

TENNESSEE COUNCIL FOR LICENSING HEARING INSTRUMENT SPECIALISTS

DATE: February 2, 2018
TIME: 9:00 A.M., CT
LOCATION: Health Related Boards
Poplar Room, Ground Floor
665 Mainstream Dr.
Nashville, TN 37243

COUNCIL MEMBERS

PRESENT: Jerry Hall, Hearing Instrument Specialist, acting Chair
Bruce L. Fetterman, M.D
Jackie Miller, Hearing Instrument Specialist
Lordy D. Smith, Consumer Member

COUNCIL MEMBERS

ABSENT: Thomas Stewart, Hearing Instrument Specialist

STAFF

PRESENT: Mark Waters, Deputy General Counsel
Teddy Wilkins, Unit Director
LaTonya Shelton, Acting Board Administrator

The meeting was called to order at 9:11 a.m. By roll call, it was determined that a quorum was present.

Minutes

The Council reviewed the minutes from the September 22, 2017 meeting. Dr. Fetterman made a motion, seconded by Mr. Miller, to accept the minutes as presented. The motion carried.

Office of General Counsel

Mr. Waters presented the following OGC report:

Conflict of Interest Policy for Board Members

Mr. Waters reviewed the Conflict of Interest Policy with the Council. If you have a personal or financial interest in the outcome of any issue or matter before this board 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 board 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.

Legislation

There is no legislation regarding the HIS Council currently pending.

Rule Activity

HIS held a rulemaking hearing in May 2017. CDS ratified the HIS rule amendments on August 8, 2017. However, due to the terms of the HIS lawsuit settlement agreement and the need for clarity regarding rules for licensure by reciprocity, some further needed changes have been identified. Specifically, the Council is requested to consider and vote on further changes to Rule 1370-02-.04(3) at this meeting.

Disciplinary Activity

As of January 18, 2018, the Office of General Counsel (OGC) does not have any open case files. There are no contested cases to present to the Council.

Investigative Report

Rachel Foutch, Disciplinary Coordinator from the Office of Investigations advised the Council that there are currently four (4) complaints open, and the Investigations department is currently monitoring three (3) disciplined practitioners.

Administrative Report

Ms. LaTonya Shelton presented the Administrator's report to the Council, which also included a report on the current status of the Council Operations Fee. Ms. Shelton advised that there are currently a total of 145 licensed practitioners, and 39 licensed apprentices.

Ms. Shelton stated between September 22, 2017 through February 1, 2018 there were four (4) new applications, five (5) new apprentice, three (3) licenses have been issued; one (1) retired; one (1) reinstated; and, twenty-four (24) renewals. Ms. Shelton said fourteen (14) licensees renewed on-line for a total of fifty-six percent (58%).

Board meetings for 2018 after this meeting are:

May 18, 2018
September 21, 2018

Financial Report

Ms. Noranda French presented the Year End Fiscal Year 2017 to the Council. She stated the Council had direct expenditures of \$24,375.44 and allocated expenditures of \$21,129.27 for total expenditures of \$45,504.71. Ms. French said Council fee revenue totaled \$72,135.00 and the current year net is \$26,630.29. LARS improvements of \$990.37 were taken from the carryover, for a total cumulative carryover of \$209,842.98.

Ms. French said sixty percent (60%) of the Council's revenue is from renewal fees and sixteen percent (16%) is from application fees. Ms. French said from 2013 to 2017 revenues have been in good standing in comparison to expenditures. Ms. French presented growth chart for this profession. Since 2008 there has been a 15% increase. Ms. Wilkins informed the council of the revenue increase during the odd years of renewal was due to the Council Operations fee which expired December 2016. Ms. Wilkins informed the Council that this fee was paid during the licensee's non-renewal year. Ms. French stated that the cost of the lawsuit settlement will deplete the entire cumulative carryover and going forward her section will actively monitor the fee structure for this Council.

New Licensees

Mr. Miller made a motion, seconded by Dr. Fetterman, to approve the newly licensees. The motion carried.

1. Fred Berganini
2. Amanda Bonner
3. Brian Jolley
4. James VanHoose

Rules and Rule Amendments

Mr. Waters discussed the proposed revisions for HIS rule 1370-02-.04 regarding reciprocity. The rule will read as follows:

1370-02-.04 (3) Licensed Hearing Instrument Specialist by reciprocity:

(c) Holds a current unencumbered license from another state or country and must meet one of the following:

1. Out-of-State license issuance was based on passing a written and practical examination developed in accordance with IHS standards, with an overall passing score as determined by the IHS: or
2. Applicant holds a current certification by the National Board for Certification in Hearing Instruments Sciences (NBC-HIS)

(d) An Applicant must pass the Tennessee Jurisprudence Examination.

Mr. Miller made a motion to accept HIS proposed rule 1370-02-.04 (3) as revised and Dr. Fetterman seconded. A roll call vote was held and the vote passed unanimously.

New Business

After a brief discussion regarding applicants having their board certification from another state could this be consider the two (2) year equivalent to fulfill the required two (2) years of college education. Mr. Waters stated to the council that he would have to research this matter and report back to the Council at the next meeting or a later date.

Adjourn

With no other Council business to conduct, the meeting was adjourned. The meeting adjourned at 9:52 a.m.

Ratified by the Council for Licensing Hearing Instrument Specialists on February 2, 2018