

**HEARING AND SPEECH EXAMINING BOARD
MINUTES
JULY 9, 2012**

PRESENT: Okie Allen, Samuel Gubbels, Doreen Jensen, Steven Klapperich, Edward Korabic, Marilyn Workinger, Peter Zellmer

EXCUSED: Melanie Blechl, Mary Polenske, Patricia Willis

STAFF: Mojgan Hall, Executive Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; and other Department Staff

GUESTS: One guest in attendance (*did not sign in*)

CALL TO ORDER

Peter Zellmer, Chair, called the meeting to order at 1:07 p.m. A quorum of seven (7) was present.

APPROVAL OF AGENDA

MOTION: Edward Korabic moved, seconded by Okie Allen, to approve the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 23, 2012

MOTION: Okie Allen moved, seconded by Marilyn Workinger, to approve the Minutes of April 23, 2012 as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

1) **Mojgan Hall, Executive Director**

Mojgan Hall introduced herself to the Board as its new Executive Director.

2) **Mary Polenske, Public Member**

Mojgan Hall announced the appointment of Mary Polenske as the Board's new public member. This item will carry forward to the October 2012 meeting so that Ms. Polenske can receive a formal introduction.

ADMINISTRATIVE MATTERS

Mojgan Hall reported to the Board regarding the following administrative matters.

- The annual election of officers will no longer be conducted in the fall of each year; rather elections will be conducted at the first meeting of each calendar year.
- Kimberly Wood has transferred within the Division of Board Services from the position of Bureau Assistant to a position as Program Assistant Supervisor.

1) **Division of Board Services Policy Regarding Submission of Post Agenda Deadline Items**

The Board was informed of a policy recently implemented by the Division of Board Services, which requires submission of open session post agenda deadline items to occur 24 hours in advance of a meeting, or 72 hours prior in cases where a meeting occurs on a Monday.

2) **Reminder Regarding Submission of Board Member Guidebook Signature Pages**

The members of the Board were reminded to submit a signed copy of the Board Member Guidebook acknowledgement page if they have not already done so.

1:15 P.M. APPEARANCE: JEANETTE LYTLE, ATTORNEY SUPERVISOR – DIVISION OF ENFORCEMENT (DOE), DISCUSSION OF DOE POLICY REGARDING SCREENING

Jeanette Lytle, Division of Enforcement – Attorney Supervisor, appeared before the Board to discuss the DOE policy regarding initial screening of incoming complaints and to ask for feedback. During discussion of this topic the Board asked that DOE include information about cases that are screened out regarding internet advertising or sale of hearing aide devices.

CONSIDERATION OF CHANGES TO THE PRACTICAL AND WRITTEN EXAMINATIONS

Peter Zellmer acknowledged the members of the Board's subcommittee regarding their work in developing a recommendation for viable changes to the written and practical examinations.

1) **Subcommittee Report – Edward Korabic and Okie Allen: Status of Recommendation to the Board in Terms of Practical and Written Examinations**

Edward Korabic reported to the Board regarding a teleconference meeting he participated in with Okie Allen, and staff from the Office of Education and Examinations, Ryan Zeinert and Aaron Knautz, on June 27, 2012. He discussed some of the changes being considered for recommendation and noted that the subcommittee will meet with Ryan Zeinert and Aaron Knautz after the meeting.

The Board noted that proposed scoring information would be reviewed later in the day during the closed session portion of the meeting.

2) **Appointment to Subcommittee on Changes to the Practical and Written Examination**

Peter Zellmer, Chair, appointed Steven Klapperich and Doreen Jensen to serve on the Board's subcommittee on changes to the practical and written examinations.

REVIEW OF DRAFT BOARD FAQ RELATING TO INTERNET SALES

Colleen Baird and the Board reviewed a scope of practice FAQ relating to the internet sale of hearing aide devices. Colleen Baird noted that this type of practice question was reviewed by General Counsel, Michael Berndt, and will not require review by the Governor's Office of Regulatory Compliance, as outlined in Executive Order 50.

MOTION: Okie Allen moved, seconded by Doreen Jensen, to publish the internet hearing aide sales practice FAQ, as submitted by Edward Korabic. Motion carried unanimously.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

Sharon Henes, Paralegal, updated the Board regarding modification of HAS 6018, Wis. Admin. Code. She outlined the process for rule promulgation and described the next steps of the process.

Sharon Henes then provided a brief update regarding HAS 6.10, Wis. Admin. Code, relating to audiology temporary licenses.

MOTION: Doreen Jensen moved, seconded by Steven Klapperich, to authorize Peter Zellmer to review and approve the rule draft modifying HAS 6.18, Wis. Admin. Code, relating to deceptive advertising. Motion carried unanimously.

CLOSED SESSION

MOTION: Marilyn Workinger moved, seconded by Doreen Jensen, to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)); to consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b) and Wis. Stat. § 440.205); consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)) and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Motion carried unanimously in a roll call vote. Okie Allen-yes; Samuel Gubbels-yes; Doreen Jensen-yes; Steven Klapperich-yes; Edward Korabic-yes; Marilyn Workinger-yes; and Peter Zellmer-yes.

Open session recessed at 1:38 p.m.

RECONVENE INTO OPEN SESSION

MOTION: Okie Allen moved, seconded by Steven Klapperich, to reconvene into open session. Motion carried unanimously.

Open session reconvened at 2:38 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

CONSIDERATION OF CHANGES TO THE PRACTICAL AND WRITTEN EXAMINATIONS

The Board reviewed examination changes being considered by the subcommittee, including a change in scoring components. The Board also discussed technology as it relates to maintaining the security of the examination, and requested that this topic be added to closed session discussion for its October 2012 meeting.

DELIBERATION ON ADMINISTRATIVE WARNING(S)

1) **C.K.**

MOTION: Marilyn Workinger moved, seconded by Edward Korabic, to issue an Administrative Warning in the matter of C.K. Motion carried unanimously.

MOTION: Marilyn Workinger moved, seconded by Samuel Gubbels, to refer the issue of the supervisor for C.K. to the Division of Enforcement. Motion carried unanimously.

1) **Review of Case Status Report**

The Board received a report outlining its pending enforcement cases.

GRANTING OF LICENSES

MOTION: Edward Korabic moved, seconded by Samuel Gubbels, to authorize Peter Zellmer to ratify the examination scores of July 9, 2012, on the Board's behalf. Motion carried unanimously.

ADJOURNMENT

MOTION: Edward Korabic moved, seconded by Okie Allen, to adjourn the meeting. Motion carried unanimously.

Meeting adjourned at 2:40 p.m.