

**IDAHO SPEECH, HEARING AND COMMUNICATION SERVICES
LICENSURE BOARD**

Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 2/15/2018

BOARD MEMBERS PRESENT: Gayle L Chaney - Chair
Barbra Osterhout
Kevin C Woodall
Patrick J Brown
La Vona Andrew
Kenneth W Nuhn
Cynthia K Olsen

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Admin. Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Joan Callahan, Legal Counsel
Betsy Duncan, Technical Records Specialist I

The meeting was called to order at 8:30 AM MST by Gayle L Chaney.

APPROVAL OF MINUTES

Ms. Osterhout made a motion to approve the minutes of 1/18/2018. It was seconded by Mr. Nuhn. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$299,519.55 as of 1/31/2018.

[INVESTIGATIVE REPORT](#)

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

INTERIM COMMITTEE UPDATE

Mr. Ellsworth stated that the Idaho Legislature has an Interim Committee that has been studying the use of hearing officers and is also looking at the Idaho Administrative Procedures Act. Draft legislation was presented at the Interim

Committee's last meeting that would make substantial changes to the Idaho Administrative Procedures Act and the way contested cases are handled. No meetings of the Committee have been scheduled, as yet, for the 2018 Legislative Session. As the Bureau receives additional information, it will be provided to the Board.

OLD BUSINESS

The Board reviewed the To Do List.

RULES SUBCOMMITTEE REPORT

Ms. Osterhout and Mr. Woodall reviewed the goals of the subcommittee and the progress made in creating rules to identify the scope of practice for Speech Language Pathologist aides and assistants. Ms. Callahan will email her contact information to the subcommittee members in preparation for drafting any rule changes that will result. The subcommittee will report at the Board's next meeting.

HEARING AID DEALER PROVISIONAL PERMIT REQUIREMENTS AND QUARTERLY REPORTS

It was noted that an ear replica was purchased by the Board to aid examinees in the requirement of producing an ear-mold. It is stored with the practical examination materials awaiting use in the next scheduled examination.

Ms. Chaney asked for a report on the research of other state requirements for provisional permit holders, quarterly reports and hearing aid dealer licensees. Mr. Brown will prepare a progress report for the next Board meeting.

LEGISLATIVE REPORT

Ms. Chaney reported on her presentations to the House and Senate Health and Welfare Committees. She presented the Board's proposed rule changes for newborn hearing screenings and continuing education requirements. Ms. Andrew reported on her presentations to those same Committees. She presented the rule changes for sign language interpreters.

Ms. Cory thanked Ms. Chaney and Ms. Andrew for providing the presentations and their very helpful answers to the Committee's questions. She said that presentations from Board members are usually favorably received by the legislative committees, and these particular presentations were very well done. Ms. Cory also noted that House Bill H411, amending the sign language interpreter law, if passed, may not become effective before applications for licensure will be submitted to the Bureau. The Board was asked if the Bureau

should hold applications from applicants who are under 21 years of age until that law change takes effect. The Board liked the idea and agreed.

Ms. Cory informed the Board that Sens. Burgoyne and Den Hartog mentioned to some members of the Boards served by the Bureau that they were looking at potential legislation. The concept would be to allow a person or entity that is alleged to have violated the Board's laws and rules to recover attorney's fees from the Board if the person or entity was found to have not violated the Board's laws and rules. At the time it was mentioned, a bill had not been drafted. Ms. Andrew made a motion, which was seconded by Mr. Woodall, and the Board voted that Ms. Chaney would be the Bureau's contact to assist with this and other legislative issues. Ms. Osterhout asked Ms. Chaney to notify her if she found she needed assistance in adding this to her other Board duties.

EXECUTIVE ORDER

Ms. Chaney outlined the Board's role in responding to the Lt. Governor's Executive Order. There is a template that will be used to complete each Board's response, and the template contains six sections:

- A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal
- B. Applications and Renewals Denied – 2017
- C. Disciplinary Actions – Past 5 Years
- D. Law, Rule, or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry
- E. Assessment of Public Interest
- F. Recommendations for Improvement, Modification, or Elimination of Requirements

Ms. Eavenson told the Board that the Bureau will be responsible for gathering and entering all of the data in sections A, B and C of the template. The Bureau and each Board will jointly fill in section D regarding the Law, Rule or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry. The Board Specialist and Administrative Support Manager will assist the designated Board member with writing sections E and F.

Ideas for the EO that come up between meetings cannot be shared among Board members outside of Board meetings, but may be forwarded to the Board Specialist or Administrative Support Manager for inclusion in the next meeting.

The process will be completed in three meetings: 1) discussion, 2) review and approve a rough draft, and 3) review and approve a final draft. The final draft must be completed and approved by June 15, to meet the July 1, deadline for responding.

Ms. Chaney asked the Board members to review laws, rules, and changes that have been made, and submit ideas within their particular areas of expertise (or otherwise) to the Bureau for inclusion in the draft to be prepared for the Board's March 15, 2018 meeting.

NEW BUSINESS

NEXT MEETING is scheduled for March 15, 2018 at 8:30 AM. Ms. Andrew noted the Board's current meeting schedule ends with the April meeting and suggested the schedule be extended. The Board agreed and identified additional meeting dates through October 2018.

The Bureau will send the 2018 meeting schedule by email to Board members. The 8:30 AM conference call extended meeting schedule will be May 22, June 29, July 19, August 30, and September 20. The fall face-to-face meeting is scheduled for 1:00 PM on October 18, 2018.

REVIEW OF APPLICATION FORMS AND PROCESSES FOR SIGN LANGUAGE INTERPRETERS

After an initial review, Ms. Andrew made a motion to appoint herself and Ms. Hall to work on finalizing the application drafts and bring modified drafts to the next Board meeting. It was seconded by Mr. Woodall. Motion carried.

The Board discussed assigning an abbreviated letter designation to be used as the license type and in the application identification processes for easy reference to sign language interpreters. Ms. Andrew made a motion for this to be TRP and the provisional permit for sign language interpreters to be TRPP. It was seconded by Mr. Woodall. Motion carried.

PRACTICAL EXAM DOCUMENTATION

It was noted by Bureau staff that identification cards and exam numbers had been used in past years to facilitate the practical examination of groups of hearing aid dealer applicants. After 2010, the examination process changed to provide individual practical examinations as needed. This allows for more expedient licensing for successful applicants. Ms. Osterhout made a motion to eliminate use of the identification cards and write the applicant name directly on the exam booklet. It was seconded by Mr. Woodall. Mr. Nuhn asked a question about writing the applicant's name on each page of the exam. The question was answered that the current process is to write the name on each of the 6 exam sections. Each section includes a few pages. Motion carried.

CORRESPONDENCE

A question about SLP telepractice was reviewed by the Board. Although the question had been answered by Bureau staff, an inaccurate statement was discovered on the website of the American Speech and Hearing Association (ASHA). The statement says there is no regulation for telepractice in the state of Idaho. Mr. Brown made a motion that Mr. Woodall draft a statement of correction to be sent by the Bureau to ASHA for the purpose of updating their website information. It was seconded by Mr. Nuhn. Motion carried.

PROVISIONAL PERMIT APPLICATION REVIEW PROCEDURES

The Board considered the current method of full Board review at scheduled meetings for each provisional permit application and an alternate process of review by a designated Board member. An alternate process would provide for faster response to applicants and decrease the need of additional Board meetings for early review requests.

Ms. Osterhout made a motion to designate provisional audiology permit application review between scheduled meetings to: Ms. Chaney with Ms. Olson as an alternate. It was seconded by Mr. Woodall. Motion carried.

Ms. Osterhout made a motion to designate herself to review provisional SLP permit applications between scheduled meetings with Mr. Woodall as an alternate. It was seconded by Mr. Nuhn. Motion carried.

Ms. Andrew made a motion to designate Mr. Brown to review provisional permit applications for hearing aid dealers between scheduled meetings. It was seconded by Mr. Woodall. Motion carried.

Ms. Osterhout made a motion to designate Ms. Andrew to review provisional permit applications between scheduled meetings for sign language interpreters. It was seconded by Mr. Woodall. Motion carried.

Mr. Nuhn noted that this procedural change should be included in the Board's Executive Order Report as it provides a faster path to employment for applicants.

EXECUTIVE SESSION

Ms. Andrew made a motion that the Board go into executive session under Idaho Code § 74-206(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. Nuhn. The vote was: Ms. Andrew, aye; Mr. Brown, aye; Ms. Chaney, aye; Mr. Nuhn, aye; Ms. Osterhout, aye, and Mr. Woodall, aye. Ms. Olsen had left the meeting. Motion carried.

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

APPLICATIONS

Ms. Osterhout made a motion to approve the following:

Approved for Licensure

CLOTHIAUX JEANNE AMY	SLP-3347
KNIGHT TYRA KUHN	SLPA-3367
LAROSE LINDSAY ANNE	SLP-3354
MCCOY THERESA JEAN	SLP-3360
ROGERS RACHEL ELLEN	SLPA-3359
TANNER DORENE	SLP-3358
VON BURG KARA	SLP-3356

Approved for Exams

OLDENBURG CHRYS

Approved / Pending receipt of additional documentation and review by a Board member

901156020

Approved for Provisional Permits

BLACK MATTHEW D	HT-3361
BRONER TIMBERLY DAWN	TSLP-3355
FLATT STACY LYNN	TSLP-3368
KELSAY DANNIEL ALLAN	HT-3362

It was seconded by Mr. Nuhn. Motion carried.

Mr. Woodall made a motion to accept all continuing education submissions for license reinstatement. It was seconded by Mr. Nuhn. Motion carried.

Mr. Nuhn noted that the sign language interpreter provisional permit application draft is incorrectly identified at the top as that of a hearing aid dealer and asked that it be corrected by Bureau staff.

ADJOURNMENT

Mr Woodall made a motion to adjourn the meeting at 10:13 AM. It was seconded by Mr. Nuhn. Motion carried.

Gayle L Chaney, Chair

Barbra Osterhout

Kevin C Woodall

Patrick J Brown

La Vona Andrew

Kenneth W Nuhn

Cynthia K Olsen

Tana Cory, Bureau Chief