

# TENNESSEE COUNCIL FOR LICENSING HEARING INSTRUMENT SPECIALISTS

DATE: September 28, 2018

TIME: 9:00 A.M., CT

LOCATION: Health Related Boards  
Poplar Room, Ground Floor  
665 Mainstream Dr.  
Nashville, TN 37243

## COUNCIL MEMBERS

PRESENT: Jackie Miller, Hearing Instrument Specialist, Chair  
Bruce L. Fetterman, M.D  
David H. Levy, Au.D.  
Lordy D. Smith, Consumer Member

## COUNCIL MEMBERS

ABSENT: Vacant

## STAFF

PRESENT: Christie Taylor, Advisory Attorney  
Nathaniel Flinchbaugh, Assisting Attorney  
Teddy Wilkins, Unit Director  
Michele Tamayo, Board Administrator

The meeting was called to order by the council Chair Mr. Miller. A quorum was present and a role call was taken. Ms. Wilkins then introduced the new board member Dr. David Levy and Ms. Michele Tamayo, new Council Administrator for Hearing Instrument Specialists and Communication Disorders and Sciences.

## **Financial Report**

Ms. Noranda French with the Division of Licensure and Regulation reviewed the Unofficial Fiscal Year End 2018 Report.

The Board closed with Total Direct Expenditures in the amount of \$233,357.76.

Total Allocated Expenditures were \$6,953.49. Total Expenditures were \$240,311.25 The Board generated revenue in the amount of \$69,950.00, with a current year net of \$68,502.73, the cumulative carry over balance of \$36,555.32.

Revenue Sources: 72% comes from renewal fees, 20% from application fees

Ms. French read the most applicable portion of the Internal Policy regarding a fee reduction. The Board is outside the realms of this policy, therefore we do not need to discuss a fee structure modification.

## **Minutes**

The Council reviewed the minutes from the May 18, 2018 meeting. Dr. Levy made a motion, seconded by Ms. Smith, to accept the minutes as presented. The motion carried.

## **Investigative Report**

Lori Leonard, Disciplinary Coordinator from the Office of Investigations advised the Council has received five (5) new complaints, closed one (1) complaint due to insufficient evidence. There are currently eight (8) open complaints, and the Investigations department is currently monitoring three (3) practitioners.

## **Office of General Counsel**

Ms. Taylor presented the following OGC report:

### **Conflict of Interest Policy for Board Members**

Ms. Taylor reviewed the Conflict of Interest Policy with the Council. If you have a personal or financial interest in the outcome of any issue or matter before this board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. You are reminded that it is the duty of this board to protect the health, safety and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

### **Rule Activity**

The rules presented to Government Operations were approved and went into effect August 12, 2018.

### **Disciplinary Activity**

The Office of General Counsel (OGC) does not have any open case files. There is an order of compliance for Eric Cobb, an HIS licensee which will be presented at this meeting. Mr. Cobb filed a petition for an Order of Compliance as result of a consent order ratified by the Council for Licensing Hearing Instrument Specialists in May 2016, and ratified by this Board in August 2016. As a result the Board ordered petitioner's license be placed on probation for one year, required him to pay three type B civil penalties, and required him to submit advertisements to the Board's administrative staff. An affidavit from the Disciplinary Coordinator is attached attesting to the fact that the petitioner has complied with all the provisions of the previous board order.

Dr. Fetterman made the motion, seconded by Ms. Smith to approve the order of compliance. A vote was taken, Dr. Levy opposed. Majority rules, motion carried.

Ms. Taylor reminded the council that the order has to pass a Communication Disorders and Sciences Board vote as well before the probation can be lifted.

## **Legislative Report**

A rollcall vote was taken to accept Public Chapter 954. Motion carried.

### **Public Chapter 954**

This legislation requires the initial licensure fee for low-income persons to be waived. Low income individuals per the statute are defined as persons who are enrolled in a state or federal public assistance program including but not limited to TANF, Medicaid, and SNAP. All licensing authorities are required to promulgate rules to effectuate the purposes of this act.

This act takes effect January 1, 2019.

## **Administrative Report**

Ms. Michele Tamayo presented the Administrator's report to the Council and stated that there are currently a total of 161 licensed practitioners, and 46 licensed apprentices.

Ms. Tamayo stated between May 18, 2018 through September 25, 2018 there were eleven (11) new licensees, seven (7) new apprentices, five (5) renewals, zero (0) retired, two (2) reinstated; and two (2) expired.

Board meetings for 2019 after this meeting are:

### **2019 Council Meeting Dates:**

February 1, 2019

May 17, 2019

September 20, 2019

## **New Licensees**

Dr. Fetterman made a motion, seconded by Ms. Smith, to approve the following new licensees. The motion carried.

931 Brame Leslie K.

917 Carlton Steven Craig

939 Farley Michael Adam

789 Garcia Juan Carlos Jr

932 Hale Lauri B

740 Hendrix Todd Morgan

919 McCormick Jeffrey Shane

922 Skaggs Chelsea Leigh

944 Stratton Amantha

934 Werkheiser Kevin

928 Williams Kayla Marie

### **Reinstatements**

Dr. Fetterman made a motion, seconded by Dr. Levy, to approve the reinstated licenses. The motion carried.

789 Fields Maryann  
740 Gross Kerry M

### **File review**

Review of application for Mr. Robert Moore was presented. Mr. Miller and Dr. Levy recused themselves due to conflict of interest. A quorum was no longer present. Therefore no further discussion on the matter could be discussed.

### **Adjourn**

With no other Council business to conduct, Dr. Fetterman made a motion to adjourn the meeting seconded by Mr. Miller. The motion carried. The meeting adjourned.

*Ratified by the Council for Licensing Hearing Instrument Specialists on February 1, 2019*