

## TENNESSEE BOARD OF COMMUNICATION DISORDERS AND SCIENCES

**DATE:** November 7, 2017

**TIME:** 10:00 A.M., CST

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

**BOARD MEMBERS PRESENT:** Mary Velvet Buehler, Chair  
Julie A Crosby-Davis, CCC-SLP, Speech Pathologist  
Debby Starr, Au.D, CCC-A, Audiologist  
Jean Brandon  
Richard Morton, Citizen Member

**BOARD MEMBERS ABSENT:** Carrie Crittendon, Au.D, CCC-A, Audiologist  
Kimberly Vinson, MD, Otolaryngologist

**STAFF MEMBERS PRESENT:** Neil Stauffer, Assistant General Counsel  
Teddy Wilkins, Unit Director  
Latonya Shelton, Acting Board Administrator

Ms. Buehler called the meeting to order at 10:00 am. A roll call was held, and a quorum was present. Board staff introduced themselves. Ms. Wilkins introduced Neil Stauffer, new advisory attorney to the board. Ms. Wilkins thanked Latonya Shelton and Yvette Hernandez for their help with getting the meeting prepared due to the absences of Mr. Custer.

### **Minutes**

The minutes from the August 2017 meeting of the Board were not prepared due to the absences of Mr. Custer.

### **Financial Report**

Ms. Noranda French presented the Year End Fiscal Year 2017 to the Board. She stated the Board had direct expenditures of \$58,792.68 and allocated expenditures of \$39,897.99 for total expenditures of \$98,690.77. Ms. French said Board fee revenue totaled \$170,967.25 and the current year net is \$72,276.48. LARS improvements of \$22,361.91 were taken from the carryover, for a total cumulative carryover of \$362,178.66.

Ms. French said sixty-four percent (64%) of the Board's revenue is from renewal fees and nine percent (9%) is from application fees. Ms. French said from 2012 to 2017 revenues have been in good standing in comparison to expenditures. Ms. French presented growth charts for each profession. There has been a 148% increase in the number of speech language pathologists

assistants since 2010; a 63% increase in speech language pathologists since 2008; and a 26% increase in audiologists since 2008.

### **Investigative Report**

Rachel Fouch, Disciplinary Coordinator presented the investigative reports in the absence of Lori Leonard. There are currently two (2) open complaints against speech pathologists, seven (7) open complaints against audiologists, and no open complaints against SLPA's. There are currently three (3) practitioners being monitored.

### **OGC Report**

Mr. Stuaffer presented the following OGC report:

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

**PURPOSE:** To assure that the individual interests of board members do not conflict with or have the appearance of conflicts with their responsibilities to the Board to which they are appointed.

**CONFLICT OF INTEREST:** A circumstance in which a board member's individual interest impairs or impedes, or gives the appearance of impairing or impeding, his or her ability to make full, unbiased decisions or to provide full unbiased service to the Board.

Each board member shall disclose to the Board on a case-by-case basis, any personal relationship, interest or dealings that impairs or impedes, or gives the appearance of impairing or impeding, his or her ability to make full, unbiased decisions on a matter.

Any board member who has a conflict of interest as defined above must recuse himself/herself from any matter and is prohibited from participating in any discussion or vote on the matter, and shall leave the hearing room during the discussion or vote.

It is improper for any board member having a conflict of interest to attempt to influence another board member at any time, including prior to the discussion on the matter for which the conflict exists.

### **Disciplinary Activity**

As of November 2, 2017, there are no open files in the Office of General Counsel. There are no orders or contested cases on the agenda to be presented to the Board today. However, there is an Order of Compliance for your consideration. An Order of Compliance is only available when a licensee fully complied with a disciplinary order.

The disciplinary process begins with a complaint. Upon receiving a complaint, I review it with a consultant to determine whether the actions complained of, if proven, would lead to disciplinary action. If so, the case is investigated. At the conclusion of the

investigation, the consultant and I review the file and determine if there is evidence of a violation. If not, the file is closed.

However, if there is a violation, the Office of General Counsel initiates settlement negotiations. If a settlement is not reached, the Office of General Counsel files formal charges against the person's license. If OGC's prosecution is successful, the Board determines discipline and issues an order. If a settlement is reached prior to a formal hearing, it may take the form of an Agreed Order. Some Boards require a licensee to obtain an Order of Compliance once he or she completes the discipline ordered. CDS is one of those boards.

The Board must make a finding that a licensee complied with all the terms of the previous order before an Order of Compliance can be issued. If the Board determines the licensee did not comply with all the terms of the disciplinary order, it may reject the order.

The Order of Compliance presented today regards Charla Douglas, Speech Pathology License No. 2574. The Disciplinary Coordinator determined Ms. Douglas fulfilled the terms of the probationary and drafted and Order of Compliance. Mr. Stauffer recommended approval of the Order of Compliance. A motion to approve the Order of Compliance was made by Mr. Morton and was seconded by Ms. Starr. All voted in favor of the motion.

### **Rule Activity**

#### **Council for Licensing Hearing Instrument Specialists**

CDS ratified the HIS rule changes at your last Board meeting on August 8, 2017. However, due to the terms of the HIS lawsuit settlement agreement, the HIS Council may consider further changes to the rules regarding reciprocity applicants at the next HIS meeting in January 2018. Any further changes by the HIS Council would likely come before the CDS Board for approval at your next board meeting in February 2018.

The CDS rule revisions are under internal review.

### **Legislation**

There is no legislation regarding the Communication Disorders and Sciences Board currently pending.

### **Administrative Report**

In the absence of Mr. Custer, Ms. Shelton provided the administrative report. As of November 5, 2017, there are 428 licensed audiologists, 2757 licensed speech pathologists and 121 registered speech language pathology assistants. Between August 5, 2017 and November 6, 2017, there are a total of six (6) new audiologists, one new audiology clinical extern, a total of 47 Audiologists have renewed their licenses, with 34, or 72%, of those renewing online. For the same time period, there were fifty-three (53) new speech language pathologists, thirty-one (31) new clinical fellows, with a total of 287 Speech Pathologists having renewed their licenses, with 226, or 79%, of those renewing online. There were six (6) new speech language

pathology assistants registered, with total renewals of five (5) of which three (3) renewed online for 60% renewals online.

Board meetings for 2018 are:

February 6, 2018

May 1, 2018

August 7, 2018

November 6, 2018

Ms. Wilkins reported the online portal for applications is now operational.

### **Newly Licensed/Registered**

Mr. Davis made a motion to ratify the newly licensed Speech Pathologist, Speech Language Pathology Assistant and Audiologist, seconded by Mr. Morton, to approve the following newly licensed applicants. The motion carried.

#### **Speech Pathology Newly Licensed**

6216 Alley Elizabeth Ms.  
6258 Andal Nicholas S Mr.  
6285 Bebawi Joanna Bebawi  
6272 Bothwell Kaitlyn  
6301 Chapman Natalie A  
6292 Edwards Lisa Mrs.  
6152 Evans Denise S  
5680 Farmer Rachel K  
6241 Ferrell Jessica  
6251 Fortenberry Lacey Gray  
6313 Goodie Paige A  
6213 Haber Ashley R  
6267 Johnson Julie N  
6012 Kramer Megan Nicole  
3731 Levy Whitney Cole  
6057 Livesay Julia A.  
5920 Mask Casey Lauren  
5978 Messina Natalie Rene  
6044 Miner Jessica Erin Miss  
6262 Moore Amanda M  
6266 Moot Noah J  
5945 Noyes Ralph Cablao  
6291 Owen Catherine B  
6004 Palmer Kathleen C  
5949 Patton Elizabeth Nicole  
5932 Price Rachael A  
6075 Reynolds Nicole C  
6040 Richter Bethany M.  
6252 Rogers Alexa  
5493 Rogers Dorothy H

6039 Rozelle Mackenzie Anne  
6310 Schmitt Jacqlyn  
5714 Smith Mary G.  
6264 Snipes William A  
6305 Sokolic Nicole  
6312 Storck Brandy N  
6194 Thomas Shannon Marie  
6138 Valverde Sarah N  
6314 Veale Stefanie A  
6010 Vulanich Madeline A.  
6278 Walker Ashley

### **Audiology Newly Licensed**

1792 Chambers Erin Elizabeth  
1855 Dula Erin  
1827 Eaton Carrie E  
1856 Myers Brittany

### **SLPA Newly Licensed**

527 Marlow Lay Raysa C  
535 Chipman Ann  
537 Maxey Cynthia L  
540 Odle Alexis A  
544 Powell Lauren

### **Reinstatements**

Mr. Davis made a motion to ratify the reinstatements of Speech Pathologist, seconded by Mr. Morton, to approve the following newly licensed applicants. The motion carried.

### **Speech Pathology Reinstatements**

4058 Brandon Doris Jeanette  
2546 Bush Catherine Theresa  
684 Chandler Jill P  
4280 Hardin Kristen M  
2078 Henschel Constance Renee  
3040 Matthews Anne Maureen  
1382 Welsh Karen L.

Mr. Morton made a motion to ratify the reinstatements of Audiologist, seconded by Ms. Davis, to approve the following newly licensed applicants. The motion carried.

### **Audiology Reinstatements**

1696 Bramlette Shannon B  
1565 Kinney Theresa Lynn

## **Agreed Citations**

An Agreed Citation for **Dorothy T. Rogers, Speech Language Pathologist # 5493**, was presented to the Board. Ms. Rogers practiced on an expired license for a period of six (6) months in violation of Tenn. Code. Ann § 63-17-116(a) and the Rules and Regulations of the Board, Rule 1370-01-.09. Ms. Rogers was assessed a civil penalty in the amount of Six Hundred Dollars (\$600.00) for a \$100 a month fine for each month she practiced on an expired license. The fine has been paid. A motion to accept the Agreed Citation was made by Dr. Starr and seconded by Mr. Morton. The motion passed.

An Agreed Citation for **Laura H. Adams, Speech Language Pathologist # 5049**, was presented to the Board. Ms. Adams practiced on an expired license for a period of five (5) months in violation of Tenn. Code. Ann § 63-17-116(a) and the Rules and Regulations of the Board, Rule 1370-01-.09. Ms. Adams was assessed a civil penalty in the amount of Five Hundred Dollars (\$500.00) for a \$100 a month fine for each month she practiced on an expired license. The fine has been paid. A motion to accept the Agreed Citation was made by Ms. Davis and seconded by Mr. Morton. The motion passed.

An Agreed Citation was presented for **Nicole Bahamondes, Clinical Extern**, for practicing as an audiology clinical extern for fourteen (14) months without registering with the board for a total assessment of \$700.00 for Fifty dollars (\$50.00) a month for each of fourteen (14). Ms. Buehler read a letter to the board from Ms. Bahamondes explaining why she was in violation of the regulation. Discussion was held concerning this Agreed Citation and if an action other than the Agreed Citation could be had. The Board concluded she did not do this willfully and was unaware of the requirement. A letter of warning shall be drafted to Ms. Bahamondes. A motion was made by Mr. Morton to reject the Agreed Citation seconded by Dr. Starr and be refunded the money she paid.

Discussion was held concerning the issue of unregistered clinical externs and how to make the registration information more available about the need for registration. It was suggested a letter be drafted by administrative staff and reviewed by legal explaining the registration process to be sent to the licensees of both professions. It was also asked that the policy on unlicensed practice be reviewed. Mr. Stauffer agreed to review the policy.

## **Rules and Rule Amendments**

Ms. Davis suggested adding language to the draft rules holding clinical supervisors accountable for a clinical extern working without benefit of registration. It was also discussed that the policy statement on clinical externs and clinical fellows be revised. Ms. Wilkins and Mr. Stauffer will discuss revisions to the policy statement.

## **Adjournment**

With no other Board business to conduct, Ms. Davis made a motion, seconded by Mr. Morton, to adjourn the meeting. The motion carried, and the meeting was adjourned at 11:00 a.m.