

TENNESSEE COUNCIL FOR LICENSING HEARING INSTRUMENT SPECIALISTS

DATE: June 26, 2014

TIME: 9:00 A.M., CT

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

COUNCIL MEMBERS
PRESENT: Thomas Stewart, Hearing Instrument Specialist, Council Chair
Jerry Hall, Hearing Instrument Specialist
Randy Williams, Hearing Instrument Specialist
Frederick Rayne, M.D
Lordy Dell Smith, Consumer Member

STAFF
PRESENT: Teddy Wilkins, Unit Director
Hannah Lanford, Office of General Counsel
Charles Custer, Board Administrator

Mr. Stewart called the meeting to order at 9:03 a.m. A quorum was present. Mr. Stewart introduced Ms. Smith as a new member to the Council, as well as the introduction of Ms. Lanford as the new Council advising attorney.

Rulemaking Hearing

A rulemaking hearing was held regarding Rule 1370-02-.06, to remove the Written Examination Fee, as the International Hearing Society has now gone to a computer-based testing system. Because of the change in tests, the Council will no longer be collecting this exam fee, and therefore, it needs to be removed from the rules. A roll call vote was conducted, and the Council voted unanimously to approve the rule language as presented. The rulemaking hearing began at 9:06 a.m., and was concluded at 9:12 a.m.

Minutes

The Council reviewed meeting minutes from the September 12, 2013 meeting. Dr. Rayne made a motion, seconded by Mr. Williams, to accept the minutes as presented. The motion carried.

The Council reviewed meeting minutes from the December 13, 2013 meeting for a rulemaking hearing. Dr. Rayne made a motion, seconded by Mr. Williams, to accept the minutes as presented. The motion carried.

The Council reviewed meeting minutes from the February 27, 2014 meeting. Dr. Rayne made a motion, seconded by Mr. Williams, to accept the minutes as presented. The motion carried.

Office of General Counsel

The Office of General Counsel has three (3) open cases. There are no consent orders and no agreed orders to be presented to the Council.

There is not any current legislation to be presented to the Council.

Ms. Lanford advised that Ben Simpson would be addressing the Council later in the meeting regarding current legislation.

Investigative Report

Denise Moran, from the Office of Investigations advised the Council that there are currently three (3) cases open, with two (2) cases in the field. There is one (1) case currently in review.

Ms. Moran also introduced a new disciplinary coordinator in the Investigations department.

Administrative Report

Mr. Custer presented the Administrative report to the Council.

Mr. Custer updated the Council on the exam task force. Mr. Custer advised that he has started including test descriptions on the authorization to test letters. Mr. Custer also advised the Council of discussion regarding the current rules regarding apprentices and the so-called "3-Fail Rule", and wording that the task force came up with.

Mr. Custer also spoke to the Council regarding recommendations from IHS regarding the IHS Distance Learning Course and the Council exams. The Council held lengthy discussion regarding this issue, and whether a specific course needs to be endorsed by the Council. The Council chose to not take action at this time, and encouraged applicants to study any and all materials that they can.

Legislation

Ben Simpson, legislative liaison from the Commissioner's office, addressed the Council regarding several topics:

- A bill was passed to allow initial applications to be submitted online. This impacts all of Health Related Boards.
- Surveys for all Health Care facilities can now be requested.
- A law has been passed to allow civil immunity for providers who are donating services in a qualified health clinic.
- This Council is up for sunset in 2016.

New Licenses

Dr. Rayne made a motion, seconded by Mr. Williams, to ratify the following new licenses. The motion carried. Mr. Stewart did not vote.

1	Kam	Daniella	815
2	Mitchell	Michael	826
3	Kelly	Michael	783

Agreed Citations

Dr. Rayne made a motion, seconded by Mr. Williams, to accept and ratify the following agreed citation for the listed reason. The motion carried.

- For Council Operations Fee violations:

1	Jeffrey Falconbury	646	\$100.00
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Dr. Rayne made a motion, seconded by Mr. Williams, to accept and ratify the following agreed citation for the listed reason. The motion carried.

- For Council Operations Fee violations:

2	Julia Looney	706	\$100.00
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Correspondence

The Council reviewed the IHS Model Licensure Act, and decided to take no action.

The Council discussed the IHS National Conference in California. After discussion, Mr. Williams made a motion, seconded by Mr. Hall, to allow up to two (2) administrative staff members to attend the conference. The motion carried.

An email from IHS was reviewed regarding several updates. IHS published a new study guide for the paper and pen exams. We are on track for the conversion from the paper/pen exam to the computerized version. IHS has now released a trainer booklet to accompany the Distance Learning Course. Mr. Custer advised that this email was for informational purposes only, and requires no Council action.

The Council reviewed an email from IHS regarding contact updates and myths about the ILE exam.

The current IHS Competency Model was reviewed, as it was submitted by IHS to be a guideline for our state exams to be based on.

The Council reviewed an email from Heather Dooley, regarding the application of Honey McCloud. Ms. Dooley's email was requesting a waiver of the education requirement for Ms. McCloud's application. The email was discussed, and the Council stated that this issue was addressed directly to Ms. McCloud, and that they had previously disallowed her experience to be accepted in lieu of the education requirement.

Discussion regarding Video Otoscopy concerns

Mr. Custer advised the Council of expressed concerns of public viewing of video otoscopy performed by a licensed Hearing Instrument Specialist working in a Sam's Club location, and how it could be a potential HIPAA violation. The Council discussed this issue at length.

Brian Burton, representing Sam's Club, also addressed the Council regarding this issue.

Review Continuing Education

Mr. Custer briefly advised the Council that he has seen no recent use of online continuing education hours.

New Business

The Council discussed potential dates for the 2015 meetings.

Adjourn

With no other Council business to conduct, Dr. Rayne made a motion, seconded by Mr. Williams, to adjourn the meeting. The motion carried, and the meeting adjourned at 10:48 a.m.

Ratified by the Council of Hearing Instrument Specialist on March 27, 2015