

**IDAHO SPEECH AND HEARING SERVICES BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 4/30/2015**

**BOARD MEMBERS PRESENT:** Dennis J. Bell - Chair  
Kevin C Woodall  
Gayle L Chaney  
Jody S. O'Donnell  
Barbra Osterhout  
Kenneth Nuhn

**BOARD MEMBERS ABSENT:** Cynthia Olsen

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Lori Peel, Investigative Unit Manager  
Mitchell Toryanski, Legal Counsel  
Maurie Ellsworth, General Counsel

**OTHERS PRESENT:** Jeffrey Lowe

The meeting was called to order at 1:00 PM MDT by Dennis J. Bell.

**APPROVAL OF MINUTES**

Ms. O'Donnell made a motion to approve the minutes of January 29, 2015 and March 12, 2015. It was seconded by Ms. Osterhout. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She said that the temporary proposed rule clarifying a quorum of the Board that was submitted to the Legislature has been approved. Ms. Cory also said that the Bureau had submitted two bills for the Bureau dealing with the collection of attorney fees in disciplinary actions and renewal and reinstatement of licenses. Mr. Ellsworth explained the Supreme Court case that led up to the need for HB-116 which specifically allows Boards contracted with the Bureau to collect attorney fees in disciplinary actions. Ms. Cory explained that HB-117 reorganized Idaho Code 67-2614 for easier reference, raised the reinstatement fee from \$25.00 to \$35.00, and removed the

requirement for payment of the renewal fee for each year the license was expired.

## **FINANCIAL REPORT**

Ms. Cory gave the financial report, which indicated that the Board had a cash balance of \$167,078.77 as of March 31, 2015.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

Mr. Toryanski did a power point presentation on “Court Opinion and Board Immunity” for the Board. The presentation covered a U.S. Supreme Court Decision that stemmed from a regulatory board’s actions relating to scope of practice.

## **OLD BUSINESS**

To Do List – The Board reviewed the to-do list and no action was taken.

Ms. Chaney presented an update on telepractice. She said that she had met with Idaho Speech and Hearing Association (ISHA) and ISHA had a draft that Ms. Chaney has provided to Mr. Toryanski. The law regarding telehealth has passed. It allows the Boards to promulgate rules. Ms. Chaney attended a meeting on Telepsychiatry and stated that payment was a big part of the discussion. She stated that this Board needs to focus on public safety and not the payment aspect.

Ms. Chaney summarized ISHA’s recommendations regarding direct supervision the use of an audiology assistant. The Board would need to add language for an Audiology Assistant. Audiology telepractice would require an assistant at the other end. The Board’s subcommittee will look at the uniqueness of their practice and how telepractice would need to work for them. Direct Supervision needs to be defined in laws or rules. Mr. Ellsworth suggested they also look at language in the rules that deal with informed consent. The Board felt it is possible to have recommendations and language ready for the 2016 legislative session.

Discussion was held on the definition of direct supervision as discussed in previous meetings. Idaho Code 54-2905(1)(c) addresses supervision in the exemption for those working in a school under a “pupil personnel services certificate.” Because this is an exemption in the law, the Department of Education may need to define supervision in their laws and rules. Ms. Cory suggested that the Department of Education, ISHA and all interested parties be included in the next subcommittee meeting.

## **NEW BUSINESS**

### **EXECUTIVE SESSION**

Ms. Chaney made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Woodall. The vote was: Mr. Woodall, aye; Ms. Chaney, aye; Ms. O'Donnell, aye; Ms. Osterhout, aye; and Mr. Nuhn, aye. Motion carried.

Ms. Osterhout made a motion to come out of executive session. It was seconded by Ms. O'Donnell. The vote was: Mr. Woodall, aye; Ms. Chaney, aye; Ms. O'Donnell, aye; Ms. Osterhout, aye; and Mr. Nuhn, aye. Motion carried.

### **APPLICATIONS**

Ms. Osterhout made a motion to approve 901138597 pending receipt of additional documentation. It was seconded by Ms. O'Donnell. Motion carried.

Mr. Woodall made a motion to approve quarterly reports for 901135150, 901134621, and 901134929 pending receipt of further documentation. It was seconded by Ms. O'Donnell. Motion carried.

Mr. Woodall made a motion to accept quarterly reports and provisional permit applications for Emma Anderson and Deborah Reed. It was seconded by Ms. O'Donnell. Motion carried.

Ms. O'Donnell made a motion to approve the following for licensure:

Barrett, Jillian – AUD-2727  
Hall, Brooke – SLP-2736  
Hylland, Kelly – SLP-2728  
Leigh, Meghan – SLP-2729  
Martin, Nicole – SLP-2704  
Richards, Itxaso – SLP-2737  
Russell, Jennifer – SLP-2719  
Walker, Mysti – SLP-2732  
Woolstenhulme, Andrea – SLP-2730  
Finch, Jennifer – SLPA-2706

It was seconded by Ms. Chaney. Motion carried.

Ms. O'Donnell made a motion to deny the application by endorsement for 901137592 as he does not meet the qualifications. It was seconded by Mr. Woodall. Motion carried.

Ms. O'Donnell made a motion to rescind the previous motion. It was seconded by Ms. Osterhout. Motion carried.

Ms. O'Donnell made a motion to table application for 901137592 pending receipt of current license from North Carolina and information regarding licensure from West Virginia or any other state. It was seconded by Ms. Osterhout. Motion carried.

### **CORRESPONDENCE**

A letter from Sabrina Tallon was read regarding concerns she had upon taking the International Licensing Examination. The Board said this is the correct examination and the study guide is available from International Hearing Society. Ms. O'Donnell made a motion that Ms. Tallon be referred to Rule 300. It was seconded by Mr. Woodall. Motion carried. It was noted that supervised experience is helpful in preparing for the examination.

Ms. Chaney made a motion to accept the CE for reinstatements. It was seconded by Ms. O'Donnell. Motion carried.

**NEXT MEETING** was scheduled for June 4, 2015 at 8:30 a.m.

### **ADJOURNMENT**

Ms. Chaney made a motion to adjourn the meeting at 4:55 p.m. It was seconded by Mr. Woodall. Motion carried.

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Dennis J. Bell, Chair

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Tana Cory, Bureau Chief