

STATE OF NEVADA
BOARD OF HEARING AID SPECIALISTS

Meeting Minutes

December 7, 2012

1. Call to Order and Roll Call

Chair Panelli called the meeting to order at 8:47 A.M. via video conference in conference rooms of the Nevada Department of Education office in Carson City and Las Vegas, Nevada. Roll call showed the following individuals present:

Board Members Present:

Dr. Richard Panelli, Chair
Melissa Maestas, Board Member – Las Vegas
Lindsey Nunn, Board Member – Carson City
Dr. Matthew Ng, Board Member

Board Member Absent:

Judith Locke, Board Member – Las Vegas – excused

Staff:

Christina Harper, Board Administrator
Henna Rasul, Senior Deputy Attorney General

Public:

Las Vegas
Thomas Rainford
Ernest Schwendemann

Carson City
None

It was determined that a quorum was present.

2. Public Comments

Mr. Schwendemann questioned where in the process the complaint against him was, he has not yet received notification from the Board. Mrs. Harper stated that she will call and discuss with Mr. Schwendemann this afternoon regarding this issue.

3. Discussion, review and possible action regarding September 14, 2012 Minutes

MOTION: Board Member Maestas moved to approve the September 14, 2012 minutes as submitted, seconded by Board Member Ng. The motion passed unanimously.

4. Review, discussion and possible action regarding Policy and Procedure Manual

Mrs. Harper reviewed the proposed amendments to the Policy and Procedure Manual as follows:

- Examination
 - An examinee must bring an adult individual with them to the exam, to perform the ear mold procedure and the hearing test on.
- Reading the Score of the Examination
 - For all examinees, they will first take the practical exam and then if the examinee fails any portion of the practical exam, i.e., if during the course of the practical exam, the examinee fails a portion of the practical exam, the examinee will be dismissed from the remained of the exam and rescheduled to take the next scheduled exam.

MOTION: Board Member Maestas moved to approve the above referenced amendment to the Policy and Procedure Manual, seconded by Board Member Ng. The motion passed unanimously.

Chair Panelli requested that the dismissal of the exam from the failure of a section only apply to the practical exam; as he felt that with numerous examinees if we make all of the examinees take the practical first, this could cause for a delay in examinees taking the written exam. Chair Panelli stated that when he administers the exam, he administers the practical for the first examinee and the remainder of the examinees take the written exam.

Member Maestas stated that she feels that this dismissal should apply to both the written and practical exams and stated that if an individual fails a portion of the written exam, they need to go back and study as they do not know the material.

Chair Panelli reviewed the exam procedure and suggested that the dismissal rule only apply to the practical exam and if necessary, if there is a problem, this could then apply to the written exam. Chair Panelli stated that it has been his experience that an examinee takes the entire practical exam and fails the practical exam, the next time aces the exam – as then the examinee now knows all of the questions that are asked on the practical exam and it is the responsibility of the Board to ensure that examinees

are qualified to be licensed as a Hearing Aid Specialist in the State of Nevada. Chair Panelli has not seen the same issue with the practical exam with the written and Code of Ethics exams.

MOTION: Member Maestas moved to approve the amendment to the Policy and Procedure Manual and only have the dismissal of the examinee only apply to the written exam, seconded by Member Ng. The motion passed unanimously.

Under the heading "Examination" will now read: "For all examinees, if the examinee fails any portion of the practical exam, i.e., if during the course of the practical exam, the examinee fails a portion of the practical exam, the examinee will be dismissed from the remainder of the practical exam and rescheduled to take the next scheduled practical exam; the examinee is allowed to continue to take the written exams."

5. Report of Secretary/Treasurer

A. Review, discussion and possible action regarding Financial Report

The Board reviewed the Balance Sheet and Profit and Loss Statement as of November 30, 2012 with a balance in the checking account of \$10,365.43. The following assets were reported as of November 30, 2012: checking account - \$10,365.43 and funds in a CD account - \$10,378.63 for total current assets of \$20,744.06.

6. 9:00 A.M. Workshop to Solicit Comments for Possible Amendments to NAC 637A to Address Hearing Aid Specialist Licensure Reciprocity with Individuals Who Have a License in Another State and Review Possible Requirements for Licensure Reciprocity

Per the direction from Senior Deputy Attorney General Rasul, Chair Panelli recessed the meeting at 9:10 A.M.

Chair Panelli opened the workshop at 9:10 A.M. for public comments.

Tom Rainford questioned how the Board was going to ensure that a licensee from another state has the qualifications and cautioned that this Board has the responsibility to ensure that individuals are well qualified and stated that this has been an issue in other states. There are other states' licensure that do not require anything close to Nevada's requirements and the Board needs to take steps in order to make decisions to ensure that the patient's are protected.

Member Maestas stated that this would be a temporary license for an individual who is currently licensed as a hearing aid specialist in another state, holds the National Board Certification, Certificate of Clinical Competence, have no disciplinary action or

complaints issued against the applicant and the applicant would still be required to take and pass the licensure exam.

It was discussed that this proposal will create an avenue for well qualified licensed hearing aid specialists from other states to be granted a temporary license for a period of two years; after the two years if there are no complaints, they would be eligible for full licensure.

Ernest Schwendemann stated that a college degree requirement does not ensure that the individual is a good, ethical person or is a good hearing aid specialist. Mr. Schwendemann added that he has knowledge that audiologist have failed the practical exam, so a degree does not ensure that an individual is qualified to fit and sell hearing aids.

Mr. Rainford stated that when this regulation was first enacted the consumer advocates pushed for the inclusion of the four year degree and requested that this Board consider and solicit consumer input prior to moving forward with the proposed language.

Mr. Schwendemann expressed concern and would like a hearing aid specialist to be both competent and have ethics/morals.

Mr. Rainford expressed concern with an individual who holds a license in another state, has a complaint filed against them but leave that state before the complaint can be verified, investigated, or any action taken. Mr. Rainford also stated that if the Board drops the four year degree requirement for reciprocity, then the Board should also consider dropping the four year degree requirement for the regular route to licensure.

Ms. Rasul stated that informal complaints are confidential until there is action taken on the complaint, which could be either dismissal or discipline by the Board, an agreement/or, or a public hearing on the complaint.

Chair Panelli stated that it is his intent to keep the requirements for licensure high to ensure that individuals have the required and necessary knowledge and skills to fit and sell hearing aids. Chair Panelli stated that the proposed language for this temporary license includes a probation period. Chair Panelli agreed that it is the responsibility of the Board to ensure the protection of the public.

Mr. Schwendemann stated that he likes the language of the two-year probationary period and if there are any complaints issues against the temporary license holder, the Board will deny that application full licensure and any future licensure in the State of Nevada. Mr. Schwendemann also suggested that the Board consider accepting the passage of exams from other states, but would need to ensure that the exams in other

states are equitable with the exams administered in Nevada; but the individual would still be required to take the practical exam.

It was suggested to add the Audiology Degree to Section 1(b) along with the certification requirements.

ACTION: Mr. Rainford requested that he receive a copy of the public hearing notice and proposed regulation. Mrs. Harper advised Mr. Rainford that as he is on the mailing list for notices, he will receive the public hearing notice and proposed language; any comments that individuals would like to make on the proposal will need to be either submitted in writing for submission at the public hearing or individuals may attend the public hearing and make their comments at the public hearing.

Chair Panelli directed staff to make the amendments are discussed in this workshop and post for public hearing at the next Board meeting.

Chair Panelli concluded the workshop at 9:50 A.M.

Chair Panelli reconvened the regular meeting at 9:50 A.M.

7. Report of Board Administrator

(a) Review, discussion, and possible action regarding submission of Application Profiles and Board Acceptance of those Applications to Take the Next Licensure Exam

Following a review of Todd Laack's application for a Hearing Aid Specialist; Board Member Nunn stated that Mr. Laack's application is complete and moved to approve Mr. Laack's application and to sit for the licensure exam, seconded by Board Member Maestas. The motion passed unanimously.

Following a review of Samia Bennis' application for a Hearing Aid Specialist; Board Member Nunn stated that Ms. Bennis' application is complete and moved to approve Ms. Bennis' application and to sit for the licensure exam, seconded by Board Member Maestas. The motion passed unanimously.

(b) Schedule Next License Examination

The next licensure exam was scheduled for January 19, 2013 to be held in Reno and Las Vegas to begin at 8:00 A.M.

(c) Schedule Next Board Meeting

The next Board meeting was scheduled for February 8, 2013 to begin at 8:30 A.M. via video conference with locations at the Nevada Department of Education office in Carson City and Las Vegas, Nevada.

(d) Review of Quarterly Reports for Apprentices

The Board reviewed the list of current active Apprentices and their Quarterly Reports with no comments.

Mrs. Harper advised that Tana Arnstad's Apprentice license has been placed on hold as her sponsor Melissa Maestas has withdrawn her sponsorship.

(e) Review of October 2012 Exam Results

Mrs. Harper reviewed the October 2012 exam results which were recently obtained from IHS. The following individuals passed the exam: Charla Joseph, Mark Butler, Brandon Rawlings, and Friedel Cunningham. Kevin McCurdy failed the written and practical exam for the second time.

ACTION: The Board questioned if there was a limit to the number of times that an individual can take and fail the exams and requested that this be a future agenda item for discussion.

ACTION: The Board requested to add "masking" to the practical exam for discussion at the next Board meeting.

8. Review and Possible Action on the Following Anonymous Complaints

Mrs. Harper advised that there are no complaints for the Board to review or take any action on at this meeting.

9. Public Comments

There were no public comments.

10. Staff Comments

There were no staff comments.

11. Board Member Comments

There were no Board Member comments.

12. Adjournment of Meeting

Chair Panelli adjourned the meeting at 10:09 A.M.