

Conference Call Meeting Minutes

IOWA BOARD OF HEARING AID DISPENSERS
February 6, 2012
Lucas State Office Building, 5th Floor Conference Room #526
Des Moines, Iowa

Reason for the Conference Call

This meeting was held via conference call due to the short meeting time and to ensure efficiency in the use of board resources. In accordance with Iowa Code section 21.8, access to the meeting was provided to members of the public through attendance at the origination site.

The meeting was called to order by Gregory Moore, Chairman at 9:02 am.

Roll Call

Members Present:

Jon McAvoy, Public Member

Gregory Moore, Au.D, HAD

Catherine Dangelser, Au.D, HAD

Stanley Haugland, MD, Public Member

Members Absent:

Dotty Walters, Au.D, HAD

Staff Present:

Barb Huey, Bureau Chief

Tammy Hidlebaugh, Licensure Specialist

Sharon Dozier, Board Executive

Barb Christiansen, Administrative Assistant

Pam Griebel, AAG

Guest Present:

Todd Maas

Review Agenda

No changes were made

Approval of Minutes

Correction: Page 2 under the motions to close complaints, the spelling of Stanley Haugland's name. A motion was made by McAvoy to approve the minutes with the corrections. A second was received from Haugland. All ayes, opposed none, motion carried.

Reports

Board Executive: Sharon Dozier announced that there are 5 people taking the exam today at DMACC. The IDPH technical amendments bill, which includes proposed amendments for Chapter 154A, has been assigned the following bill numbers: House Study Bill 562 and Senate Study Bill 3085. The bills are assigned to their respective Human Resources Committees in the House and Senate. Dozier will attend the subcommittee and committee meetings when the bills are presented and discussed.

Rules update: Dozier referenced the noticed amendments to Chapter 124 that are on the agenda today for adoption. The amendments include: 1) the rescission of the required qualifying words in advertising, consistent with 2011 Iowa Acts, House File 645 section 87, which rescinded the same language from Iowa Code Chapter 154A; and 2) the clarification that the board may consider, as a ground for discipline, the conviction of a crime, regardless of whether the judgement of conviction or sentence was deferred. If adopted, these rules will be effective on April 11, 2012. A question was asked about whether boards are not currently allowed to consider a deferred judgement. AAG Griebel stated that under the public protection measure within a licensing statute, the Iowa Supreme Court has upheld that a deferred judgement may be considered a conviction. For someone who is given a deferred judgement or conviction, the person has either pled guilty or been found guilty, has completed probation, and the court record is expunged. The rule amendment would give notice that deferred judgements are considered by the board. Griebel also noted that the rulemaking process has resulted in increased attention to this subject. It is possible that a bill on this subject will be introduced in the Legislature.

Update on the committee meeting to discuss the proposal from the Board of Speech Pathology and Audiology: the committee members did not meet by conference call as originally planned. The meeting has been rescheduled to take place after the regularly scheduled board meeting on May 7, 2012. The Committee consists of the following people: HAD Board members Gregory Moore and Jon McAvoy; Patty Stark, a licensed hearing aid dispenser; and Speech Pathology and Audiology Board members Coral Jud, Mike Tysklind and Christine Donner-Tiernan.

Bureau Chief: Barb Huey reported that the only legislative bill affecting this board is the technical amendments bill that Dozier spoke about. Huey noted that no questions or concerns have been raised regarding the section in the bill that pertains to hearing aid dispensers. Regarding the Bureau, there are no changes to report.

AAG: Pam Greibel reported on emails and the open meetings law. Most board members realize that when emails are used to communicate between board members, these emails are public record. However, she noted the need to be cautious when responding to emails from the board

executive, to ensure that board business is not discussed among the board by email. In summary, do not use the “reply to all” selection when responding to Sharon’s email.

Chair – no report

Public Comment

Todd Maas commented that he has concerns about the language used in the technical amendments bill for Chapter 154A.12. He requested clarification of whether changing the wording in 154A.12 (1) from “written tests” to “evidence” means the board would eliminate the examination. Pam Griebel, AAG, clarified that the amendment provides consistency in the wording, but the examination requirement in that section will remain.

Administrative Rules

A motion was made by Haugland to adopt the amendments to Chapter 124 of the rules, noticed as ARC 9800 B. A second to the motion was received from McAvoy. All ayes, opposed none, motion carried.

Applications

None

Old Business

None

New Business

None

Complaints

None

Dozier announced there will be an election of officers for the coming year at the May 7, 2012 meeting. This will be an in person meeting, since it is the first meeting following the Governor’s board appointments and reappointments. Dotty Walters is up for reappointment.

A motion was made by Dangelser to adjourn the meeting at 9:38 am. A second was received from Haugland. All ayes, opposed none, motion carried.

The minutes were approved at the May 7, 2012 board meeting.