

GEORGIA STATE BOARD OF HEARING AID DEALERS & DISPENSERS

Conf. Call/ZOOM Board Meeting Minutes * June 15, 2021 * 8:30 AM

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

The Georgia State Board of Hearing Aid Dealers and Dispensers met via teleconference/ZOOM on Tuesday, June 15, 2021. The Board’s Executive Director hosted the meeting from the Professional Licensing Division, 237 Coliseum Drive, Macon, Georgia 31217.

Board Members Present:

Ralph T. Jackson, Jr., Chair
Jason Murphy, Vice-Chair
Vaughn Bray, BC-HIS, CCCA
Dr. Donald N. Cote, M.D; ABO Board Certified
William L. (“Bill”) Herndon, Consumer Member
Joseph Stock, BC-HIS
Kadyn Ochs-Williams, Audiologist

Attorney General’s Office:

Melissa Tracy, AAG

Administrative Staff Present:

Brig Zimmerman, Executive Director
Linsey Joiner, Board Support Specialist
Amanda Allen, Licensing Supervisor
Kathy Jones, Licensing Analyst

Mr. Jackson, Chair, established that a quorum was present and called the Board meeting to order at 8:32 a.m.

Agenda: Approved as presented

Meeting Minutes:

- March 16, 2021 C.C./ZOOM Board Meeting
- May 18, 2021 C.C./ZOOM Board Meeting

Recommendation:

Approve as amended
Approve as presented

Mr. Murphy moved, Mr. Stock seconded, and the Board voted to approve the March 16, 2021 C.C./Zoom Meeting minutes as amended. None opposed, motion carried.

Mr. Murphy moved, Mr. Stock seconded, and the Board voted to approve the May 18, 2021 C.C./Zoom Meeting minutes as presented. None opposed, motion carried.

Application Ratify List: Issued Date: 3/17/2021 - 6/14/2021

license No	Licensee	Profession name
HAA000178	Annie Elizabeth Etheredge	Hearing Aid
HAA000179	Kelsey Lynn Harvey	Hearing Aid
HAA000180	Samuel W Castleberry	Hearing Aid
HAA000181	Regina Denise Aguirre	Hearing Aid
HAA000182	Justin Clay Nations	Hearing Aid
HADE035343	Miracle-Ear	Hearing Aid
HADE035344	Affordable Hearing Aid Solutions	Hearing Aid
HADE035345	Georgia’s Premiere Hearing Solutions	Hearing Aid

HADE035346	Miracle-Ear	Hearing Aid
HADE035347	Miracle-Ear	Hearing Aid
HADE035348	Miracle-Ear	Hearing Aid
HADE035349	Miracle-Ear	Hearing Aid
HADE035350	Miracle-Ear	Hearing Aid
HADE035351	Miracle-Ear	Hearing Aid
HADE035352	Miracle-Ear	Hearing Aid
HADE035353	Miracle-Ear	Hearing Aid
HADE035354	Mid-South Hearing Aid Center	Hearing Aid
HADE035355	Mid-South Hearing Aid Center	Hearing Aid
HADE035356	Innovative Hearing Solutions, Inc	Hearing Aid
HADS001055	Chadwick Thomas Cantrell	Hearing Aid
HADS001056	Allison Paige Phillips	Hearing Aid
HADS001057	Alia Marlo McKenzie	Hearing Aid
HADS001058	Chelsea Marie Atkinson	Hearing Aid
HADS001059	Courtney Summer Ashley Cantrell	Hearing Aid
HADS001060	David Cooper Lee	Hearing Aid
HAP000351	Annabelle Grace Noegel	Hearing Aid
HAP000352	Renee Juanita Waugh	Hearing Aid
HAP000353	Jasmine Cierra Kent	Hearing Aid
HAP000354	Donald Ray Hicks, Jr.	Hearing Aid
HAP000355	Kendryck Savannah Fender	Hearing Aid
HAP000356	Jami Lee Sillman	Hearing Aid
HAP000357	Heather Storm Hart	Hearing Aid
HAP000358	Danielle Ayon Campellone	Hearing Aid
HAP000359	Joel Alexander Pinnell	Hearing Aid
HAP000360	Syreetta Ellise Wilhite	Hearing Aid
HAP000361	Cynthia Elaine Collins	Hearing Aid
HAP000362	Martha Williams	Hearing Aid

Mr. Stock moved, Mr. Herndon seconded, and the Board voted to approve the ratify list of licenses as presented. None opposed, motion carried.

Ms. Ochs-Williams moved, Mr. Herndon 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), for the purpose of reviewing of applications, the previous meetings Executive session minutes, receive the Assistant Attorney General and Cognizant (Complaints) Reports. Voting in favor of the motion were those present who included Board members Jackson, Murphy, Bray, Cote, Stock, Ochs-Williams and Herndon.

Applications:

- H.C.C.*

**V. Bray & J. Murphy Recused*

Recommendations:

Refer to AG's office

Dr. Cote moved, Mr. Herndon seconded, and the Board voted refer the 9 reinstatement applications of H.C.R. to the AG's office as presented. None opposed, Bray and Murphy Recused, motion carried.

Assistant Attorney General Report:

Melissa Tracy, 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. Ochs-Williams moved, Mr. Herndon seconded, and the Board voted to accept the Assistant Attorney General’s Report as presented. None opposed, motion carried.

Cognizant (Complaints) Report:

- HA200002
- HA200008
- HA210003
- HA210004

Recommendation:

Refer to AG’s office
Tabled, Pending receipt of additional information
Refer to Peer Reviewer
Tabled, Pending receipt of additional information

Mr. Stock moved, Ms. Ochs-Williams seconded, and the Board voted to accept the recommendations of the Cognizant’s report as presented. None opposed, motion carried.

Executive Session Minutes:

- March 16, 2021 Conf. Call/Zoom Board Meeting
- April 20, 2021 Conf. Call/Zoom Board Meeting
- May 18, 2021 Conf. Call/Zoom Board Meeting

Recommendation:

Approve as presented
Approve as presented
Approve as presented

Mr. Stock moved, Ms. Ochs-Williams seconded, and the Board voted to approve the March 16, 2021 Executive Session Conf. Call/Zoom Board meeting minutes as presented. None opposed, motion carried.

Mr. Stock moved, Ms. Ochs-Williams seconded, and the Board voted to approve the April 20, 2021 Executive Session Conf. Call/Zoom Board meeting minutes as presented. None opposed, motion carried.

Mr. Stock moved, Ms. Ochs-Williams seconded, and the Board voted to approve the May 18, 2021 Executive Session Conf. Call/Zoom Board meeting minutes as presented. None opposed, motion carried.

At the conclusion of Executive Session on Tuesday, June 15, 2021, 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, to conduct the schedule Public Rules Hearing. No votes were obtained during Executive Session

Public Rules Hearing Conducted: 10:09 a.m.

There were no guests present and no written submissions received regarding the proposed rule change during the minimum thirty (30) days pre-hearing posting of the rule. Following the rule hearing and discussion regarding proposed amendments, the Board voted to adopt the following proposed rule amendment as posted.

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

• Rule 276-10-.02. Continuing Education

(1) Courses offered by the following are preapproved by the Board as means of acquiring the required continuing education hours for license renewal subject to the specific categories as outlined in paragraph 3 of this rule.

- (a) International Institute for Hearing Instrument Studies.
- (b) International Hearing Society.
- (c) Georgia Society of Hearing Professionals.
- (d) American Speech-Language-Hearing Association.
- (e) Georgia Speech-Language-Hearing Association.
- (f) American Academy of Otolaryngology, Head and Neck Surgery, Inc.

- (g) Georgia Academy of Audiology.
- (h) College courses taken for credit or through official audit or seminars sponsored by such colleges.
- (i) Audiology Online (www.audiologyonline.com).
- (j) American Academy of Audiology.

(2) All educational opportunities other than those offered by various state approved/sanctioned academies, societies and associations require prior approval from the Board within thirty (30) days prior to the scheduled date of such program. Applications for approval must include sponsor, date, location, subjects, scope, instructors, qualifications of instructors, and classroom hours for each subject.

(3) Of the required hours, two (2) must be in the medical area (face-to-face only, NOT online), two (2) must be in jurisprudence (Georgia laws and rules) and/or ethics, two (2) must be in patient management. The remainder of hours may be obtained as product specific or on the topic of practice building. Effective January 1, 2016, a hearing aid dispenser must obtain a minimum of twenty (20) hours of continuing education per biennium.

(a) Online Hours: Of the required total continuing education hours, a total of six (6) hours must be obtained face-to-face, in person (of these 6 hours, the 2 required hours in the medical area MUST be obtained face-to-face, in person). Prior to December 31, 2015, the remaining eight (8) hours may be obtained via online means, however, NO more than four (4) hours may be obtained online in any given twenty-four (24) hour period. Effective January 1, 2016, a hearing aid dispenser must obtain a minimum of twenty (20) hours of continuing education per biennium. No more than fourteen (14) hours of the required twenty (20) may be obtained via online means with NO more than four (4) hours obtained online in any given twenty-four (24) hour period.

(b) Approved areas of study to satisfy the two (2) hours in the medical area are:

1. Anatomy and physiology;
2. Diseases of the ear;
3. Disease control;
4. Otoscopy-
5. Tinnitus

(c) Approved areas of study to satisfy the two (2) hours in patient management are:

1. Testing;
2. Rehabilitation;
3. Counseling;
4. Impressions of the ear-

(4) The method of reporting continuing education hours to the Board, IF selected for a Continuing Education Hours audit, shall be as follows:

(a) Each licensed hearing aid dispenser shall be responsible for maintaining certificates of attendance and any course descriptions, schedules, syllabuses, synopses or abstracts of course content for continuing education courses taken to satisfy the requirements for continuing education for a period of four (4) years from the date of attendance. Licensees who are audited shall submit the certificates of attendance along with the course descriptions. Additional verifications may be requested by the Board.

(b) Continuing Education Hours must be obtained within the two-year licensure cycle, i.e. between January 1st of every Even Numbered year and December 31st of the subsequent Odd Numbered year.

(c) The Board shall audit the required continuing education hours of a percentage of dispenser licensees for compliance with all rules and regulations. This percentage shall not be less than fifteen percent (15%) of the licensed Hearing Aid dispensers, randomly selected, each biennium renewal period.

(d) At the time of license renewal, each dispenser shall certify to the Georgia Board of Hearing Aid Dealers and Dispensers that he/she has completed the continuing education credits required for license renewal.

(e) In the event a licensee, who is audited, fails to submit certificates of continuing education attendance, ~~or~~ and other documentation referred to in paragraph (4)(a) above, of having satisfied the continuing education requirements for license renewal, the application will not be processed until the continuing

education audit is completed. ~~A licensee who fails to meet the continuing education requirements is not eligible to renew his/her license and the license will be revoked by operation of law. An application for reinstatement must be filed, in accordance with Board rule 276-7-.01, for any lapsed licenses.~~

(f) Current (licensed) members of the Board shall also be audited for each renewal cycle that they serve on the Board.

Authority: O.C.G.A. §§ 43-1-25, 43-20-6(d), and 43-20-15(c)

The purpose of this rule is to include “Tinnitus” as an approved area for Medical CE hours in addition to general house-keeping and grammatical updates. Additionally, the last sentence of the rule referencing the revocation of a license for failure to meet the CE requirements was not statutory supported and required revision to adhere to Georgia law.

Mr. Stock motioned, Mr. Herndon seconded, and the Board voted to adopt Board Rule 276-10-.02 Continuing Education as presented above and to send the rule adoption packet to the Governor as required. None opposed, motion carried.

In addition, Mr. Stock motioned, Mr. Herndon 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. §§ 43-1-25, 43-20-6(d), and 43-20-15(c) and that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-20-6(d), and 43-20-15(c) 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 Dealer and Dispensers.

Mr. Herndon motioned, Ms. Ochs-Williams seconded, and the Board voted to release publicly the memo of statutory authority for the rule revisions provided by the Board’s legal counsel regarding Rule 276-10-.02 Continuing Education as presented. None opposed, motion carried.

- **Rule 276-14-.02. Late Renewal**

Each license will expire and must be renewed by December 31st of every odd numbered year. ~~Licensees are not to practice with an expired license.~~ A license not renewed by December 31st of every odd numbered year will be considered for late renewal until ~~March~~ January 31st of the subsequent even numbered year by the payment of the current renewal fee, plus an additional 50% of the renewal fee. Late renewal applications must be accompanied by proof that all CE requirements (Dispensers) have been met for the current biennium renewal period. ~~Licensees are not to practice after December 31st of every odd numbered year until the license is renewed or reinstated.~~

Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-25, 43-20-6(b), (d), 43-20-14, and 43-20-15.

The purpose of this rule change is to remain consistent with the Joint Secretary Licensing Rules and subsequently incorporate the one-month late renewal period, as opposed to the three-month late renewal that was in effect during previous renewal periods.

Mr. Bray motioned, Mr. Murphy seconded, and the Board voted to adopt Board Rule 276-14-.02 Late Renewal as presented above and to send the rule adoption packet to the Governor as required. None opposed, motion carried.

In addition, Mr. Bray motioned, Mr. Murphy 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. §§ 43-1-4, 43-1-7, 43-1-25, 43-20-6(b), (d), 43-20-14, and 43-20-15 and that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-25, 43-20-6(b), (d), 43-20-14, and 43-20-15 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 Dealers and Dispensers.

Mr. Herndon motioned, Ms. Ochs-Williams seconded, and the Board voted to release publicly the memo of statutory authority for the rule revisions provided by the Board’s legal counsel regarding Rule 276-14-.02 Late Renewal as presented. None opposed, motion carried

Officer Elections: 2021-2022

Chair: Ralph Jackson
Vice-Chair: Jason Murphy

Mr. Herndon motioned, Mr. Stock seconded, and the Board voted to approve the 2021-2022 Officer Elections as presented above. None opposed, motion carried.

Mr. Herndon motioned, Mr. Stock seconded, and the Board voted to adjourn the meeting at 10:24 a.m. None opposed, motion carried.

Minutes recorded by:

Minutes reviewed and edited by:

Linsey Joiner, Board Support Specialist

Brig Zimmerman, Executive Director, HC-1

RALPH JACKSON

Chair

BRIG ZIMMERMAN

Executive Director, HC-1

Minutes approved **September 21, 2021**