Romaine Reagle, Case No. 2016-59. Ms. Mayle seconded the motion. The motion passed unanimously.

Board's Action and Order:

The Board hereby **REVOKES** Ms. Reagle's conditional license to practice speech-language pathology in the state of Ohio.

Motion #10

Ms. Brown moved to accept the Board's order of disciplinary action in the matter of Romaine Reagle, Case No. 2016-59. Dr. Prakup seconded the motion. The motion passed unanimously.

The Board recessed at approximately 1:20 p.m. and returned to Public Session at approximately 1:33 p.m.

LICENSURE APPROVAL – Tammy Brown**A. License Review****Speech-Language Pathology****Motion #11**

Ms. Brown moved to ratify the Speech-Language Pathology licenses granted by the Executive Director on June 15, 2016, July 1, 2016, July 15, 2016, and July 18, 2016. Dr. Mitchell seconded the motion. The motion passed unanimously.

June 15, 2016

SP-12149-	Molly Ann Miller
SP-12150-	Emma Lee Roberts
SP-12151-	Alyssa Marie Phillips
SP-12152-	Rhonda Renee Wilmoth
SP-12153-	Rebecca Leigh Serafini
SP-12154-	Kristine Beth Smith
SP-12155-	Emily Catherine Winner
SP-12156-	Amanda LeAnn Sheldon
SP-12157-	Megan Elizabeth McDonald

SP-12158- Suzanne Therese Watkins-Martinez
SP-12159- Meredith Ashley Winfield
SP-12160- Megan Elise McShea
SP-12161- Julie Ann Kruger
SP-12162- Theresa Marie McDonald
SP-12163- Christina Mae Murray
SP-12164- Melissa Ann Pope
SP-12165- Monica Lorraine Spatny
SP-12166- Abigail L. Smith
SP-12167- Julie Marie Rettig
SP-12168- Katherine McEntee O'Donnell
SP-12169- Michelle Anne Topp
SP-12170- Carolyn Louise Williams
SP-12171- Cara Blair Werner
SP-12172- Maria Victoria Petrasko
SP-12173- Danielle Marie Thompson
SP-12174- Maura Geraldine Natale
SP-12175- Nicole Mazur Sauer
SP-12176- Nicole Marie Brenza
SP-12177- Alisa Marie Kohler
SP-12178- Nicole Marie Hasselbeck
SP-12179- Jennifer Alice Klemme
SP-12180- Kalie Lynn Iliano
SP-12181- Heather Marie Barhorst
SP-12182- Chelsey Marie Fries
SP-12183- Ashley Marie Hobbins
SP-12184- Loren Pennino Lefeld
SP-12185- Alexa Kate Hamilton
SP-12186- Megan K Hounshell
SP-12187- Rebekah Louise Ashbrook
SP-12188- Brooke Alison Lucas
SP-12189- Brianna Rose Burke
SP-12190- Emily Catherine Heller
SP-12191- Krista Janine Hibinger
SP-12192- Ashley Nicole Elam
SP-12193- Kate Elizabeth Dargan
SP-12194- Katherine Elizabeth Anderson
SP-12195- Sarah Elizabeth Hackett
SP-12196- Abigail Leigh Brennan
SP-12197- Jessica Ann Bosley
SP-12198- Elizabeth Anne Crawford
SP-12199- Katherine Lynn Kocar
SP-12201- Suzanne Michelle Lozano
SP-12202- Esperanza P Gutierrez
SP-12203- Lauren Michelle Koepke
SP-12204- Rebecca E Haas

SP-12205-	Maggie Elizabeth Bowers
SP-12206-	Mary Kathryn Bruner
SP-12207-	Candice Ellen Michel
SP-12208-	Danielle Marie Slifko
SP-12209-	Mitchell Clifton Warmbein
SP-12210-	Melissa Renee Zapf
SP-12211-	Linda Anne Warner
SP-12212-	Rachel Jennifer Stolyar
SP-12213-	Ashley Marie Treaster
SP-12214-	Megan Marie Kremer
SP-12215-	Lee Shyken
SP-12216-	Ashleigh Nicole Nicholls
SP-12217-	Kara Elizabeth Amedei
SP-12218-	Leigh Ann Stephens
SP-12219-	Autumn Michelle McLennan
SP-12220-	Ryan James Tornabene
SP-12221-	Leah Ellen Romito
SP-12222-	Brooke Jillian Roebken
SP-12223-	Kelsey Leigh Roessner
SP-12224-	Sarah Elizabeth Loughner
SP-12225-	Rebecca Marilyn Kuhn
SP-12226-	Kristin Nicole Hupp
SP-12227-	Amanda Katherine Deuley

July 1, 2016

SP-12200-	Kayla Marie Cyr
SP-12228-	Macy Kathleen Ucchino
SP-12229-	Ashlyn Santurri
SP-12230-	Hannah Elizabeth Schooler
SP-12231-	Sarah Helen Stapleton
SP-12232-	Lauren Krug Reyes
SP-12233-	Stephanee Lee Mason
SP-12234-	Shayla Jo Scollick
SP-12235-	Kelsey Ann Purtell
SP-12236-	Danielle Rae Morgan
SP-12237-	Melissa Beth Marblestone
SP-12238-	Alexandra Marie Walker
SP-12239-	Brooke Irene Williamson
SP-12240-	Katie Marie Myers
SP-12241-	Kelsey Marie Mayrhofer
SP-12242-	Kristine Leigh Vitalone
SP-12243-	Yena Park
SP-12244-	Gloria J. Thomas
SP-12245-	Kayla Brianne Dandino
SP-12246-	Tali Rose Weinberg

SP-12247- Helen Platt Wolf
SP-12248- Kathleen Deirdre Kovalik Suter
SP-12249- Meredith Elaine McKay
SP-12250- Emily Michelle Work
SP-12251- Megan Marie Reed
SP-12252- Cassandra Lee Sparks
SP-12253- Jessica Marie Blakeman
SP-12254- Patricia M. Keefer
SP-12255- Ashley Marie Hodge
SP-12256- Calli Nicole Herold
SP-12257- Heather Feinstein
SP-12258- Christine Belmont Friedman
SP-12259- Kristen Denise Favro
SP-12260- Rachel Marie Greene
SP-12261- Marie Lee Fisher
SP-12262- Melissa Caitlin Elchison
SP-12263- Lana Renee Dennison
SP-12264- Dillon Davis
SP-12265- Alicia Buren
SP-12266- Stephanie Rose Brown
SP-12267- Nicole Marie Bird
SP-12268- Abigail Margaret Adams
SP-12269- Tanya Jeannetta Irene Abbott
SP-12270- Jennifer Ellen Heitkemper
SP-12271- Maria Ann Contini

July 15, 2016

SP-12272- Kelly Josephine Rath
SP-12273- Emily Ruth Williamson Smith
SP-12274- Kelsey Elizabeth Richards
SP-12275- Kara Marie Pickering
SP-12276- Rachel H Mashni
SP-12277- Nicolette Ann Tangi
SP-12278- Brittany Marie Parker
SP-12279- Jenna Elizabeth Thompson
SP-12280- Elyse Colette Mastriana
SP-12281- Elyse Megan Lamphier
SP-12282- Catherine E. Lanciault
SP-12283- Janette Ozoa
SP-12284- Caitlin Fattore
SP-12285- Jaclyn Marie Kachmarik
SP-12286- Chelsea Lynn Hanawalt
SP-12287- Lauren Grebenc
SP-12288- Jocelyn Ann Fenyar
SP-12289- Jessica Paige Chalfin

SP-12290-	Ellie Suzanne Carpenter
SP-12291-	Abigail Elizabeth DeLuca
SP-12292-	Amanda Lee Blake
SP-12293-	Brittany Lauren Barsic
SP-12294-	Taylor Finsel
SP-12295-	Bridget Afeld
SP-12297-	Shannon Clare Helfer

July 18, 2016

SP-12296-	Andrea Elizabeth Bell
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Audiology**Motion #12**

Ms. Brown moved to ratify the Audiology licenses granted by the Executive Director on June 15, 2016, July 1, 2016, and July 15, 2016. Dr. Spangler seconded the motion. The motion passed unanimously.

June 15, 2016

A-02026-	Alexa Catherine Ohison
A-02027-	Matthew Robert Brady

July 1, 2016

A-02028-	Camryn Hali Robinson
A-02029-	Rachael Ellen Skinner

July 15, 2016

A-02030-	Amy Stewart Custer
A-02031-	Mary Catherine Anne Mazi
A-02032-	Heather Marie Andrews

Conditional Speech-Language Pathology**Motion #13**

Ms. Brown moved to ratify the Conditional Speech-Language Pathology licenses granted by the Executive Director on June 15, 2016, July 1, 2016, July 13, 2016, July 15, 2016, and July 19, 2016. Ms. King seconded the motion. The motion passed unanimously.

June 15, 2016

COND-2016317-SP	Krystie Michele Balcer
COND-2016318-SP	Kerry M. Ursu
COND-2016319-SP	Katherine Elaine White
COND-2016320-SP	Nicole Christine Gains
COND-2016321-SP	Megan Elizabeth Ollier
COND-2016322-SP	Alyssa Marie Franceschelli
COND-2016323-SP	Rachel Miriam Dick

COND-2016324-SP	Megan Elizabeth McDonough
COND-2016325-SP	Devorah Pollak
COND-2016327-SP	Molly Catherine Jenkins
COND-2016328-SP	Alaine Eloise Beeler
COND-2016329-SP	Halie Michelle Cullen
COND-2016330-SP	Tyrone Eugene Reynolds
COND-2016331-SP	Kimberly Eileen McIntosh

July 1, 2016

COND-2017001-SP	Mary Jasmine Holt
COND-2017002-SP	Megan Elizabeth Barahona
COND-2017003-SP	Cheri Linn Schoenberger
COND-2017004-SP	Erika Michelle Tolson
COND-2017005-SP	Taylor Elizabeth Koncelik
COND-2017006-SP	Cheryl Maria Yu
COND-2017007-SP	Katherine Anne Zimmer
COND-2017008-SP	Isabelle Ann Moore
COND-2017009-SP	Emily Rose Brown
COND-2017010-SP	Bethany Kathleen Clouse
COND-2017011-SP	Brittany Nicole Holland
COND-2017012-SP	Erin Elizabeth Brady
COND-2017013-SP	Erin Ila Romanski
COND-2017014-SP	Rachel Joanne Moledor

July 13, 2016

COND-2017015-SP	Olivia Marie Falcone
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July 15, 2016

COND-2017016-SP	Kelly Christine Kohr
COND-2017017-SP	Sarah Bristow Peters
COND-2017018-SP	Audrey Caroline Woodbury
COND-2017019-SP	Emily Lauren Ferguson
COND-2017020-SP	Melanie Loretta Burns
COND-2017021-SP	Haley Regina Evert
COND-2017022-SP	Kayla Corinne Weaver

July 19, 2016

COND-2017023-SP	Jacquelyn Palmer
COND-2017024-SP	Morgan Helser

LICENSING SUMMARY

Speech-Language Pathologist		7285
Audiologist		1026
Inactives	AUD / SLP	37 / 210
		247

Conditional SLP	366
SLP-Aide	8
AUD-Aide	75
Duals	37
TOTAL	9044

A. Applications for Review

Audiology Aides

Motion #14

Dr. Spangler moved to ratify the Audiology Aides licenses granted by the Executive Director on July 15, 2016 and July 19, 2016. Ms. Brown seconded the motion. The motion passed unanimously.

Motion #15

Dr. Spangler moved to approve the initial licensure application for Audiology Aide, number 080916-BRA. Ms. Brown seconded the motion. The motion passed unanimously.

Motion #16

Dr. Spangler moved to approve the initial licensure application for Audiology Aide, number 080916-MEH contingent upon the Aide Plan being updated to reflect that the Aide will not adjust hearing aid programming directly for patients. Ms. Brown seconded the motion. The motion passed unanimously.

Motion #17

Dr. Spangler moved to table the initial licensure application for Audiology Aide, number 080916-BYA for clarification on the number of aides being supervised by the audiologist. Ms. Brown seconded the motion. The motion passed unanimously.

Motion #18

Dr. Spangler moved to table the initial licensure application for Audiology Aide, number 080916-COO for clarification on the number of aides being supervised by the audiologist. Dr. Wellman seconded the motion. The motion passed unanimously.

Motion #19

Dr. Spangler moved to approve the initial licensure application for Audiology Aide, number 080916-SNY. Dr. Mitchell seconded the motion. The motion passed unanimously.

Motion #20

Dr. Spangler moved to table the initial licensure application for Audiology Aide, number 080916-GEI for clarification on the Aide Plan regarding the aide creating/maintaining patient notes. Ms. King seconded the motion. The motion passed unanimously.

Speech-Language Pathology Aides
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None

Licensure Applications

Board action was held on the following applications for reinstatement until after the Investigative Report due to proposed consent agreements.

1. Application for Reinstatement – Robert Williams, A.01243

Motion #21

Dr. Mitchell moved to approve the application for reinstatement for Robert Williams, A.01243 subject to the terms of his Consent Agreement. Dr. Spangler seconded the motion. The motion passed unanimously.

2. Application for Reinstatement – Linda Miller, SP.5593

Motion #22

Dr. Mitchell moved to approve application for reinstatement for Linda Miller, SP.5593 subject to the terms of her Consent Agreement. Dr. Spangler seconded the motion. The motion passed unanimously.

3. Application for Reinstatement – Melinda J. Daniel, SP.8831

Motion #23

Dr. Mitchell moved to approve the application for reinstatement for Melinda Daniel, SP.8831 subject to the terms of her Consent Agreement. Ms. Brown seconded the motion. The motion passed unanimously.

4. Request to Withdraw Application for Conditional Speech-Language Pathology License – Gail Morrison, Case No. 2016-63

Motion #24

Dr. Mitchell moved to approve *Gail Morrison's request to withdraw her application for conditional speech-language pathology license*. Ms. King seconded the motion. The motion passed unanimously.

Motion #25

Dr. Mitchell moved to approve Gail Morrison's request to withdraw her Ohio Revised Code Chapter 119 hearing in Case No. 2016-63. Ms. Mayle seconded the motion. The motion passed unanimously.

Motion #26

Dr. Mitchell moved to withdraw the Notice of Opportunity for Hearing letter issued to Gail Morrison in Case No. 2016-63. Dr. Spangler seconded the motion. The motion passed unanimously.

Special Applications

None

ASSISTANT ATTORNEY GENERAL'S REPORT

There were no legal updates from the Assistant Attorney General.

INVESTIGATIONS

A. Executive Session

Motion #27

Dr. Mitchell 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). Dr. Wellman seconded the motion, which passed by roll call vote as follows: Ms. Brown: yes; Dr. Froehlich: absent; Ms. King: yes; Ms. Mayle: yes; Dr. Mitchell: yes; Dr. Prakup: yes; Dr. Spangler: yes; Dr. Wellman: yes

The Board went into Executive Session at 1:45 p.m. and invited the Board staff to remain in attendance, along with Senior Assistant Attorney General Cheryl R. Hawkinson, Esq.

The Board returned to Public Session at 2:06 p.m.

B. Board Actions

New

2016-18

This case involves an audiologist who obtained audiology licensure in 1988. She is employed with a hearing clinic and on a contract basis provided educational audiology services to a school district. A family member of a student (Student A) requested a copy of the student's medical file. The licensee assigned a staff member and a graduate student to prepare and copy the patient records. The file was retrieved and upon review, the family found the names of three other students contained in email correspondence with school district staff. The licensee admitted that she did not ensure that personnel under her direction and supervision properly redacted the records prior to release. The licensee's employer performed a Health Insurance Portability and Accountability Act (HIPAA) breach analysis and found no HIPAA violation, issued no personnel actions, and closed their case.

Accordingly the Investigative Review Group Committee (Investigative Review Group) recommends issuing a warning letter indicating that licensees shall maintain records and the confidentiality of person(s) being served and closing the case.

Motion #28

Dr. Mitchell moved to accept the Investigative Review Group's recommendation in case 2016-18. Ms. Mayle seconded the motion. Dr. Mitchell abstained. Dr. Froehlich was absent. The motion passed uncontested.

Previously Hearing by the Board

2016-64 - Robert Williams – A.01243

Dr. Williams's audiology license was revoked by the Board December 5, 2013 for failure to meet the continuing education requirements for the 2011-2012 licensure biennium; he had been

audited. He applied for reinstatement April 24, 2016. The Board tabled his application May 11, 2016, and requested proof of having completed twenty hours of CE within two years from the date of his reinstatement application. He did not respond by the deadline. June 14, 2016, the Board proposed to deny his reinstatement application. A Notice of Opportunity for Hearing letter was issued. June 29, 2016, he submitted appropriate documentation demonstrating completion of continuing education. The Board offered him a proposed non-disciplinary action Consent Agreement, which he signed. The Investigative Review Group Committee recommends that the Board agree to the following terms and conditions of Dr. Williams' non-disciplinary action Consent Agreement, and withdraw the Notice of Opportunity for Hearing letter:

1. Dr. Williams' application for reinstatement will be approved upon:
 - A. Submission of the reinstatement application fee in the form of a check or money order in the amount of \$120, made payable to "Treasurer – State of Ohio."
 - B. His continuing education hours shall be audited for the next two practice bienniums, e.g., 2015-2016 and 2017-2018.
 - C. The twenty continuing education hours the Board accepted for his application for reinstatement are not applicable towards his continuing education hours required to renew his license for the 2017-2018 practice biennium, which are due by December 31, 2016.
 - D. He must submit appropriate documentation to the Board demonstrating his completion of the continuing education requirements for the 2015-2016 licensure biennium by the December 31, 2016 renewal deadline. He must submit a total of twenty hours, which includes two hours related to ethics. At least ten hours shall be specific to the clinical practice of audiology. The twenty hours shall be submitted at the time he renews for the 2017-2018 licensure biennium.
 - E. He must submit appropriate documentation to the Board demonstrating his completion of the continuing education requirements for the 2017-2018 licensure biennium by the December 31, 2018 renewal deadline. He must submit a total of twenty hours, which includes two hours related to ethics. At least ten hours shall be specific to the clinical practice of audiology. The twenty hours shall be submitted at the time he renews for the 2019-2020 licensure biennium.

Motion #29

Dr. Mitchell moved to accept the Investigative Review Group's recommendation in case 2016-64. Dr. Prakup seconded the motion. The motion passed uncontested.

2016-65 - Linda Miller – SP.5593

Ms. Miller's speech-language pathology license was revoked by the Board January 26, 2016 for failure to meet the continuing education requirements for the 2013-2014 licensure biennium; she had been audited. This was her third continuing education audit failure in a row. She applied for reinstatement May 2, 2016. May 11, 2016 the Board proposed to deny her reinstatement application. A Notice of Opportunity for Hearing letter was issued. She submitted proof of completion of twenty hours of continuing education and submitted a second application for reinstatement on August 1, 2016. The Board offered her a proposed non-disciplinary action Consent Agreement, which she signed. The Investigative Review Group recommends that the Board agree to the following terms and conditions of Ms. Miller's non-disciplinary action Consent Agreement, and withdraw the Notice of Opportunity for Hearing letter:

1. Ms. Miller's application for reinstatement will be approved upon:

- A. Submission of the reinstatement application fee in the form of a check or money order in the amount of \$120, made payable to “Treasurer – State of Ohio.”
- B. Her continuing education hours shall be audited for the next two practice bienniums, e.g., 2015-2016 and 2017-2018.
- C. The twenty continuing education hours the Board accepted for her application for reinstatement are not applicable towards her continuing education hours required to renew her license for the 2017-2018 practice biennium, which are due by December 31, 2016.
- D. She must submit appropriate documentation to the Board demonstrating her completion of the continuing education requirements for the 2015-2016 licensure biennium by the December 31, 2016 renewal deadline. She must submit a total of twenty hours, which includes two hours related to ethics. At least ten hours shall be specific to the clinical practice of speech-language pathology. The twenty hours shall be submitted at the time she renews for her 2017-2018 licensure biennium.
- E. She must submit appropriate documentation to the Board demonstrating her completion of the continuing education requirements for the 2017-2018 licensure biennium by the December 31, 2018 renewal deadline. She must submit a total of twenty hours, which includes two hours related to ethics. At least ten hours shall be specific to the clinical practice of speech-language pathology. The twenty hours shall be submitted at the time she renews for the 2019-2020 licensure biennium.
- F. Ms. Miller hereby agrees and understands that her speech-language pathology license shall not be renewed if she has not submitted her renewal application, the renewal fee, and proof of completion of continuing education. The renewal application, the renewal fee, and proof of continuing education shall be post-marked or received by the Board no later than December 31st of the renewal deadline.

Motion #30

Dr. Mitchell moved to accept the Investigative Review Group’s recommendation in case 2016-65. Dr. Spangler seconded the motion. The motion passed uncontested.

2010-24 - Melinda Daniel – SP.8831

Ms. Daniel’s speech-language pathology license was suspended for a period of five years by the Board effective August 13, 2011, for billing for twenty-five different speech therapy appointments that she did not provide. Her suspension is scheduled to end on August 13, 2016. She applied for reinstatement on July 22, 2016. The Investigative Review Group offered her a proposed non-disciplinary action Consent Agreement, which she signed. Accordingly, the Investigative Review Group recommends the Board approve the non-disciplinary action Consent Agreement for reinstatement of her license, with the following terms and conditions:

1. Her application for reinstatement will be approved on August 15, 2016 upon:
 - A. Submission of the reinstatement application fee in the form of a check or money order in the amount of \$120, made payable to “Treasurer – State of Ohio.”
 - B. Her continuing education hours shall be audited for the next two practice bienniums, e.g., 2015-2016 and 2017-2018.
 - C. The twenty continuing education hours the Board accepted for her application for reinstatement are not applicable towards her continuing education hours required to renew her license for the 2017-2018 practice biennium, which are due by December 31, 2016.

- D. She must submit appropriate documentation to the Board demonstrating her completion of the continuing education requirements for the 2015-2016 licensure biennium by the December 31, 2016 renewal deadline. She must submit a total of twenty hours, which includes two hours related to ethics. At least ten hours shall be specific to the clinical practice of speech-language pathology. The twenty hours shall be submitted at the time she renews for the 2017-2018 licensure biennium.
- E. She must submit appropriate documentation to the Board demonstrating her completion of the continuing education requirements for the 2017-2018 licensure biennium by the December 31, 2018 renewal deadline. She must submit a total of twenty hours, which includes two hours related to ethics. At least ten hours shall be specific to the clinical practice of speech-language pathology. The twenty hours shall be submitted at the time she renews for the 2019-2020 licensure biennium.
- F. Ms. Daniel hereby agrees and understands that her speech-language pathology license shall not be renewed if she has not submitted her renewal application, the renewal fee, and proof of completion of continuing education. The renewal application, the renewal fee, and proof of continuing education shall be post-marked or received by the Board no later than December 31st of the renewal deadline.
- G. Ms. Daniel shall notify the Board in writing within thirty days of any change in employment or contact information.

Motion #31

Dr. Mitchell moved to accept the Investigative Review Group's recommendation in case 2010-24. Ms. King seconded the motion. The motion passed uncontested.

C. Investigative Report – Ms. Stansberry

OPENED	Cases since the last Board Meeting 6/14/2016	7
CLOSED	Cases since the last board meeting 6/14/2016	1
TOTAL Open Cases	After closing any cases today (includes referrals)	24
Consumer Complaints	Of total open cases	13
Referrals	Of total open cases	11

Of the cases currently open, the Investigative Categories are listed below:

Application Requirements Not Met	3
Billing Fraud	6
Continuing Education Violation	1
Conviction	1
False or Misleading Advertisement	0
Falsified/Misleading Application	0
Illegal, Incompetent, or Habitually Negligent Practice	0
Impaired Practice	1
Misrepresentation of Credentials	0
Other	2
Practicing Under Expired/Inactive License	0
Supervised Professional Experience Violations	1

Unlicensed Practice	1
Unprofessional/Unethical Conduct	8

Update of Cases Previously Heard by the Board

Two hearings held today:

- Administrative Hearing, Case number 2016-42, Gretchen Thomas, SP.2610
- Goldman Hearing, Case number 2016-59, Romaine Reagle, COND.2015031

Since the last meeting – Other Enforcement Activities and/or Outcome of some of the closed cases

- 2 Referrals- Ohio Attorney Generals Consumer Protection Division and Ohio Hearing Aid Dealers and Fitters Licensing Board
- 2 Warning letters- Supervised Professional Experience Report and Contacts Log late by less than 60 days.
- 1 Cease and Desist issued to a hearing aid dealer and fitter business. Compliance received.

Referrals to Investigations since the last board meeting: 2

FY2016 Statistics

License Verifications to Other States– 291 (to 43 of the 50 states)

Public Records Requests – 11

<u>Request</u>	<u>Received</u>	<u>Processed</u>
Disciplinary Actions	7	7
Investigative File (Non Disciplinary Action)	4	4

BOARD BUSINESS

A. Related Service Provider Workgroup – Updates

The Board discussed the progress being made by the Related Service Personnel Shortage Workgroup. The Board also issued a survey inviting input on strategies to recruit and retain speech-language pathologists and education audiologists in the school setting. Dr. Wellman shared information about the survey results and emphasized how paperwork requirements can impact the practitioner's workload. Ms. Brown recommended that the Board offer continuing education for licensees who advocate to their school districts about their role. She also recommended that the Board develop a template on how to effectively educate school administrators about their expertise.

B. School Medicaid Reimbursement – Updates

Upon the Board's approval, this item was moved up on the agenda after the Executive Director's report. Please refer to this section of the minutes for information about this agenda item.

C. 2016 Strategic Plan – Update

Mr. Thornton updated the Board on the status of the 2016 strategic planning initiatives, noting that the majority of initiatives are either complete or in-progress. The Board will review the strategic plan again in January 2017.

D. Licensure Renewal Campaign – Update

The Board reviewed the questions that licensees will be required to complete in order to renew their license during the licensure renewal campaign that will begin on October 1, 2016. The Board made a few minor revisions to the questions.

E. NCSB Conference

The Board reviewed the agenda for the National Council of State Boards of Examiners in Speech-Language Pathology and Audiology annual conference scheduled October 20-22 in Santa Fe, NM. Mr. Thornton and Ms. Brown were invited to serve as part of the conference faculty and will be presenting on the topic of patient abandonment. The Board reviewed the preconference designed for board member training and also noted several national issues that will impact and be of importance to the Board and the Assistant Attorney General.

Motion #32

Dr. Mitchell moved that the Board authorize the Executive Director, five board members, and the Board's Assistant Attorney General Cheryl Hawkinson to attend the NCSB Conference in Santa Fe, NM. Dr. Wellman seconded the motion. The motion passed unanimously.

F. OSSPEAC Conference

The Board reviewed the agenda for the Ohio School Speech Pathology Educational Audiology Coalition (OSSPEAC) annual conference scheduled October 9-11 in Columbus. The Board will be providing two ethics presentations during the conference.

Motion #33

Dr. Mitchell moved that the Board authorize to send up to three individuals to the OSSPEAC conference in Columbus. Ms. Brown seconded the motion. The motion passed unanimously.

G. ASHA Convention

The Board reviewed an invitation the American Speech-Language-Hearing Association (ASHA) extended to the Executive Director to serve on an ethics discussion panel at their annual convention in November in Philadelphia, PA. The Board discussed the benefits as a result of the Executive Director's attendance. The Executive Director's airfare and lodging will be covered by ASHA. There is no honorarium for serving on the panel.

Motion #34

Dr. Mitchell moved that the Board authorize the Executive Director to attend ASHA's annual convention, November 17-19, 2016 in Philadelphia, PA to serve as a speaker on an ethics panel. Ms. King seconded the motion. The motion passed unanimously.

H. Board Appointments – Update

The Board received an update on the status of board appointments for 2016. Dr. Wellman, Dr. Spangler, Ms. Mayle, and Ms. King are eligible for reappointment and indicated that they are in the process of submitting with documentation to the Governor’s Office. The Governor’s Office will appoint an audiologist to fill Dr. Mitchell’s position after her term ends.

CORRESPONDENCE

The Board reviewed correspondence issued by the Executive Director since the last board meeting.

MEMBER CONCERNS

There were no member concerns.

ADJOURNMENT

The meeting was adjourned at 3:26 p.m.

Dr. Karen K. Mitchell, Chairperson

Tammy H. Brown, Vice Chairperson

Date

Gregg B. Thornton, Executive Director

Date