

GEORGIA STATE BOARD OF HEARING AID DEALERS & DISPENSERS
Board Meeting Minutes * September 27, 2016
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 Tuesday, September 27 2016, in the Professional Licensing Boards division offices located at 237 Coliseum Drive, Macon, Georgia 31217.

The following Board members were present:

Ralph T. Jackson, Jr., Chair
Jason Murphy, Vice-Chair
Joseph Stock, BC-HIS
Vaughn Bray, BC-HIS, CCCA
Dr. Donald N. Cote, M.D; ABO Board Certified (via teleconference)
Kadyn Ochs Williams, AUD

Administrative Staff Present:

Brig Zimmerman, Executive Director
Tiffany Jordan, Licensure Analyst
Linsey Brookins, Board Support Specialist

Attorney General's Office:

Maximillian Changus, Assistant
Attorney General (By Telephone)

Mr. Jackson, Chair established that a quorum was present and called the Board meeting to order at 8:40 a.m.

Agenda: Approved as presented

Minutes:

- June 14, 2016

Mr. Stock moved, Mr. Murphy seconded, and the Board voted to approve the June 14, 2016 meeting minutes as presented. None opposed, motion carried.

Application Ratify List: 6/13/16 - 9/26/16

• **Dispensers:**

HAA000117	John Mark Stevenson
HAA000118	Scott Gregory Abrams
HAA000119	Drew Martin Horine
HAA000120	Clyde E Garner, JR
HAA000121	Stephen Daivd Yuhas
HAA000122	Lara Ferreira Carvalho
HAA000123	Maria Del Rosario Turner
HADS000961	Joanne Denise Drummond
HADS000962	Amber Watters Sewell
HADS000963	John Mark Stevenson
HADS000964	Scott Gunter Brunson
HADS000965	Lemuel Harsh
HADS000966	Karen Lynn Lang-Kuntz
HADS000967	Stephen Daivd Yuhas
HAP000252	Reeves Eugene Darrell
HAP000253	Vehdada Pajo

HAP000254	Ronald Scott Werner
HAP000255	Christopher Thomas Cummings
HAP000256	Rachel Marie Russell
HAP000257	Victoria Lee Ellis
HAP000258	Julie P Kraft
HAP000259	Richard Michael Blackman

- **Dealerships**

931 East Main St. Blue Ridge, GA	HADE035147	Beltone Hearing Aid Center
206 N. Central Ave Tifton, GA	HADE035148	Hearing Connection LLC (DBA Miracle Ear)
1363 Broad St. Augusta, GA.	HADE035149	All American Hearing Aid Centers
145 North Marietta Pkwy Marietta, GA	HADE035150	All American Hearing Aid Centers

Mr. Stock moved, Dr. Cote seconded, and the Board voted to approve the ratify list of licenses issued between meetings as presented. None opposed, motion carried.

Misc. Discussion Items:

- **2016 New Legislation**

General discussion regarding new legislation passed into law during the 2016 legislative session that effects all professional licensure Boards: HB 821, HB 952 and SB 367. These bills will remain posted for Board review and reference.

Public Rules Hearing:

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted]

Rule 276-2-.01 ~~Time and Place of Examination~~

The Examination of applicants for a dispenser’s license and an apprentice permit shall be conducted at least once during each calendar quarter. ~~The examination will be held at 237 Coliseum Drive, Macon, Georgia unless otherwise determined by the Board. The completed application with all documents and fees must be received in the Board's office at least forty five (45) days before the scheduled examination.~~

Authority: O.C.G.A. §§ 43-20-6

Rule 276-2-.04 ~~Conduct of Examination~~ Repealed

~~(1) Before commencing the examination each applicant will draw a number, seal it in an envelope with his name, and deliver the sealed envelope with the corresponding number on the outside to the examiner in charge. Each applicant shall write his number on every sheet containing answers to the examination questions, but not his name, initials, or other means of identification. If an applicant shall sign his name or write his initials or other identification marks upon his examination paper, such action shall be considered as misconduct and shall be sufficient cause for rejection of his paper.~~

~~(2) Each applicant shall sign an attendance slip or other form provided at the beginning of each session of the examination and such signature must be identifiable to the signature of the applicant on his application.~~

~~(3) All supplies necessary for the written examination will be furnished by the Board, and, after use, shall remain the property of the Board.~~

~~(4) Answers in all examinations must be made on blanks furnished by the Board and must be completed within the time allotted for each subject, which will be stated on the examination questions and problems.~~

Authority: O.C.G.A. § 43-20-6

Chapter 276-7 FEES, RENEWAL, AND REINSTATEMENT (Title amendment only)

Authority: O.C.G.A. § 43-20-6

Rule 276-10-.01. Continuing Education - Dispensers

All applicants for biennial renewal of dispenser licenses shall submit proof to the Board of satisfactory completion of ~~fourteen (14)~~ twenty (20) hours of Board approved continuing education relevant to the licensee's professional practice. The renewal period begins January 1st of every even number year to December 31st of the following odd number year, **except** that an initially licensed dispenser licensee shall be exempt from meeting the requirements of this Rule if, at the time of renewal, said dispensing licensee has been licensed for a period of time less than two (2) years. Continuing education hours completed by an initially licensed dispenser licensee, who at the time of renewal has been initially licensed for less than a two (2) year period, will not be available or "carried over" for credit to meet the requirement for the next biennial license renewal.

Authority: O.C.G.A. §§ 43-20-6 and 43-20-15

Title: Chapter 276-12 COMPLAINTS AND INVESTIGATIONS REPEALED

Rule 276-12-.01 Procedure Repealed

~~Complaints shall be accepted only in written form (by letter to Board or by filing online via internet). Complaints will be recorded in the log by name of the parties and referred to the cognizant for disposition.~~

Authority: O.C.G.A. § 43-20-6

Rule 276-12-.03 Cognizant Repealed

~~The Board shall appoint a cognizant. After review of the complaint by the Cognizant member, recommendations shall be made by the cognizant to the board for further review and recommendations.~~

Authority: O.C.G.A. § 43-20-6

Rule 276-14-.01 Renewal of License

Hearing Aid Dealers and Dispenser licenses shall expire on December 31st of every odd numbered year. **Licensed Dispensers** are required to obtain ~~fourteen (14)~~ twenty (20) continuing education hours in accordance with Board Rule 276-10.

Authority: O.C.G.A. §§ 43-20-6 and 43-20-15

Dr. Williams motioned, Mr. Murphy seconded and the Board voted to adopt the proposed rule amendments to Board rules 276-2-.01, 276-2-.04, 276-7, 276-10-.01, 276-12, 276-12-.01, 276-12-.03, and 276-14-.01 as presented. None opposed, motion carried.

Rule 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 an 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 shall 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 ~~fourteen (14)~~ twenty (20) hours of Board approved continuing education obtained within two years **prior to of** the date the reinstatement application is received by the Board administrative staff (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 **prior to of** the date of the reinstatement application is received by the Board administrative staff, and verification of ~~fourteen (14)~~ twenty (20) hours of Board approved continuing education obtained within two years **prior to of** the date the reinstatement application is received by the Board administrative staff (Refer to Board Rule 276-10 for continuing education information).

(c) Individuals currently/actively licensed and practicing full time in the field of dispensing hearing aids in another state or jurisdiction filing for the reinstatement of a lapsed or revoked Georgia hearing aid dispensers license shall submit verification of twenty (20) hours of Board approved continuing education obtained within two years **prior to of** the date of the reinstatement application (Refer to Board Rule 276-10 for continuing education information).

Authority: O.C.G.A. § 43-20-6

The Board voted to table to adoption of the proposed rule amendments to Rule 276-14-.03as presented; determined more clarification was needed as to the dates of obtainment of the continuing education hours prior to submission of the reinstatement application. The revised version is posted here (with additions/changes highlighted in yellow).

Mr. Bray moved, Mr. Stock seconded and the Board voted to re-refer the proposed rule amendments to 276-14-.03 to the AG's office for a Memo of Authority, and to post for the minimum thirty days for public view with a public rules hearing to be conducted the next available date following the thirty day posting. None opposed, motion carried.

Mr. Stock moved, Dr. Williams seconded and the Board voted that the formulation and adoption of these rule amendments 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., and, that it is not legal or feasible to meet the objectives of O.C.G.A. 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.

Correspondence:

- S. Melvin

Recommendation:

Refer to Rule 276-9-.01(2)

Mr. Murphy motioned, Mr. Stock seconded, and the Board voted to allow the Board Staff to respond as directed to all correspondences listed above. None opposed, motion carried.

2017 Meeting Dates:

- Tuesday, March 14, 2017
- Tuesday, June 20, 2017
- Tuesday, September 26, 2016
- Tuesday, December 19, 2017

Dr. Williams 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 review the previous meetings Executive session minutes, receive the Attorney General and Cognizant (Complaints) Reports. Voting in favor of the motion were those present who included Board members Jackson, Murphy, Cote, Williams, Vaughn and Stock.

Application Review:

- C.H.A.D.
- A.A.H.A.C.
- D.G.
- M.E.

Recommendation:

Approved-Reinstate license upon receipt of fee
Approved
Pending receipt of additional information
Approved

Cognizant (Complaints) Report:

- HA160003
- HA160006
- HA170001 (J. Stock Recused)
- HA170002

Recommendation:

Pending receipt of additional information
Pending receipt of additional information
Close
Pending receipt of additional information

Assistant Attorney General Report:

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

Executive Session Minutes:

- June 14, 2016

Recommendation:

Approve as presented

At the conclusion of Executive Session on Tuesday, September 27, 2016, Mr. Jackson 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.

Mr. Bray moved, Mr. Stock seconded, and the Board voted to accept the recommendation on the applications as presented. None opposed, motion carried.

Mr. Murphy moved, Ms. Williams seconded, and the Board voted to accept the recommendation of the Cognizant's report as presented. None opposed, motion carried.

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

Mr. Murphy moved, Dr. Williams seconded, and the Board voted to approve the June 14, 2016 Executive Session minutes as presented. None opposed, motion carried.

There being no further business to come before the Board, Mr. Jackson moved, Mr. Bray seconded, and the Board voted to adjourn the meeting at 10:57 a.m. None opposed, motion carried.

Minutes recorded by:

Linsey Brookins, BSS, HC1

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director, HC1

RALPH JACKSON

Chair

BRIG ZIMMERMAN

Executive Director, HealthCare I

These minutes were approved on: **December 13, 2016**