

TENNESSEE COUNCIL FOR LICENSING HEARING INSTRUMENT SPECIALISTS

DATE: September 23, 2016

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
Randy Williams, Hearing Instrument Specialist
Jerry Hall, Hearing Instrument Specialist
Lordy Dell Smith, Consumer Member
Frederick Rayne, M.D

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

Mr. Stewart called the meeting to order at 9:03 a.m. By roll call, it was determined that a quorum was present. Mr. Stewart turned the meeting over to Mr. Custer.

Minutes

The Council reviewed the minutes from three (3) previous meetings, including two (2) telephonic meetings. The Council voted on each set of minutes individually:

- May 13, 2016 Minutes – Dr. Rayne made a motion, seconded by Mr. Hall, to accept the minutes as presented. The motion carried.
- June 13, 2016 Minutes – Mr. Williams made a motion, seconded by Dr. Rayne, to accept the minutes as presented. The motion carried.
- July 12, 2016 Minutes – Mr. Williams made a motion, seconded by Ms. Smith, to accept the minutes as presented. The motion carried.

Office of General Counsel

Ms. Lanford presented the following OGC report to the Council:

Legislation

There is no new legislation affecting the Council at this time.

Rule Activity

Changes to Rules 1370-02-.01, .04, .05, .06, .08, .09, and .14 regarding definitions, preliminary qualifications for licensure, procedures for licensure, fees, apprentice examinations, renewal of license, and apprentice training programs are currently in the internal review process.

Disciplinary Activity

The Office of General Counsel currently has **one** (1) open case. There are no cases to present to the Council today, nor any that have been appealed to the Chancery Court.

Investigative Report

Nichelle Dorroh, from the Office of Investigations advised the Council that there are currently seventeen (17) cases open, and the Investigations department is currently monitoring six (6) disciplined practitioners.

Administrative Report

Mr. Custer presented the Administrator's report to the Council, which also included a report on the current status of the Council Operations Fee. Mr. Custer advised that there are currently a total of 140 licensed practitioners, and 24 licensed apprentices.

Mr. Custer also presented a report on the progress of the exams and the proctoring.

New Licenses

Dr. Rayne made a motion, seconded by Mr. Hall, to accept the list of new licenses. The motion carried.

New Applicants

1	Todd	Allen	838	6	Jeremy	Jones	841	10	Peter	Powers	848
2	Jeffrey	Anderson	875	7	Amanda	Korth	865	11	Candice	Teague	869
3	Cynthia	Carter	883	8	Bobbie	McCue	859	12	Cheryl	Ward	879
4	Kristen	Deaton	860	9	Len	Poole	870	13	Michelle	Wheaton	880
5	Duane	Hight	840								

Reinstated Licenses

Mr. Williams made a motion, seconded by Dr. Rayne, to approve the list of reinstated licenses. The motion carried.

Reinstatements

1	Jay	Montgomery	768
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Agreed Citation

Mr. Custer presented an agreed citation for *Cindy Kinsler-Foust, H.I.S. #743*. Ms. Kinsler-Foust was found to be deficient during the CE audit, and issued an agreed citation with a civil penalty of \$50. Ms. Kinsler-Foust submitted the required documentation and fee. Dr. Rayne made a motion, seconded by Ms. Smith, to accept the citation. The motion carried.

Board (Council) Consultant

Mr. Custer and the Council revisited the need for a consultant to work with the Investigations department. Mr. Custer presented the list of individuals who have submitted their names in response to the letter that was previously sent out. After discussion of possible parameters, guidelines, and methods of seeking individuals to be appointed to the position, the Council agreed that the parameters for a consultant should be the same as those for a proctor. Those requirements are:

- Holding a valid Tennessee license in good standing
- Must be an unencumbered license, meaning not on probation or suspension
- Must be NBC-HIS board certified

The Council was advised that, once a name, or multiple names, are selected and voted on, those names would be sent to the Investigations department for the vetting process.

Mr. Custer also advised the Council that if they only selected one name now, and for some reason, Investigations deemed that name as ineligible, we would be having this same discussion again at the next meeting; and for that reason, it is being recommended that the Council select multiple names to submit to Investigations. Mr. Custer also stated that 5 of the 6 names were also on the Proctor list, and that 4 of those had already been active in proctoring exams.

The Council then reviewed the list of submitted names and determined that only six (6) of the sixteen (16) names met the eligibility requirements. Mr. Hall made a motion, seconded by Ms. Smith to submit the name of Charles Robinette to the Investigations department. The motion carried. Dr. Rayne then made a motion, seconded by Mr. Williams, to submit the addition five (5) eligible names to Investigations. The motion carried. Those names are:

- Glenn Otey
- Bradley Jackson
- Elisha Arnett
- Fred Hutchison
- Fred Berganini

New Business

Mr. Custer advised the Council of the next meeting date, which will be held on January 20, 2017.

Mr. Custer asked the Council about the difference between the current exam passing score of 75 in the rules, and the Council's intent to change the passing score to be in line with the IHS

exams, which is currently set at 70. Mr. Custer explained that he has a couple of applicants who tested in another state and passed the exams, but their score in a given section was lower than the current passing score of 75. After discussion, and input from Ms. Lanford, the Council stated that, until the new rule becomes effective, the passing score will remain at 75; and that anyone applying by the Reciprocity method, if a section score is below the 75 score, that individual would need to retake that section before being issued a license.

Adjourn

With no other Council business to conduct, Mr. Williams made a motion, seconded by Mr. Hall, to adjourn. The motion carried, and the meeting was adjourned at 9:45 a.m.

Ratified by the Council of Hearing Instrument Specialists on January 20, 2017