



## TENNESSEE COUNCIL FOR LICENSING HEARING INSTRUMENT SPECIALISTS

December 15, 2023

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### MINUTES

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The regular Council meeting of the Tennessee Council for Licensing Hearing Instrument Specialists was called to order at 9:00 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Ms. Amanda Yarnell, acting Council Chair.

**Board Members Present:** Amanda Yarnell, Hearing Instrument Specialist,  
Board Chair  
Sammi J. Wyatt, Hearing Instrument Specialist  
Lordy D. Smith, Consumer Member  
Bruce L. Fetterman, M.D

**Board Members Absent:** Gary L. Kelly, Hearing Instrument Specialist, Secretary

**Staff Members Present:** Candyce Wilson, Unit 1 Director  
Ingrid Rodriguez, Board Administrative  
Michael Varnell, Board Attorney  
Kristen Moon, Associate General Counsel

Ms. Amanda Yarnell called the meeting to order at 9:00 am. A roll call was conducted, and quorum was confirmed.

#### **Rulemaking Hearing**

Ms. Kristen Moon presented the Notice of Rulemaking Hearing. The Rulemaking notice amended Rule 1370-02-.08 by adding language on how one can qualify to become a proctor. Mr. Fetterman made motion to approve rulemaking. Ms. Smith seconded the motion and it passed by rollcall vote.

Chapter 1370-02 General Rules Governing Hearing Instrument Specialists  
Amendments

Rule 1370-02-.08 Examinations is amended by adding new part (1)(b)4, so that as amended, the new part shall read:

(1) (b) 4. Practical Skills Examination proctors. The Council, or its designated representatives, shall administer the practical skills examination.

(i) To be considered as a potential proctor, the following requirements must be met:

- (I) hold an active and unencumbered license as a Hearing Instrument Specialist in Tennessee;
- (II) hold current National Board for Certification in Hearing Instrument Sciences (NBC-HIS) certification;
- (III) observe at least one (1) practical skills examination;
- (IV) submit an application to the Council, which can be found on the Council's website; and
- (V) must be impartial.

(ii) A proctor:

- (I) is required to travel to the Council's administrative office in Nashville, Tennessee on scheduled testing dates which are set in advance;
- (II) shall receive compensation in the amount of one hundred dollars (\$100.00);
- (III) may be eligible for reimbursement of travel expenses, or a portion thereof; and
- (IV) may also be eligible for reimbursement of travel expenses, or a portion thereof.

(iii) Neither this rule, nor the completion of these requirements, ensures that an applicant will be selected to serve as a proctor. This rule serves to ensure that prequalified proctors are available when necessary in order for the Council to administer the practical skills examination pursuant to T.C.A. §§ 63-17-203 and 63-17-209.

(iv) The Council shall take any actions necessary to insure impartiality.

(v) Any Council member administering the practical skills examination may elect to recuse himself from administering the practical skills examination to a particular applicant.

(vi) Any applicant taking the practical skills examination may, upon written request, have a Council member recused from administering such applicant's practical skills examination. The written request of the applicant should be received in the Council's Administrative Office at least ten (10) days prior to the scheduled examination.

### **CONFLICT OF INTEREST POLICY**

Ms. Moon reminded the Council of the Conflict-of-Interest Policy as well as the Open Meeting Act.

#### **Conflict of Interest**

If you have a personal or financial interest in the outcome of any issue or matter before this Council 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 Council 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.

#### **Open Meetings Act**

Pursuant to the Open Meetings Act, Council business may only be discussed by Council members during the meeting. Members should not discuss the Council's business at any time other than during the open meeting. The prohibition applies to phone calls, emails, and text messages. Council members should also ensure that all comments during the meeting are stated for all to hear; private conversations between or among members during the meeting are inappropriate.

**CODE WORD**

ANNOUNCE 1<sup>ST</sup> Code word for Continuing Education Credit (Clock Hour)

**CONSIDERATION OF APPLICATIONS**

None

**APPROVAL OF MINUTES**

Upon review of the July 23, 2023, minutes Mr. Fetterman made a motion to approve the minutes. The motion was seconded by Ms. Smith and the motion carried.

**REPORT FROM THE OFFICE OF INVESTIGATIONS**

Ms. Dorsey Luther reviewed the complaint statistics report for the year 2023 to date. Ms. Luther informed the Council there were five (5) opened complaints and five (5) were closed. Three (3) were closed with no action, two (2) received a Letter of Warning. Ms. Luther informed the allegations of the new complaints were one (1) for unlicensed practice and four (4) for unprofessional conduct. The Council did not have any questions.

**FINANCIAL REPORT**

Ms. Emily Godwin presented the Financial Report. After the review of the recent financial report Dr. Bruce Fetterman motioned to not move forward with the Rulemaking hearing for fee decrease. Ms. Smith seconded the motion and it passed by rollcall vote.

**Tennessee Council for Licensing Hearing Instrument Specialists  
Actual Revenue and Expenditures  
for Fiscal Year ending June 30, 2023**

<b>Acct. Code</b>	<b>Description</b>	<b>FY2023</b>	<b>FY2022</b>	<b>FY2021</b>
Payroll Expenditures (701-702)	\$	51,053.26	\$ 34,532.72	\$ 18,845.32
Total Other Expenditures (703-725)	\$	7,788.89	\$ 7,613.93	\$ 3,539.84
Total Allocated Expenditures	\$	16,435.16	\$ 3,588.07	\$ 4,948.41
<b>Total Expenditures</b>	<b>\$</b>	<b>75,277.31</b>	<b>\$ 45,734.72</b>	<b>\$ 27,333.57</b>
<b>Board Fee Revenue</b>	<b>\$</b>	<b>69,400.00</b>	<b>\$ 56,700.00</b>	<b>\$ 65,185.00</b>
<b>Current Year Net</b>	<b>\$</b>	<b>(5,877.31)</b>	<b>\$ 10,965.28</b>	<b>\$ 37,851.43</b>
Total Technology Improvements	\$	419.23	\$ 484.85	\$ 435.06
<b>Cumulative Carryover</b>	<b>\$</b>	<b>119,677.43</b>	<b>\$ 125,973.97</b>	<b>\$ 115,493.55</b>

**ADMINISTRATIVE OFFICE REPORT**

The Council reviewed the statistical licensing report.

There are currently a total of 174 licensed Hearing Instrument Specialists, and 26 licensed Apprentices. Ms. Ingrid Rodriguez stated that as of December 14, 2023, there was six (6) newly licensed Hearing Instrument Specialists and nine (9) newly licensed Apprentices. There were nineteen (19) renewals with fifteen (15) renewals completed online and one (1) reinstated.

The Councils meeting dates 2024 are as follows:

- January 19, 2024
- July 12, 2024
- October 18, 2024

**OFFICE OF GENERAL COUNSEL REPORT**

Ms. Moon introduce Mr. Michael Varnell to the Board as their new Board Attorney.

Ms. Moon provided the report from the Office of General Counsel which included the following updates: The Office of General Counsel (OGC) does not have any open cases at this time and are not currently monitoring any licensees.

**CODE WORD**

ANNOUNCE 2<sup>nd</sup> Code word for Continuing Education Credit (Public Chapter)

## **CONDUCT NEW BUSINESS**

### **Ratification of New Licensees**

The Council read the newly licensed individuals since the last meeting. Dr. Fetterman motioned to ratify the following names on the list below. Ms. Smith seconded the motion and it passed.

### **Newly Licensed HIS, Starting 07/27/2023-12/14/2023**

Barrett Dustin Frank  
Beck Audrey A  
Harris David  
Hayter Lillie  
Layman Michael S  
Lewis Morgan Emory  
Lormand Shannon  
Mcclain Cassie Cummings  
Varnell Sara

## **Presentation of Disciplinary Orders**

None

## **CODE WORD**

ANNOUNCE 3<sup>rd</sup> Code word for Continuing Education Credit (Apprentice)

Ms. Candyce Wilson put on recorded requirements for Continuing Education credit. Attendance email with names, license number and code words must be submitted within 48 hours of the meeting to grant Continuing Education credit.

## **PUBLIC COMMENT**

No public comment.

## **ADJOURMENT**

Dr. Fetterman motion to adjourn. The motion was seconded by Ms. Smith the meeting was adjourned at 9:48am.