



**Ohio Board of Speech-Language Pathology & Audiology
77 South High Street, Suite 1659
Columbus, OH 43215-6108**

Board Meeting Minutes of Thursday, December 2, 2010

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

Board Members – Roll Call:

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

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

OPEN FORUM FOR PUBLIC AND PROFESSIONAL ORGANIZATIONS

There were no comments.

AGENDA

The agenda for the December 2, 2010, regular board meeting was presented and reviewed. The following amendments were made: Items 11B (Ohio Department of Education Student Case Load Work Group – Update) and 11D (Sale of Hearing Aids via the Internet – Update) under Board Business were moved to the Executive Director's Report; Item 11F (University Verification Letter) under Board Business was moved to the Rules Committee Report, Item 11H (NCSB Conference Report) was added to Board Business.

Motion #1

Dr. Kukula moved to accept the agenda as amended. Ms. Leppla seconded the motion. The motion passed unanimously.

MINUTES

The minutes of the October 5, 2010 board meeting were reviewed.

Motion #2

Ms. Thorpe moved to accept the minutes of the October 5, 2010, Board meeting. Ms. Embry seconded the motion. The motion passed unanimously.

ACTING CHAIRPERSON'S COMMENTS

Dr. Levenfus thanked Dr. Valenta Ward-Gravely for her service on the Board, as well as her term as the board's Chairperson.

Dr. Karen Mitchell, Au.D., was welcomed as the new audiology board member. Dr. Mitchell serves as Director of Audiology & Hearing Aid Services at the Columbus Speech & Hearing Center. She is Board Certified by the American Board of Audiology and is a member of the American Academy of Audiology, American Speech-Language-Hearing Association and the Ohio Academy of Audiology.

Ms. Darlene D. Young was welcomed as the board's Administrative Assistant. Ms. Young started in her position on November 22, 2010. Ms. Young received appreciation from former board member Dr. Raymond Lezak who contacted Ms. Young about a licensure renewal matter.

The Board extended get-well wishes to board member Mr. J. Paul Good who was recuperating in the hospital.

The Board expressed sympathy to former board member Dr. Ward-Gravely, Assistant Attorney General Melissa Wilburn, and former Administrative Assistant Deborah Howard for recent family member losses.

Dr. Levenfus thanked the board staff for their hard work during the licensure renewal period.

EXECUTIVE DIRECTOR'S REPORT

Mr. Thornton submitted a written report of significant activities occurring since the last Board meeting. The following is a summary. The complete written report may be obtained by contacting the board office.

- Reported on significant meetings, presentations, and events;

- University presentations were given by Ms. Cunningham and Mr. Thornton at the University of Cincinnati, Miami University, and Bowling Green State University;
- Mr. Thornton, Ms. Cunningham, Ms. Embry, and Ms. Leppla gave a presentation at the Ohio School Speech Pathology Educational Audiology Coalition's Annual Conference on October 25, 2010;
- Updated the Board regarding documents received from Dr. Larry Engelmann, an Audiologist in Oklahoma regarding the Ohio Attorney General's Formal Opinion on the use of the term Audioprosthologist. This information will be distributed to the Board and discussed at the Strategic Planning meeting in 2011.
- Reported on the Board's expenditures and revenue for FY2011;
- Reported on the Board's budget request for FY2012-2013;
- The Board's Annual Report for FY2010 was submitted to the Governor's Office on November 1, 2010;
- Updated the Board regarding the status of the licensure renewal campaign. Approximately forty percent of licensees have already renewed their license before the December 31, 2010 deadline. A reminder letter will be mailed to licensees who have not renewed during the week of December 6, 2010. The Licensing Administrator will provide additional details on the number of renewal applications received during the Licensure Report;
- Updated the Board on the personnel action undertaken to hire Darlene D. Young, as Administrative Assistant on November 22, 2010;
- Updated the Board regarding the election of officers, committee assignments, and meeting dates for 2011, which will be discussed during the afternoon;
- Updated the Board regarding the next Strategic Planning meeting for 2011, which will be discussed under Board business;
- Updated the Board on the status of the Board member appointments that are pending confirmation by the Ohio Senate;
- Updated the Board regarding the status of the caseload ratio RFP announced by the Ohio Department of Education – Office for Exceptional Children. The deadline for school districts to respond to the RFP was extended to January 11, 2011. Information about the RFP is posted on the board's website and will be included in the fall eNewsletter, which is scheduled for distribution in early December 2010;
- Updated the Board regarding the issue of sale of hearing aids via the Internet. Mr. Thornton and Assistant Attorney General Wilburn will be meeting with the Executive Director of the Ohio Hearing Aid Dealers and Fitters Licensure Board (OHADFLB), along with the OHADFLB's Assistant Attorney General, Kelly O'Reilly, with the Ohio Speech and Hearing Governmental Affairs Coalition (GAC), on December 8, 2010.
- Reported on the Medicaid billing issue for conditional licensees involving the Ohio Department of Education Medicaid School Program (ODE-MSP) and the Ohio Department of Job and Family Services. Mr. Mark Smith, ODE-MSP's Coordinator, was invited to participate in the board discussion when this issue is reviewed under board business during the afternoon;
- Updated the Board regarding a meeting held on October 14, 2010, with the Ohio Department of Education – OMNIE SLP Student Intern Advisory Board. The group agreed to continue the two remaining student intern cohorts through 2013, at which time OMNIE will discontinue all initiatives to address SLP shortages. Ms. Cunningham

will report on the recommendations submitted to the Student Permit Application Review Committee during the Licensure Report.

INVESTIGATIONS

A. Executive Session

Motion #3

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

The Board went into Executive Session at 10:15 A.M. and invited the Board staff to remain in attendance.

The Board returned to Public Session at 10:23 A.M.

B. Board Actions

2008-32

This case involves a company that sells and fits hearing aids. The company distributed printed advertisements alleging that they offer "Free Thorough Audiological Evaluations." The company does not employ an audiologist. Per the June 15, 2009 Board meeting a Cease & Desist was issued. On 8/31/2009 a response letter to the Cease & Desist was received at the Board office. The letter indicated that they did not feel the advertisements were in violation of Chapter 4753. On 1/4/2010 a printed advertisement was received at the Board office and the advertisement language was corrected. On 6/14/2010 the company's website stated "Free Thorough Audiological Evaluations." At the August 13, 2010 board meeting, the Board accepted the Investigative Review Group's (IRG) recommendation that the Attorney General's Office pursue appropriate action for injunctive relief. On 11/29/2010 the website still shows language stating, "Free thorough Audiological Evaluations."

Accordingly the IRG recommends the following:

- Defer pursuit of injunction relief at this time. Issue a Cease and Desist letter that the website advertisement is still in violation of Chapter 4753 and needs to be corrected for Ohio consumers.

Motion #4

Ms. Thorpe moved to accept the Investigative Review Group's recommendation in case 2008-32. Dr. Kukula seconded the motion. Dr. Levenfus abstained. The motion passed uncontested.

2010-34

This case involves a speech-language pathologist that submitted their Supervised Professional Experience Report (Report) and Supervision Contacts Log (Log) late by 89 days. The Respondent became fully licensed on 6/1/2010. At the October 5, 2010 board meeting the Board accepted the IRG's recommendation to offer a Consent Agreement with the following terms:

1. *Due to this being the Respondents first offense, offer a Consent Agreement based on the following terms and conditions:*
 - a. *Complete 10 hours of continuing education in documentation and record keeping.*
 - b. *Submit proof of these 10 hours 90 days from the date the Board approves the Consent Agreement.*

The Respondent accepted the terms.

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

Motion #5

Ms. Leppla moved to accept the Investigative Review Group's recommendation in case 2010-34. Ms. Thorpe seconded the motion. Dr. Levenfus abstained. The motion passed uncontested.

2011-03

This case involves a conditional speech-language pathologist that submitted their Supervised Professional Experience Plan (Plan) late by 297 days. The conditional license expires on 2/3/2011. The Plan listed the beginning date for professional experience as 8/20/2010 and the ending date as 6/3/2011.

At the October 5, 2010 board meeting the Board accepted the IRG's recommendation to offer a Consent Agreement with the following terms:

1. *Due to this being the Respondents first offense, offer a Consent Agreement based on the following terms and conditions:*
 - a. *Complete 10 education hours in the area of documentation, due 90 days from the approval of the Consent Agreement.*
 - b. *Complete 10 additional education hours in documentation, due 30 days before the conclusion of the experience ending date.*
 - c. *The Consent Agreement will reflect a start date of 8/25/2010 and an ending date of 6/3/2011.*
 - d. *The Respondent shall renew their conditional license before it expires on 2/3/2011.*

The Respondent accepted the terms.

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

Motion #6

Ms. Thorpe moved to accept the Investigative Review Group's recommendation in case 2011-03. Ms. Leppla seconded the motion. Dr. Levenfus abstained. The motion passed uncontested.

2011-13

This case involves a speech-language pathologist that submitted their Report and Log late by 76 days. The Respondent obtained full licensure on 9/15/2010. At the October 5, 2010 board meeting the Board accepted the IRG's recommendation to offer a Consent Agreement with the following terms:

- *Due to this being the Respondents first offense, offer a Consent Agreement based on the following terms and conditions:*
 - *Complete 10 hours of continuing education in documentation and record keeping.*
 - *Submit proof of these 10 hours 90 days from the date the Board approves the Consent Agreement.*

The Respondent accepted the terms.

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

Motion #7

Ms. Thorpe moved to accept the Investigative Review Group's recommendation in case 2011-13. Ms. Leppla seconded the motion. Dr. Levenfus abstained. The motion passed uncontested.

2011-22

This case involves a speech-language pathologist who submitted their Report and Log late by 113 days. The Respondent's Plan approved end date was 5/24/2010. The Report and Log were not received at the Board office until 10/14/2010 which reflected that the experience went beyond 5/24/2010. The Report and Log indicated that the experience ended on 9/30/2010. The Respondent obtained full licensure on 11/15/2010.

Accordingly the IRG recommends the following:

- *Due to this being the Respondents first offense, offer a Consent Agreement based on the following terms and conditions:*
 - *Complete 10 hours of continuing education in documentation and record keeping.*
 - *Submit proof of these 10 hours 90 days from the date the Board approves the Consent Agreement.*

Motion #8

Ms. Thorpe moved to accept the Investigative Review Group's recommendation in case 2011-22. Ms. Leppla seconded the motion. Dr. Levenfus abstained. The motion passed uncontested.

C. Investigative Report - Ms. Stansberry

OPENED	Cases since the last Board Meeting 10/5/2010	13
CLOSED	Cases since the last board meeting 10/5/2010	12
Referrals	Of total open cases	12
TOTAL Open	After Closing Cases Today	23

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

Amended Plan not on file		1
Cease practice as an Aide		2
Ceu Audit		0
Denied Refund		1
Falsified Records/Unethical		2
Late Plan		0
Late Report and Log		5
Late Plan, Report and Log		1
Misrepresentation (Misleading Advertisement)		5
Misrepresentation Other		0
Public Records Request		0
Re-licensure application ceu review		0
Renewal application yes to disciplinary action		0
Renewal application issue		1
Unlicensed Practice		2
Unlicensed Practice, Late: Plan, late Report & Log		0
Unprofessional		3

Ms. Stansberry reported that a total of nine individuals have attested "Yes" on their 2011-2012 renewal application to having been disciplined in this state or another state since their last renewal.

LICENSURE APPROVAL – Dr. Levenfus**A. License Review****Speech-Language Pathology****Motion #9**

Dr. Levenfus moved to ratify the Speech-Language Pathology licenses granted by the Executive Director on October 15, 2010, November 1, 2010, November 15, 2010 and December 1, 2010. Ms. Thorpe seconded the motion. The motion passed unanimously.

October 15, 2010

Michelle	Tapley	SP.9851
Deborah	Conway	SP.9852
Keshia	Chisom	SP.9853
Jacqueline	Mullet	SP.9854

November 1, 2010

Miranda	Sabo	SP.9855
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Eva	vanLeer	SP.9856
Naomi	Stern	SP.9857
Jennifer	Nickel	SP.9858
Jordan	Smith	SP.9859
Alissa	Garretson	SP.9860

November 15, 2010

Renee	Matsunami	SP.6154
Jamie	Hartshorne	SP.9861
Nicole	Stanziale	SP.9862
Jennifer	Steele	SP.9863
Emily	Ogonek	SP.9865
Sarah	Harden	SP.9866
Bridget	Coulter	SP.9867

December 1, 2010

Jennifer	Grellner	SP.9868
Judith	Evans	SP.9869
Heather	Peterson	SP.9870
Carrie	Balzer	SP.9871
Suzanne	Geiser	SP.9872
Carilyn	Lee	SP.9873
Jennifer	Tangeman	SP.9874
Arleen	Buss	SP.9875
Megan	Best	SP.9876
Sara	Seiler	SP.9877
Kay	Fenske	SP.9878
Lynn	McConnell	SP.9879

Audiology**Motion #10**

Dr. Levenfus moved to ratify the Audiology licenses granted by the Executive Director on October 15, 2010, and November 15, 2010. (No audiology licenses were granted on November 1 or December 1.) Dr. Kukula seconded the motion. The motion passed unanimously.

October 15, 2010

Brandon	Lichtman	A.01648
Alaaeldin	Elsayed	A.01763

November 1, 2010

None

November 15, 2010

Shera

Kile

A.00946

December 1, 2010

None

Conditional Speech-Language Pathology
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Motion #11

Dr. Levenfus moved to ratify the Conditional Speech-Language Pathology licenses granted by the Executive Director on October 15, 2010, November 1, 2010, November 15, 2010, and December 1, 2010. Ms. Embry seconded the motion. The motion passed unanimously.

October 15, 2010

Amy

Beane

COND.2011160

Kathleen

Walsh

COND.2011161

November 1, 2010

Danielle

Cartinhour

COND.2009107

Kelli

McLaughlin

COND.2011159

Sara

Hudas

COND.2011162

November 15, 2010

Santia

Sims

COND.2011163

Jessica

May

COND.2011164

December 1, 2010

Kendall

Caley

COND.2011165

Angela

Brown

COND.2011166

Cara

Smith

COND.2011167

B. Applications for Review

Student Permit

There were no student permit applications received for the time period October 6, 2010 – December 2, 2010.

Renewal status/update provided.

Licensing Summary

Speech-Language Pathologist	6155
Audiologist	976
Conditional SLP	356
Permit Holders	41
SLP-Aide	19
AUD-Aide	65
TOTAL	7612

B. Applications for Review

Audiology Aides

The Review Committee presented Audiology Aide application identified as **Aide AUD 120210-1** for discussion. Dr. Kukula noted additional clarification was needed regarding duties listed on the Plan that related to hearing aid programming, hearing aid modification, and looking in the ear for cerumen.

Motion #12

Dr. Kukula moved to propose to deny the application for audiology, number **Aide AUD 120210-1**. Ms. Thorpe seconded the motion.

Motion #13

Dr. Mitchell moved to table Motion #12 proposing to deny the application for audiology, number **Aide AUD 120210-1** for further clarification of duties and bring back for consideration at the January board meeting. Ms. Leppla seconded the motion. The motion passed unanimously.

Speech-Language Pathology Aides

None

C. Special Case

Ms. Cunningham reported on a recent request from an applicant for conditional licensure to waive the supervisor qualifications. The Board clarified that the supervisor qualifications stipulated in Ohio Administrative Code section 4753(D)(1)(b) requires a supervisor to have 24 months of full time clinical experience as a fully licensed independent practitioner in the past 60 months. Experience acquired during the Professional Experience Year will not be considered towards fulfilling the 24 months requirement.

D. Licensure Report – Ms. Michelle Cunningham

Ms. Cunningham updated the Board regarding the recommendations that were submitted to the Student Permit Application Review Committee to affirm internal processes that streamline and expedite the permit application process and ensure compliance with the Memorandum of Understanding between the Board and the Ohio Department of Education (ODE). Ms. Embry

and Ms. Thorpe serve on this committee and accepted the following recommendations that propose that the student permit application process be aligned with existing statute, rule, and board policy for processing of all applications:

Specific Alignment/Compliance Recommendations Include:

1. Applications recommended to be submitted 6 - 8 weeks prior to the intended practice start date.
2. Communication on items missing from application, requests for clarification/additional information to occur directly between the Board and the applicant for student permit.
3. The provisions of OAC 4753-3-01 (Application for License) apply and will be enforced.
4. Revise student permit application to include a release to share information with the OMNIE Project Coordinator, include the requirement that if the proposed supervisor is or will be intending to supervise other permit holders and/or conditional licensees, it is indicated as such on the application form and the application form notifies and requests the supervisor adjustment of duties letter as a required application item.
5. Allow for approval of complete student permit applications by the Executive Director on the 1st and 15th of the month without requiring blind review by the Review Committee.
6. Those student permit applications which are not in compliance with statute and rule and therefore cannot be approved by the Executive Director will be submitted for blind review to the Review Committee.
7. Prior to March 2011, distribute the updated/revised student permit application form and application FAQ sheet to ODE and OMNIE Project Coordinator which includes reinforcement of the following: on-line verification should be considered as fulfilling the primary source requirement for verification of licensure, the credential status for approved permit holders will not be reflected as active in eLicense until the date the respective university has indicated that the 1 year graduate requirement will be met, and active status is required for legal practice.
8. Include the application FAQ sheet as an enclosure to the missing from application letter that is sent as needed to applicants.
9. Revise the permit approval letter to include a cc to the employer, add a reminder that graduate transcripts reflecting completion of the 1 year graduate requirements are required, and strengthen the language reminding permit holders that with any change in the approved application and plan they must: cease practice, notify the Board within 5 days, submit a new application, may not practice until the new application/plan is approved.

Motion #14

Mr. Porter moved that the Board accept the Student Permit Application Review Committee's recommendations. Dr. Kukula seconded the motion. The motion passed unanimously.

The Board recessed for ten minutes at 11:00 a.m.

The Board moved Committee Reports up on the agenda.

COMMITTEE REPORTS

A. Rules Committee – Ms. Loretta Embry

Ms. Embry reported that the Rules Committee met on December 1, 2010. She noted that 2010 was a productive year for the committee. The committee recommended several rules for adoption or amendment, including rules for inactive licensure, grandfathering stipulations for audiology licensure, supervised professional experience, web-based supervision for the professional experience year, renewing an expired license, access to confidential personal information, licensure fees, and five year rule review. The committee is reviewing fifteen rules that will be up for five year rule review in 2011. Ms. Embry reported that the committee anticipates submitting recommendations in 2011 for rules related to educational requirements for licensure, university verification letters, and supervision requirements for the professional experience year. Mr. Thornton and Ms. Cunningham updated the Board regarding a recent issue related to university letters.

B. Professional Competency Committee – Dr. Jane Kukula

Dr. Kukula reported that the Professional Competency Committee will meet prior to the January board meeting. The committee is currently researching and discussing issues related to assuring professional competency among the professions. The committee expects to submit final recommendations to the full Board during 2011.

C. Ad Hoc Committee on Equivalent Qualifications for SLP Licensure – Ms. Amy Thorpe

Ms. Thorpe reported the Ad Hoc Committee on Equivalent Qualifications for SLP Licensure will resume its work in 2011. Mr. Thornton and Assistant Attorney General Wilburn will be researching this issue.

The Board moved agenda items A (Board Member Appointments), E (Strategic Planning), and G (Proposed Rule for Use of Otoscope by Aides) up for discussion.

BOARD BUSINESS**A. Board Member Appointments – Update**

Mr. Thornton updated the Board regarding the status of board appointments. Board appointments are awaiting confirmation by the Ohio Senate, which is expected to occur before the end of this year.

B. Strategic Planning Meeting

The Board agreed that it should hold a strategic planning meeting in 2011. Dr. Levenfus, Dr. Kukula, and Mr. Porter will serve on the 2011 Strategic Planning Committee. The Board identified the following issues that should that planning committee should include on the agenda for discussion: audioprosthology, Ohio Department of Education caseload ratios, use of otoscopy by aides, student permit, SLP equivalency, sale of hearing aids over the Internet, telepractice, phasing out of OMNIE initiatives addressing SLP shortages, budget, board consolidation, and administrative operations. Mr. Thornton will follow-up with the committee in early January.

C. Review of Public Comments to Proposed Rule for Use of Otoscope by Aides

The Board determined that the proposed rule on the use of otoscope by aides and public comment received by the Speech and Hearing Governmental Affairs Coalition will be discussed during the strategic planning meeting in 2011.

D. NCSB Conference – Report

Dr. Levenfus reported on her attendance at the annual conference for the National Council of State Boards of Examiners for Speech-Language Pathology and Audiology (NCSB) on October 15, 2010. Representatives from twenty-one states, including Canada and the District of Columbia were in attendance. The conference provided excellent opportunities to network and understand issues and trends affecting speech-language pathology and audiology licensure boards across the country. One of the hot topics discussed at the conference was telepractice. A specific issue related to this topic is from which state does the person who is providing therapy need to be licensed. Dr. Levenfus reported some of the highlights from other states. North Carolina reported problems after the licensure of speech-assistants. Virginia may require certification for fluoroscopy therapy. Some states reported on cases of unlicensed practice in speech-language pathology and audiology which resulted in fines and incarceration. Many states reported on how they consider the degree of the offense and degree of harm to the consumer when determining the appropriate disciplinary action. It was reported during the conference that the American Speech-Language Hearing Association (ASHA) and the Federation of Associations of Regulatory Boards (FARB) recently adopted guidelines for disciplinary action. Wisconsin will be adopting an ethics requirement for their continuing education. More states are relaxing reciprocity requirements. States discussed possible legislation to address distance learning. Updates were also provided related to the Healthcare Integrity and Protection Data Bank and the National Practitioner Data Bank.

Dr. Levenfus reported that the conference provided invaluable information. The goal for 2011 will be to send the Executive Director and additional board members to the conference. This will be contingent upon the budget and any restrictions or limitations for out of state travel.

The Board recessed for lunch at 12:00 noon and returned to Public Session at 1:15 p.m.

EXECUTIVE SESSION

Motion #15

Ms. Thorpe moved to enter Executive Session for the purpose of discussing issues with the Attorney General's Representative on matters of pending or imminent court action pursuant to R.C. §121.22.(G)(3), and which requires that such matters be kept confidential under R.C. §149.43.(A)(2). Mr. Porter seconded the motion, which passed by roll call vote as follows: Dr. Levenfus: yes; Ms. Embry: yes; Mr. Good: Absent; Dr. Kukula: yes; Ms. Leppla: yes; Dr. Mitchell: yes; Mr. Porter: yes; Ms. Thorpe: yes.

The Board went into Executive Session at 1:15 P.M. and invited Board staff to remain in attendance.

*The Board returned to Public Session at 2:05 P.M.
The Board recessed for ten minutes until 2:15 P.M.*

BOARD BUSINESS (Continued)

E. Medicaid Billing by Conditional Licensees – Ohio Department of Education Medicaid School Program

The Board discussed the Medicaid billing issue for conditional licensees with Mr. Mark Smith, the Medicaid School Program Coordinator with the Ohio Department of Education. Mr. Smith indicated that the Ohio Department of Job and Family Services (ODJFS) administers the Medicaid funding regulations and expressed concerns regarding the status of conditional licensees. Mr. Smith explained that he wants to avoid any audit findings and would like the Board to clarify the status of the conditional license. The Board indicated that it will work with its assistant attorney general to resolve any issues. The Board requested that Mr. Smith submit a formal letter to the Executive Director indicating the concerns he has about the conditional license. The Board expressed interest in meeting with representatives of ODJFS to educate and inform them about the scope of practice for conditional licensees. Mr. Smith noted that this issue is one of semantics. The Board indicated that it would facilitate discussions if Mr. Smith could identify the legal basis supporting his position that the conditional license may not be construed by ODJFS as a license of the healing arts and therefore, not be eligible to bill for therapy services under Medicaid.

EXECUTIVE SESSION

Motion #16

Dr. Kukula moved to enter Executive Session for the purpose of discussing issues with the Attorney General's Representative on matters of pending or imminent court action pursuant to R.C. §121.22.(G)(3), and which requires that such matters be kept confidential under R.C. §149.43.(A)(2). Mr. Porter seconded the motion, which passed by roll call vote as follows: Dr. Levenfus: yes; Ms. Embry: yes; Mr. Good: Absent; Dr. Kukula: yes; Ms. Leppla: yes; Dr. Mitchell: yes; Mr. Porter: yes; Ms. Thorpe: yes.

The Board went into Executive Session at 2:50 P.M. and invited Board staff to remain in attendance.

The Board returned to Public Session at 3:02 P.M.

Motion #17

Ms. Thorpe moved that the Board authorize the Executive Director and Assistant Attorney General to continue discussions with the Ohio Department of Education and Ohio

Department of Job and Family Services regarding the Medicaid billing issue for conditional licensees. Mr. Porter seconded the motion. The motion passed unanimously.

ORGANIZATIONAL MEETING

Dr. Levenfus presided over the nomination and election of the Chair and Vice Chair positions for 2011.

The Board accepted nominations for the Chair position.

Motion #18

Dr. Kukula moved to nominate Dr. Levenfus to serve as Chairperson of the Board for 2011. Mr. Porter seconded the motion. There were no other nominations submitted. The Board voted unanimously to accept the nomination of Dr. Levenfus as Chairperson of the Board for 2011.

The Board accepted nominations for the Vice Chair position.

Motion #19

Dr. Kukula moved to nominate Ms. Embry to serve as Vice Chairperson of the Board for 2011. Ms. Leppla seconded the motion. There were no other nominations submitted. The Board voted unanimously to accept the nomination of Ms. Embry as Vice Chairperson of the Board for 2011.

The Board designated the following dates in 2011 for board meetings:

- Monday, January 31
- Thursday, March 17
- Tuesday, May 17
- Wednesday, June 22
- Friday, August 12
- Wednesday, October 12
- Friday, December 2

Dr. Levenfus made the following Committee Assignments for 2011:

- Rules Committee: Ms. Embry, Chair, Ms. Thorpe and Dr. Levenfus
- Policy and Procedure Committee: Ms. Leppla, Chair, Mr. Porter and Dr. Mitchell
- Investigations (IRG) Committee: Dr. Levenfus and Ms. Thorpe
- Professional Competency Committee: Dr. Kukula, Chair, Ms. Leppla and Mr. Good
- Review Committee (January – June 2011): Dr. Kukula (AUD Applications), Ms. Thorpe (SLP Applications)
- Review Committee (July – December 2011): Dr. Mitchell (AUD Applications), Ms. Leppla (SLP Applications)

Dr. Levenfus made the following Ad Hoc Committee Assignments for 2011:

- Ad Hoc Committee on Equivalent SLP Qualifications: Ms. Thorpe, Chair, Ms. Embry and Ms. Leppla
- Strategic Planning: Mr. Porter, Chair, Dr. Kukula and Dr. Levenfus

CORRESPONDENCE

There was no correspondence.

MEMBER CONCERNS

Mr. Thornton updated the Board regarding the attendance requirement for board members pursuant to R.C. §3.17 and advised that he will keep all board members apprised of the status of their attendance, as necessary.

ADJOURNMENT

Motion #20

Dr. Mitchell moved to adjourn the meeting.

The meeting was adjourned at 3:35 P.M.

Dr. Helene Levenfus, Vice Chair

Date

Gregg B. Thornton, Executive Director

Date