

## Hearing Aid Dealers and Dispensers

June 10, 2003

A meeting of the Georgia State Board of Hearing Aid Dealers and Dispensers was held on Tuesday, June 10, 2003, at the Professional Licensing Boards Office in Macon, Georgia.

### The following Board members were present:

Richard Pitt, Chairman  
Jeffrey Fargason, Vice Chairman  
Henry Williams  
Vaughn Bray  
Charles Denmark  
Dr. Jack Borders

### Others Present:

Anita O. Martin, Executive Director  
Susan S. Hewett, Board Secretary  
Wylencia Monroe, Board Attorney  
Chris Mingeldorf, Legal Services Intern

Chairman Pitt established that a quorum was present, and the meeting scheduled to begin at 9:00 a.m. was **called to order** at 9:00 a.m.

Jeff Fargason made a motion to **approve** the **minutes** from the March 11, 2003 meeting. The motion was seconded by Charles Denmark and was **approved** by the Board.

Jeff Fargason made a motion to **approve** the **minutes** from the April 4, 2003 conference call meeting. The motion was seconded by Vaughn Bray and was **approved** by the Board.

The Board reviewed a list of new licensee candidates receiving licenses between February 26, 2003 and April 30, 2003. A motion was made by Charles Denmark to **ratify** the following new licensee candidates:

- Hearing Aid Dispenser license #HADS000747 through #HADS000750 (See attachment 1)
- Hearing Aid Training permit #HAP000011, and HAP00013 through #HAP000015 (See Attachment #2)
- Hearing Aid Training permit #HAP00012 upon verification from the Florida Board that no disciplinary problems exist if licensed in Florida

The motion was seconded by Jeff Fargason and was **approved** by the Board.

A motion was made by Vaughn Bray to have examination information available on the newly licensed candidates that are to be ratified. The motion was seconded by Charles Denmark and was **approved** by the Board.

**Rule 276-10-.02:** The Board reviewed the memorandum from the Board attorney regarding changes to Rule 276-10-.02 as **informational only**.

The Board requested that the Executive Director **draft rules regarding the establishment of a valid dispenser/patient relationship** and **re-draft the continuing education rule** to provide subject area requirements.

**Changes to statute:** A motion was made by Henry Williams to have Rick Pitt develop a plan for Board review regarding suggested changes to the statute. The motion was seconded by Charles Denmark and was **approved** by the Board.

**Cognizant Board Member:** A motion was made by Charles Denmark for Henry Williams to serve as the Cognizant Board member. The motion was seconded by Jeff Fargason and was **approved** by the Board.

**Internet Practice:** Information was provided by Vaughn Bray regarding the internet practice of dispensing hearing aids. This information will be forwarded to the Board attorney and added to the file pertaining to the advice being provided on internet and mail order practice.

Charles Denmark made a motion to enter into **Executive Session** in accordance with O.C.G.A §43-1-19(h)(2) to review investigations/complaint information. The motion was seconded by Jeff Fargason and voting in favor of the motion were those present who included, Vaughn Bray, Henry Williams, Dr. Jack Borders and Rick Pitt. The Board concluded **Executive Session** in order to vote on these matters and to continue with the public session.

**Kathy Harvey, Enforcement**

- Case #HA030003
- Case # HA01200003

**Jeffrey Fargason, Cognizant Report**

- Reported on the following cases:
  - HA030003 Recommendation to close the case with a letter of concern and to refer to the Governor's Office of Consumer Affairs.
  - HA0120003 Recommendation to close the case.
  - HA030010 Recommendation to close with a letter of concern.
  - HA030011 Recommendation to close the case.
  - HA030008 Recommendation to close the case.

**Henry Williams, Cognizant Report**

- Reported on the following case:
  - HA030009 Recommendation to close the case with a letter of concern.

A motion was made by Charles Denmark to **approve the recommendations** regarding the above cases. The motion was seconded by Vaughn Bray and was **approved** by the Board.

**Wylencia Monroe, Board Attorney's Report**

➤ Reported on the following cases:

- 21-01-00-0025
- 21-02-01-0003
- 21-02-00-0012
- 21-01-02-0006
- 21-02-01-0006
- 21-02-01-0007

The next Board meeting is scheduled for September 9, 2003 at 9:00 A.M.

There being no further business to come before the Board, Jeff Fargason made a motion to adjourn the meeting. The motion was seconded by Vaughn Bray and **approved** by the Board.

The meeting was adjourned at 11:35 A.M.

**Recorded by:** Susan S. Hewett, Board Secretary

**Reviewed by:** Anita O. Martin, Executive Director

**Board Chair:** Richard B. Pitt

**Division Director:** Mollie L. Fleeman

**These minutes were approved by the Board at the  
September 9th, 2003 meeting.**

**State of Georgia**

**County of Bibb**

**Affidavit Supporting Closing  
Of Public Meeting**

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The Georgia Open Meetings Act, O.C.G.A. 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question:

***Comes now, Richard B. Pitt, the presiding officer indentified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.***

1. I am the presiding officer of the **Georgia State Board of Hearing Aid Dealers and Dispensers.**
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.

3. On **June 10, 2003**, this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.

4. The legal authority for the closure of this meeting was:

**43-1-19(h)(2)**

5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:

**Review disciplinary files**

**Further the affiant sayeth not.**

Richard B. Pitt  
(Presiding Officer)

Sworn and subscribed before me,

This 10<sup>th</sup> day of June, 2003.

**Regina F. Thompson**  
Notary Public