

The regular session meeting of the Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists was held on September 21, 2017, in Room 110 of the MDH Metro Executive Building, 4201 Patterson Avenue, Baltimore, Maryland. Mr. John Sloan called the meeting to order at 10:18 a.m. Present for the quorum were Dr. Stacey Samuels Cole, Mr. John Cummins, Dr. Jennifer Mertes, Ms. Billie Jo O'Donovan, Dr. Candace Robinson, Mr. John Rouse, Mr. George Sheckells, and Dr. Heather Weinreich.

Staff Present

Christopher Kelter, Executive Director
Brett Felter, AAG, Board Counsel
Carla Boyd, AAG, Board Counsel
Zoann Mouzone, Administrative Specialist III
Danielle Vallone, Board Investigator
Kristen Neville, Legislative Officer

Absent Members

Ms. Jillian DeLuca
Dr. Tinita Kearney
Dr. Scott London
Ms. Ellen Stein

Introduction of Board Counsel – Carla Boyd

Ms. Carla Boyd, the new Assistant Attorney General for the Board, was introduced to the Board members and given an opportunity to give a brief history of her background. Mr. Kelter and the Board thanked Mr. Felter for his assistance to the Board as Board Counsel.

Agenda Review and Approval for August 17, 2017

Ms. O'Donovan made a motion to approve the agenda with the additions made by Mr. Kelter. Mr. Cummins seconded the motion. The vote was unanimous.

Minutes Review and Approval for June 2017

Dr. Weinreich made a motion to approve the minutes as amended. Ms. O'Donovan seconded the motion. The vote was unanimous.

Regulatory Review

None

Executive Director's Report

Criminal History Records Check Update

Mr. Kelter informed the Board that the criminal history records check requirement that was initiated on October 1, 2016 has been a success. Mr. Kelter reported that a recent glitch with the Criminal Justice Information System (CJIS) reporting system resulted in problems in receiving the required reports. Mr. Kelter informed the Board that when the required reports resumed the reports were out of sequence and some reports were missing. Mr. Kelter provided an example of how he and staff have communicated with prospective applicants when it was known that the glitch was creating issues with completing their application for licensure. Mr. Felter informed the Board of how the Board of Pharmacy handled a similar situation with extending the licensee's expiration date until the Board was able to receive the results of the required criminal history record check. Mr. Felter also suggested that if the results of the criminal history records check have not been received by the Board during the renewal process due to no fault of the Board or the licensee, then the Board could process renewal applications if the issue arises during that time. Mr. Sloan suggested that Board staff should also be prepared to answer calls from employers as well as the applicants. Mr. Kelter also informed the Board that since the new criminal history records check requirement have been met by 603 applicants.

Kennedy Krieger – Presentation (October 11, 2017)

Mr. Kelter reported that he has been invited to make a presentation on October 11, 2017. Mr. Kelter advised the Board that this is the beginning of getting out in the field to meet with licensees and non-licensed individuals serving as supervisors or coordinators to address questions and to create dialogue between licensees and the Board.

MANSEF – Presentation (December 6, 2017)

Mr. Kelter has spoken with Mr. Sloan in reference to presenting at this event. The original scheduled date was October 4, 2017, but was moved to December 6, 2017.

ASHA – Interstate Compact Meeting (October 9-10, 2017)

Mr. Kelter informed the Board that at this time no additional is available as it is the intent of ASHA and its partners to distribute materials and information to participants all at the same time at the meeting. Mr. Kelter advised the Board that he had spoken with his fellow Executive Directors who have indicated that they will provide white papers and other information for the purpose of general background and specific issues in the development of interstate compacts.

2018 AUD, SLP and SLP-A Renewal – Preparation

Mr. Kelter informed the Board that the preparation process has been delayed and will resume soon. Mr. Kelter will send an email to all licensees with an expiration date of May 31, 2018 regarding the renewal process and the requirements.

2018 Legislative Session – Inactive Status

Mr. Kelter reported that the draft statutory language had been provided to the Department's Office of Legislative Affairs. Mr. Kelter thanked Mr. Felter and Ms. Neville for their assistance in this matter.

Board Meeting Scheduling – CY 2018 and Beyond

Mr. Kelter informed the Board that he has spoken with Board members that are affected by religious holidays in which the Board meetings may take place. Mr. Kelter reported that he will begin the review of two to three calendar years in advance to make adjustments to the Board meetings schedule when a conflict occurs in subsequent years.

Regulation Review – Work Plan

Ms. Neville assured the Board that this is a process that all Boards are required to go through, making sure that all regulations are current and up to date. Mr. Kelter reported that the requirement to issue notice to licensees and stakeholders was coming in the near future. Mr. Kelter informed the Board that he will review information on telehealth and other suggested regulations and will communicate with the Board regarding this process.

Treasurer – Nominations and Election

Mr. Cummins nominated himself for Treasurer. Ms. O'Donovan seconded the motion. The vote was unanimous.

Treasurer

Mr. Cummins reported for the Board for the month of September, 2017 the budget is \$376,337.00, the expenditures are 61,413.00, and has available funds in the amount of \$314,924.00.

S.670/H.R. 1652: Over-the-Counter Hearing Aid Act of 2017 (Update)

Mr. Kelter informed the Board that the Act has been signed into law. Mr. Kelter indicated that there has been one inquiry from Delegate Dana Stein and a response has been sent in reference to the inquiry. Mr. Kelter did mention that another inquiry, similar to Delegate Stein's inquiry, was received before the Board meeting.

Maryland Academy of Audiology (MAA) - Over-the-Counter Hearing Aids

Mr. Kelter informed the Board that MAA has submitted their inquiry to the Board which Mr. Kelter forwarded to Board members via Email. Mr. Rouse had a concern regarding the questions submitted in the Email. Mr. Felter gave a brief summary indicating that at this time the Board is not affected by this Act until the federal government finalizes the regulations. A discussion arose with the Board regarding various scenarios; several members gave their opinions and thoughts regarding this Act. Mr. Felter suggested that a regulation could be promulgated that will protect the Board and other licensees. Mr. Kelter informed the Board of the few telephone calls that he has received from licensees inquiring as to whether they need to have a license. Mr. Felter suggested that the Board continue to monitor the status of this Act. Mr. Felter researched the National Council of State Boards

(NCSB) and suggested involving that association. Ms. Neville gave the Board a brief synopsis of a similar set of circumstances involving cosmetic contacts and the Optometry Board. In that matter a change was made to that board's statute. Ms. Neville suggested making changes to the statute. Mr. Kelter will draft a response in reference the Email received and will send to Board members for review and approval.

Board Treasurer - Election

This item was accomplished earlier in the meeting.

Correspondence & FYI

None

Adjournment

Ms. O'Donovan made a motion to adjourn the Regular Session Meeting. Mr. Sheckells seconded the motion. The Board voted unanimously to adjourn the regular session meeting pursuant to Maryland State Government Article, 10-508(a) Annotated Code of Maryland. The regular session meeting was adjourned at 5:00 p.m.

Respectfully submitted,

John Sloan, SLP
Chair