

GEORGIA STATE BOARD OF HEARING AID DEALERS & DISPENSERS

Board Meeting Minutes * December 4, 2012

Professional Licensing Boards Division, 237 Coliseum Drive * Macon, Georgia 31217

A meeting of the Georgia State Board of Hearing Aid Dealers and Dispensers was held on Tuesday, December 4, 2012 at the Professional Licensing Boards Office, 237 Coliseum Drive, Macon, Georgia 31217.

The following Board members were present:

Dr. Donald N. Cote, M.D., Chair; Board Certified – American Board of Otolaryngology

Ralph T. Jackson, Jr., Vice-Chair

Vaughn Bray, BC-HIS, CCCA

Deborah Brillling, Consumer Member

Joseph Stock, BC-HIS

Jason Murphy

Kadyn Ochs Williams, Au.D.

Administrative Staff Present:

Brig Zimmerman, Executive Director

Wylencia Monroe, Assistant Attorney General

Dr. Donald Cote, Chair established that a quorum was present and called the Board meeting to order at 8:44 a.m.

Agenda: Approved with late agenda items added (2011 Lapsed License Listing)

Minutes:

- September 11, 2012
- October 3, 2012 (Conference Call)

Ms. Brillling motioned, Mr. Stock seconded and the Board voted to approve the meeting minutes of 09-11-12 and 10-3-12 as presented. None opposed, motion carried.

Correspondence:

- HIS – CBT Exam (No response needed)

Frequently Asked Questions:

Board discussion of currently posted FAQ's with regard to address changes for dealerships. Following discussion and recommended revisions, the board voted to make the changes and post the revised version publically:

Mr. Jackson motioned, Mr. Stock seconded and the Board voted to approve changes to the FAQ's and repost. None opposed, motion carried.

- **Additional Discussion: Ad Hoc Committee Creation**

Board discussion followed the currently posted FAQ's discussion regarding the practice act (O.C.G.A. 43-20) and consideration given to making changes to the act with regard to the reporting of a new address for dealerships and the current processes. A committee was voted on to research the matter for future

presentation to the full Board. The committee will consist of Mr. Jackson, Mr. Murphy, Ms. Brillling and Mr. Stock.

Mr. Jackson motioned, Ms. Brillling seconded and the Board voted to approve creation of the committee to consist of the members named above. None opposed, motion carried.

- **Additional Discussion: Practical Exams**

The Board members discussed and agreed to conduct today's practical exams (Evaluations and Ear Molds) with one member versus the normal team of two due to the large volume of participants. In addition, the Board discussed the possibility of adding additional exam dates between meetings if warranted.

Public Hearing: Rule 276-14-.03 Reinstatement of a License - Amendments

276-14-.03 Reinstatement of License.

Following the late renewal penalty period, all non-renewed licenses will be revoked by operation of law for non-renewal, and application for reinstatement must be submitted to seek re-licensure.

(a) Reinstatement shall be within the sole discretion of the Board.

(b) A person applying for reinstatement on or after April 1 of every even numbered year must submit the following:

1. For **both dealer and dispenser** applicants for reinstatement, a completed reinstatement application and the **non-refundable** reinstatement application fee; and
2. For only **dispenser** applicants for reinstatement, applying within one (1) year of the effective date of the lapsed license, verification of the retake and passage of both the written and practical examinations required for licensure within one year of date of application and verification of fourteen (14) hours of Board approved continuing-education (Refer to Board Rule 276-10 for continuing education information).
3. For only **dispenser** applicants for reinstatement, applying after one (1) year of the effective date of the lapsed license, verification of the retake and passage of both the written and practical examinations required for licensure within one year of date of application and verification of fourteen (14) hours of Board approved continuing-education (Refer to Board Rule 276-10 for continuing education information).

Mr. Stock motioned, Ms. Williams seconded and the Board voted to adopt the above proposed rule amendment as posted. None opposed, motion carried.

In addition, Mr. Stock motioned, Ms. Williams seconded and the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-19 and 43-20-6.

Additionally, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-19 and 43-20-6 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of hearing aid dispensing and dealers.

Mr. Stock moved, Mr. Murphy seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-2(k) (1) (2), O.C.G.A. § 43-1-2(k) (4), O.C.G.A. § 50-14-2(1), to

receive the Attorney General and Cognizant Report. Voting in favor of the motion were those present who included Board members Dr. Cote, Bray, Jackson, Stock, Murphy and Brilling.

At the conclusion of Executive Session on Tuesday, December 4, 2012, Dr. Cote declared the meeting to be “open” pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session

Assistant Attorney General Report:

Wylencia Monroe, Assistant Attorney General, provided a status report which included information on any cases referred for action, requests for advice and /or requests for authority for proposed rules.

Ms. Williams moved, Mr. Stock seconded, and the Board voted to accept the Attorney General’s Report as presented. None opposed, motion carried.

Cognizant (Complaints) Report:

Investigative Interview:

- HA110010 Referral to the AG’s Office for a Public Board Order and Fine

Recommend closure:

- HA120001, 120003, 120011, 130001, 130002, 130003, 130004 and 130008

Pending Receipt of Additional Information:

- HA110005 and 120012

Ms. Brilling moved, Mr. Jackson seconded, and the Board voted to accept the recommendations of the Board Cognizant as presented. None opposed, motion carried.

Additional Discussion Items:

- CONSIDER: Audit of All Licensees 2013 – Bill of Sale for adherence to Board rules;
- Lapsed Licenses – December 31, 2011 Expiration Date
 - Ongoing Discussion items
- Continuing Education Course Approval Request: Audina Hearing Instruments 01-25 and 26, 2013 – 16 Total Hours

Mr. Stock moved, Mr. Murphy seconded, and the Board voted to approve fourteen (14) of the sixteen (16) total Continuing Education Hours presented by Audina, the denied hours being the two (2) hours on Florida Laws & Rules. None opposed, motion carried. None opposed, motion carried.

- Executive Session Meeting Minutes of September 11, 2012

Ms. Williams moved, Mr. Stock seconded, and the Board voted to approve the Executive Session (Closed-Confidential) meeting minutes of 09-11-12. None opposed, motion carried.

- Ratification of Listing of Licenses issued between meetings 09-11-12 to 11-30-12

License Number:	Name:
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HAA000068	Marsh, John Anthony
HAA000069	White, Stephen Johns
HAA000070	Barton, James William
HADE034995	Affordable Hearing Aid Solutions
HADE034996	Sam's Club Hearing Aid Center
HADE034997	Sam's Club Hearing Aid Center
HADE034998	Accuquest Hearing Aid Centers
HADE034999	North Georgia Hearing, LLC
HADE035000	North Georgia Hearing, LLC
HADE035001	Miracle Ear
HADE035002	Miracle Ear
HADE035003	Miracle Ear
HADE035004	Miracle Ear
HADE035005	OptumRx Inc
HADE035006	Miracle Ear
HADE035007	Miracle Ear
HADE035008	Sam's Club Hearing Aid Center
HADE035009	ActivEar, LLC
HADS000886	Jolley, Brian Steven
HADS000887	Bowie, Tammie Brunet
HADS000888	Brooks, Deborah Gayle
HADS000889	Pritchett, Stacy M
HADS000890	Black, Chance Edward
HAP000173	Williams, Danny Jude
HAP000174	Ringer, Kimberly Towle
HAP000175	Dobbs, Randy Brooks
HAP000176	Ciabattone, Anthony H, Jr

Mr. Jackson moved, Mr. Bray seconded, and the Board voted to ratification of the licenses issued between meetings meeting the requirements of licensure as presented. None opposed, motion carried.

There being no further business to come before the Board, the meeting was adjourned at 12:15 p.m. to be followed by the administration of the scheduled practical examinations.

Minutes recorded, reviewed and edited by

Brig Zimmerman, Executive Director, HC1

DR. DONALD COTE

BRIG ZIMMERMAN

Chair

Executive Director

Georgia State Board of Hearing Aid
Dealers and Dispensers

Professional Licensing Boards Division

These minutes were approved and signed on: March 5, 2013