



Ohio Board of Speech-Language Pathology and Audiology
77 South High Street, 16th Floor
Columbus, Ohio 43215
MINUTES
January 25, 2008

The meeting was called to order at 9:41 A.M. by Chairperson, Davida Parsons, M.A. in the Board Room on the 31st Floor of the Riffe Center, 77 S. High St., Columbus, Ohio.

Members present:

Davida Parsons, M.A., Speech-Language Pathology Board Member and Chairperson
Dawn Gleason, Au.D. Audiology Board Member and Vice Chairperson
Loretta Embry, M.A., Speech-Language Pathology Board Member
Valenta Ward-Gravely, Au.D., Audiology Board Member
Helene Levenfus, Au. D., Audiology Board Member
J. Paul Good, Public Board Member
Patricia Zurlinden, M.A., Speech-Language Pathology Board Member

Also Present: Michael J. Setty, Executive Director
Diane Hoenig, CPM Licensing Administrator
Connie Stansberry, Investigator
Yvonne Tertel, Assistant Attorney General

PUBLIC AND PROFESSIONAL ORGANIZATIONS' COMMENTS

No comments were made.

AGENDA

The agenda was presented and reviewed. Amendments were made to move the Executive Session after Yearly Statements for Ethics reports and before Strategic Planning Meeting February 29, 2008. **Motion#1** Dr. Gleason moved to accept the agenda as amended. Dr. Ward-Gravely seconded the motion. The motion passed unanimously.

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MINUTES

The minutes of the December 6, 2007 meeting were reviewed and corrected to use AAG Tertel as designation throughout.

Motion#2 Ms. Zurlinden moved to approve the minutes of the December 6, 2007 meeting as corrected. Dr. Ward-Gravely seconded the motion. The motion passed unanimously.

CHAIRPERSON'S COMMENTS

Ms. Parsons wished all a Happy New Year. AAG Tertel met with the Chairperson at Ohio University to observe training of Audiologist and Speech-Language Pathology Students.

ASSISTANT ATTORNEY GENERAL'S REPORT

AAG Tertel reported that she is going through case reviews and modifying investigation procedures.

INVESTIGATIONS

2006-04 Complaint alleged unlicensed practice of speech-language pathologists in a school. After review of documents by an expert witness it was determined that when staffing at the school was not consistent, documentation of speech-language pathology services were not sufficiently complete and some documents were missing from the clients' chart. Yet when staffing was consistent, speech-language pathology service documentation was complete, accurate and appropriate filing was made of clients' chart. No evidence of unlicensed practice was found.

The Review group recommended closing case.

Motion#3 Dr. Levenfus moved to close Case 2006-04. Ms. Zurlinden seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

2006-20 Complaint alleged unlicensed practice as a speech-language pathologist by one who held a teaching certificate from Ohio Department of Education. Respondent had a Bachelor Degree in speech-language pathology. The individual practiced as a speech-language pathologist in two different schools during the academic school years 2003 through 2007 without a valid Ohio license. The individual is currently working in a rehab center and is not practicing as a speech-language pathologist.

The Review group recommended closing case.

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Motion#4 Dr. Ward-Gravely moved to close Case **2006-20**. Ms. Zurlinden seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

Case 2007-19 Complaint alleged unlicensed practice as a speech-language pathologist by a Licensed Professional Clinical Counselor. Initiator, who is a speech-language pathologist, complains that the respondent administered certain tests to a student that only a licensed speech-language pathologist can administer. The initiator also complains that the respondent could not have formulated the type of diagnosis that they did by administering the kinds of tests that were administered. The original initiator has since found out that the counselor was in fact not practicing as a speech-language pathologist. She asked twice to remove her complaint. She has since found out that the LPCC was not practicing as a speech-language pathologist.

The Review group recommended closing case.

Motion#5 Ms. Embry moved to close Case **2007-19**. Dr. Levenfus seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

Case 2008-19 Complaint alleged insufficient continuing education for 2006 audit by a speech-language pathologist. It took the respondent 115 days to comply with the audit.

The Review group recommended closing case.

Motion#6 Ms. Zurlinden moved to close Case **2008-19**. Dr. Ward-Gravely seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

Case 2008-18 Complaint alleged unprofessional conduct by an audiologist. Initiator complains the audiologist is not competent based on not fitting the initiator with a hearing aid strong enough but when seeking a second opinion from a hearing aid specialist; the specialist was able to make adjustments that produced better hearing. The initiator had been complaining to the audiologist, for over one year, that the hearing aid was not strong enough. The audiologist felt they were competent at their job in making accurate adjustments during that year. There was no evidence of unprofessional conduct.

The Review group recommended closing case.

Motion#7 Ms. Embry moved to close Case **2008-18**. Dr. Ward-Gravely seconded the motion. The motion failed. Dr. Gleason abstained.

Motion#8 Dr. Ward-Gravely moved to accept the Review Group recommendation to close Case **2008-18**. Ms. Embry seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

Motion#9 Dr. Ward-Gravely moved to rescind Motion#7 and Motion#8. Dr. Gleason seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

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Motion#10 Dr. Levenfus moved to accept the Review Group recommendation to close **Case 2008-18**. Ms. Zurlinden seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

2008-17 Complaint alleged unlicensed practice of a speech-language pathologist for 311 days that worked in a public school district. Four Renewal notices were mailed to the respondent in 2006 to the mailing address that was on file. The respondent called the board office in November 2007 and stated they forgot to renew for 2006. They renewed on-line there after and at that time updated their address.

The Review group recommended issuing a 119/NOH and authorizing board Assistant AG to negotiate a Consent Agreement of suspension for 156 days.

Motion#11 Dr. Levenfus moved to accept the Review Group recommendation to close **Case 2008-17**. Ms. Zurlinden seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

Violation:

4753.02 Unauthorized practice.

No person shall practice, offer to practice, or aid and abet the practice of the profession of speech-language pathology or audiology, or use in connection with the person's name, or otherwise assume, use, or advertise any title or description tending to convey the impression that the person is a speech-language pathologist or audiologist unless the person is licensed or permitted under this chapter.

Case 2008-14 Complaint alleged unethical practice by a speech-language pathologist employed by a school. The respondent was suspended due to Breach of School Policy for disclosing confidential information about students without obtaining written consent from the legal guardians. The respondent resigned.

The Review group recommended issuing a Consent Agreement to take ten additional hours of continuing education to the required twenty hours and for those ten hours to be in the area of ethics/confidentiality. These hours will need to be submitted as proof at the end of this renewal cycle. The Review Group also recommended auditing the licensee for continuing education at the end of the next renewal period.

Motion#12 Dr. Ward-Gravely moved to accept the Review Group recommendation to authorize the AAG to negotiate a consent agreement which will state that proof of 10 additional hours of continuing education in the area of ethics/confidentiality be submitted to the board by 12-31-08. Dr. Levenfus seconded the motion. Dr. Gleason abstained.

Violations:

4753-9-01 Code of Ethics.

(A) Preamble: Licensees shall hold tantamount the health and welfare of person(s) served.

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(B) Fundamental rules considered essential. Violation of the code of ethics shall be considered unprofessional conduct.

(2) Licensees shall maintain records and keep confidentiality of person(s) served, including:

(c) Not disclosing to unauthorized persons any confidential information obtained from any person(s) served or supervised professionally without the written consent of person(s) served or his/her legal guardian unless required by law.

4753.10 Disciplinary actions.

In accordance with Chapter 119. of the Revised Code, the board of speech-language pathology and audiology may reprimand or place on probation a speech-language pathologist or audiologist or suspend, revoke, or refuse to issue or renew the license of a speech-language pathologist or audiologist. Disciplinary actions may be taken by the board for conduct that may result from but not necessarily be limited to:

(I) Committing any act of dishonorable, immoral, or unprofessional conduct while engaging in the practice of speech-language pathology or audiology;

Case 2008-05 Complaint alleged unlicensed practice by a audiology student. The respondent signed off, on a hearing aid purchase form, as a student of audiology the very same day that they received their doctorate of audiology on the line that requires the signature and license number of the treating audiologist. The respondent was licensed by this board on 9/4/2007 the hearing aid purchase form was signed 6/28/07. It was concluded that an audiologist can fit, sell, and dispense hearing aids.

The Review group recommended closing the case.

Motion#13 Dr. Ward-Gravelly moved to accept the Review Group recommendation to close **Case 2008-05**. Dr. Levenfus seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

Case 2008-02 Complaint alleged insufficient continuing education for 2006 audit by a speech-language pathologist. Licensee wrote a letter to the board stating that they had not maintained continuing education since 2001 although they have continued to contest to completing them on the renewal forms. Most recent renewal form licensee wrote "inactive at this time" yet still paid the renewal fee. Renewal before that they wrote "not employed" and paid the fee. Licensee thought that if one was not working that it meant continuing education did not have to be maintained.

The Review group recommended issuing a 119/NOH along with a Consent Agreement that will be negotiated by the Assistant AG. The Consent Agreement will state to complete twenty additional continuing education hours as well as the required twenty hours at the end of this renewal cycle and to submit proof of those houses. The Review Group also recommended auditing the licensee for continuing education at the end of the next renewal period.

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Motion#14 Dr. Ward-Gravely moved to accept the Review Group recommendation to issue a 119 and Notice of Hearing along with a Consent Agreement that will be negotiated by AAG Tertel on **Case 2008-02**. Ms. Zurlinden seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

Violation:

4753-3-08 Denial, suspension or revocation of license.

The board may reprimand, place on probation, deny, suspend, revoke, or refuse to issue or renew the license of an applicant or a licensee for violation or any provision of Chapter 4753. of the Revised Code and Ohio Administrative Code or any lawful order or rule of the board, and for unprofessional conduct, including but not limited to the following:

(A) Fraud, deception, or misrepresentation in obtaining or attempting to obtain a license or renewal of a license;

4753-4-01 Continuing education.

(A) A licensee shall earn twenty continuing education hours within the two-year period.

(D) Continuing education audit:

(4) The failure to comply with an audit notification may, for purposes of disciplinary action pursuant to section 4753.10 of the Revised Code, be considered to be unprofessional conduct in the practice of speech-language pathology or audiology and/or misrepresentation in obtaining or attempting to obtain a license.

2008-01 Alleged complaint unlicensed practice by a speech-language pathologist.

The Review group recommended changing the motion for the Consent Agreement from the 12/6/2007 board meeting due to new facts that have changed the scenario of the case significantly and instead writing a letter to the employer reminding them of the licensure requirements.

Motion#15 Ms. Zurlinden moved to rescind Motion #5 on December 6, 2007. Dr. Levenfus seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

From Board Minutes December 6, 2007:

Case 2008-01

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Complaint alleged unlicensed practice by a speech-language pathologist for 17 days prior to receiving conditional speech-language pathology license. The first week was orientation; the respondent did not practice that week but did see patients for three of the seventeen days.

The Review Group recommended a Consent Agreement for three days suspension and for the licensee to notify employer of their disciplinary action.

Motion#5 Ms. Zurlinden moved to issue a consent agreement for a three day suspension and for the licensee to notify employer of their disciplinary action. Dr. Levenfus seconded the motion. The motion passed uncontested. Dr. Gleason abstained.

OPENED	Cases since last Board Meeting 12/6/2007	2
CLOSED	Cases at last Board Meeting 12/6/2007	5
	Total number OPEN cases	27
	Total number cases open (10/2007 – 1/2008) due to 2006 continuing education audit	7

EXECUTIVE DIRECTOR'S REPORT

Board expenses are well within the budget through January 1, 2008. The state of Ohio is anticipating a budget shortfall and is mandating budget reductions for those agencies that are supported by General Revenue Funds. This Board is totally supported through fees paid by licensees. No budget reductions will be mandated for the regulatory boards, however, it is anticipated there will be a "raid" on the regulatory board's 4K9 funds to transfer licensee fees to the general revenue fund. This has been done in the past to make up for budget shortfalls by the state.

Board E-mail addresses were changed to reflect the new state standard. Instead of slpaud.state.oh the address will read first.last@slpaud.ohio.gov. Staff will continue to receive their e-mail under the old addresses as well as the new.

The Governor has not yet appointed a new Public Member. He is still considering candidates for the position.

Mr. Setty will be visiting the University of Cincinnati, Miami University, University of Toledo, Ohio University, University of Akron and Ohio State University for licensure presentations in January and February.

The annual Legislative Breakfast will take place on Wednesday February 20, 2008 in the Statehouse.

There were no expenses to report for the executive director.

The executive director was off from December 21, 2007 to January 2, 2008.

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LICENSURE

Motion#16 Dr. Gleason moved to ratify the Speech-Language Pathology licenses granted by the Executive Director on December 17, 2007 and January 2 and 15, 2008. Dr. Levenfus seconded the motion, The motion passed unanimously.

December 17, 2007

Rebecca Anne	Conrow	SP8957
Tara Starr	Burge	SP8958
Rebecca Lynn	Faust	SP8959
Tandie Jon	Powell	SP8960
Kathryn N.	Depp	SP8961

January 2, 2008

Allison A.	Scarnecchia	SP8962
Mary Katherine	Burke	SP8963
Ashli N.	Hudson	SP8964
Leah H.	Edwards	SP8965
Laura	Justice	SP8966
Kristen Mary	Burk	SP8967
Kelly A.	Ferrick	SP8968
Todd Connolly	Haydock	SP8969
Julie Anne	Daymut	SP8970

January 15, 2008

Kim Loraine	Salinas	SP8971
Jo Ellen	Carr	SP8972

Motion#17 Dr. Gleason moved to ratify the Audiology licenses granted by the Executive Director on December 17, 2007 and January 2, 2008 and January 15, 2008. Ms. Zurlinden seconded the motion. The motion passed unanimously.

December 17, 2007

Donna Anne	Livingston	A01634
Kai	Wang	A01635

January 2, 2008

Melissa A.	Theis	A01636
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January 15, 2008

Gail Kirkpatrick	Lesoon	A01637
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Motion#18 Dr. Gleason moved to ratify the Conditional Speech-Language Pathology licenses granted by the Executive Director on December 17, 2007 and January 2, 2008 and January 5, 2008. Dr. Levenfus seconded the motion. The motion passed unanimously.

December 17, 2007

Erin Lynn	Barger	COND 2008095
Dawn Marie	Corrigan	COND 2008096
Becky Kay	Cosner	COND 2008097
Shawna Marie	Brosemer	COND 2008098
Sara Kay	Loveland	COND 2008099
Ann Marie	Spoto	COND 2008100
Ashley S.	Coffman	COND 2008101
Jamie Lynn	Kelly	COND 2008102
Claudia Marion	Ormerod	COND 2008103
Erin Brownlee	Pooley	COND 2008104
Catherine M	Sayenga	COND 2008105
Jennifer Ashley	Rubin	COND 2008106

January 2, 2007

Jessica	Irving	COND 2008107
Kristen Michelle	Wilson	COND 2008108
Sarah Rachel	George	COND 2008109
Christin L.	Hart	COND 2008110
Kayla Renee	Haun	COND 2008111
Tera Lee	Sumpter	COND 2008112
Amanda Rose	Abegglen	COND 2008113
Anne Marie	Zimmerman	COND 2008114

January 15, 2008

Tzipora	Sonnenschein	COND 2008115
Sharon J.	Mulcahy	COND 2008116

Aide Licensure

SLP Aide 120607-1

Motion#19 Ms. Zurlinden moved to approve the Speech-Language Pathology Aide application of Aileen Mary MacDonald. Dr. Gleason seconded the motion. The motion passed unanimously.

Audiology Aide 012508-1

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Motion#20 Dr. Ward-Gravely moved to approve the Audiology Aide application of Doug J. Hoermle. Ms. Zurlinden seconded the motion. The motion passed unanimously.

Licensure Issues

Licensees:

Audiology 901

Conditional Audiology 2

Speech-Language Pathology 5,584

Conditional Speech Language Pathology 230

Speech-Language Pathology Aides 18

Audiology Aides 71

SLP Student Permits 2

COMMITTEE REPORTS

Ms. Parsons appointed Ms. Embry to the Professional Competency Committee.

CORRESPONDENCE

None

BOARD BUSINESS

- **Board Attendance Report**
- **Yearly statements for Ethics Report**

Motion#21 Ms. Parsons moved to enter Executive Session for the purpose of considering the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee pursuant to R.C. §121.22(G)(1). The motion passed by roll call vote as follows: Dr. Levenfus: yes; Ms. Embry: yes; Mr. Good: yes; Ms. Parsons: yes Dr. Ward-Gravely: yes Ms. Zurlinden: yes; Dr. Gleason: yes.

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The Board went into Executive Session at 11:17A.M., with AAG Tertel and Mike Setty in attendance.

Mike Setty left the Executive Session at 11:35. AAG Tertel remained.

The Board returned to Public Session at 12:07 A.M.

Motion#22 Ms. Parsons moved to enter Executive Session for the purpose of considering the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee pursuant to R.C. §121.22(G)(1). The motion passed by roll call vote as follows: Dr. Levenfus: yes; Ms. Embry: yes; Mr. Good: yes; Ms. Parsons: yes; Dr. Ward-Gravelly: yes; Ms. Zurlinden: yes; Dr. Gleason: yes.

The Board went into Executive Session at 1:00 PM , with AAG Tertel in attendance.

The Board returned to Public Session at 1:30 PM

Ms. Parsons read the board a letter of resignation from Mr. Setty.

Motion#23 Dr. Gleason moved to accept the Executive Director resignation. Dr. Levenfus seconded the motion. The motion passed unanimously.

- **Strategic Planning Meeting February 29, 2008**

Motion#24 Dr. Ward-Gravelly moved to table the strategic planning discussion. Ms. Zurlinden seconded the motion. The motion passed unanimously.

Motion#25 Dr. Ward-Gravelly moved to name Diane Hoenig as interim Executive Director. Ms. Embry seconded the motion. The motion passed unanimously.

Motion#26 Ms. Zurlinden moved to appoint Dr. Gleason as the contact person for the office staff during the transition of the Executive Director. Dr. Levenfus seconded the motion. The motion passed unanimously.

Motion#27 Ms. Embry moved to authorize Ms. Parsons to work with AAG Tertel on the posting of the Executive Director position. Dr. Ward-Gravelly seconded the motion. The motion passed unanimously.

MEMBER CONCERNS

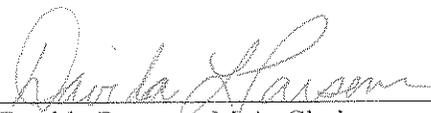
No comments were presented.

ADJOURNMENT

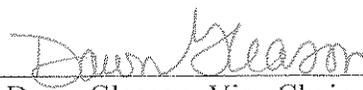
The meeting was adjourned at 2:25 P.M.

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Davida Parsons, M.A. Chairperson



Dawn Gleason, Vice Chair



Date



Date