

## **TENNESSEE COUNCIL FOR LICENSING HEARING INSTRUMENT SPECIALISTS**

**DATE:** June 12, 2008  
**TIME:** 8:00 A.M., CST  
**LOCATION:** Poplar Room, Ground Floor  
227 French Landing  
Heritage Place – Metro Center  
Nashville, TN 37247

### **BOARD MEMBERS**

**PRESENT:** Craig Haltom, Chairman  
Jackie Miller, Secretary  
James Alderman, Citizen Member  
Frederick Rayne, M.D.  
Robert Bowers, M.D.

### **BOARD MEMBERS**

**ABSENT:** Dr. David Levy

### **STAFF**

**PRESENT:** Stacy Tarr, Board Administrator  
Lexie Whittemore, Advisory Attorney  
Barbara Maxwell, Administrative Director

Mr. Craig Haltom, Chair, called the meeting to order at 8:05 a.m. A sufficient number of Board members were present to constitute a quorum.

Mr. Haltom welcomed the Board's new member Frederick Rayne, M.D.

### **Review/Approve March 13, 2008 Board Meeting Minutes**

Upon review of the March 13, 2008 Board meeting minutes, Dr. Rayne made a motion, seconded by Mr. Miller, to approve the minutes as corrected. The motion carried.

### **Conflict of Interest Policy Statement**

Ms. Whittemore reviewed the conflict of interest policy statement with the Board asking members to disclose any potential conflict of interest whether financial or personal to determine if the member should recuse himself and leave the Board room during the proceedings.

### **Discuss Proposed Rule Amendments Regarding Apprentices**

Upon discussion of the amendment to Rule 1340-2-.05(2)(a) and 1370-2-.14(6), Mr. Miller made a motion, seconded by Dr. Rayne, to table this discussion until the September Board meeting.

### **Investigative Report**

Ms. Whittemore reviewed the Investigative Report with the Board stating there are currently fifteen (15) open complaints in Investigations. Ms. Whittemore stated the complaints are for care of services and unlicensed practice.

### **Report of the Currently Monitored Practitioners**

Ms. Whittemore reviewed the Currently Monitored Practitioners Report stating there are currently four (4) practitioners being monitored. Of the four (4) being monitored one (1) is for unlicensed practice.

Ms. Whittemore said her office and Investigations are coming up with procedures regarding unpaid civil penalties and costs.

Ms. Whittemore said when they have an unlicensed person come before the board they have no license to be disciplined; therefore, they impose civil penalties and costs.

Ms. Whittemore said some practitioners are on the list longer than required by their order because they are in a financial hardship and ask to pay their fines on a monthly basis. Ms. Whittemore said the practitioner's name is on the list until all requirements have been met.

### **Financial Report**

Mrs. Tarr reviewed the Financial Report stating the Board has a negative cumulative carryover of -\$24,724.92. Ms. Tarr said the Board should receive the most current report within the next 60 days.

### **Administrative Report**

Mrs. Tarr reviewed the Administrative Report stating the Board has 108 active licensees, 11 active apprentices, 131 retired, 250 failed to renew and 40 deceased hearing instrument specialists.

Mrs. Tarr said if a Board member has any out of state travel they would like to attend to please submit their request and all necessary paperwork to her at least 120 days prior to the meeting.

Mr. Haltom said at the last meeting there was a discussion regarding a grant from the CDS Board to purchase a simulator. Mr. Haltom stated he called Dr. Williams three times and left messages but has yet to receive a returned phone call.

Dr. Rayne asked what is a simulator.

Mr. Haltom said the council wants us to use a simulator, which is an ear testing device, to give more efficient tests and is willing to give us a grant to purchase the equipment.

Ms. Whittemore asked Mrs. Tarr if she has an e-mail address for Dr. Williams. Mrs. Tarr said she did and will send it to Mr. Haltom.

Mr. Haltom asked that this discussion be tabled until the next meeting.

### **Ratify Applicants Tested March 13, 2008 and May 15, 2008**

Upon review, Mr. Miller made a motion, seconded by Dr. Rayne, to approve the following applicants for licensure as hearing aid dispensers:

**Julia H. Looney**

**Mark E. Pate**

**William F. Smith**

The motion carried.

Upon review of the application for **Peter Shea**, whose criminal background check contained detrimental information that was not disclosed on Mr. Shea's application, Mr. Miller made a motion, seconded by Dr. Rayne, to delay a decision on Mr. Shea's application until receipt of additional information regarding his background check and appearance before the Board. The motion carried.

With no other business to conduct, Dr. Rayne made a motion, seconded by Mr. Miller, to adjourn the meeting to give examinations for **Mark Dillard, Jennifer Falconbury, Randall Madden and Robert Tidwell**. The motion carried.