



**Scott Walker, Governor**  
**Laura Gutiérrez, Secretary**

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**HEARING AND SPEECH EXAMINING BOARD**  
**Room 121A, 1400 E. Washington Avenue, Madison**  
**Contact: Tom Ryan (608) 266-2112**  
**April 9, 2018**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.*

**AGENDA**

**1:00 P.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

**A. Adoption of Agenda (1-3)**

**B. Approval of Minutes of January 8, 2018 (4-8)**

**C. Administrative Updates**

- 1) Board and Staff Updates
- 2) Screening Panel Appointments
- 3) Board Member Status
  - a. Robert Broeckert – 07/01/2020
  - b. Barbara Johnson – 07/01/2021
  - c. Steven Klapperich – 07/01/2019
  - d. Thomas Krier – 07/01/2021
  - e. Scott Larson – 07/01/2017
  - f. Thomas Sather – 07/01/2015
  - g. Patricia Willis – 07/01/2018
  - h. Public Member (Hearing Aid User) – Vacant
  - i. Public Member – Vacant
  - j. Otolaryngologist Member – Vacant

**D. Legislative and Administrative Rule Matters – Discussion and Consideration**

- 1) Update on Legislation and Pending or Possible Rulemaking Projects

**E) Items Added After Preparation of Agenda:**

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Board Liaison Training and Appointment of Mentors
- 4) Administrative Updates
- 5) Education and Examination Matters
- 6) Credentialing Matters
- 7) Practice Matters
- 8) Legislation/Administrative Rule Matters
- 9) Liaison, Panel, and Committee Report(s)

- 10) Informational Item(s)
- 11) Disciplinary Matters
- 12) Presentations of Petition(s) for Summary Suspension
- 13) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 14) Presentation of Proposed Decisions
- 15) Presentation of Interim Order(s)
- 16) Petitions for Re-Hearing
- 17) Petitions for Assessments
- 18) Petitions to Vacate Order(s)
- 19) Petitions for Designation of Hearing Examiner
- 20) Requests for Disciplinary Proceeding Presentations
- 21) Motions
- 22) Petitions

## **F. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.)**

## **G. Deliberation on Credentialing Matters**

- 1) Application Reviews
  - a. Jenna M. Peterson – Response to Request for Information (9-77)

## **H. Education and Examination Matters**

- 1) Review of Practical Examination (78)

## **I. Deliberation of Items Added After Preparation of the Agenda:**

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Board Liaison Training
- 7) Petition(s) for Summary Suspensions
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Administrative Warnings
- 10) Proposed Decisions
- 11) Matters Relating to Costs
- 12) Complaints
- 13) Case Closings
- 14) Case Status Report
- 15) Petition(s) for Extension of Time
- 16) Proposed Interim Orders
- 17) Petitions for Assessments and Evaluations
- 18) Petitions to Vacate Orders
- 19) Remedial Education Cases
- 20) Motions
- 21) Petitions for Re-Hearing
- 22) Appearances from Requests Received or Renewed

## **J. Consulting with Legal Counsel**

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**K. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate**

**L. Open Session Items Noticed Above not Completed in the Initial Open Session**

**M. APPEARANCE: Ryan Zeinert, DSPS Licensing Examination Specialist - License Ratification**

**N. Credentialing Liaison Training**

**ADJOURNMENT**

**NEXT SCHEDULED MEETING: JULY 9, 2018**

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**HEARING AND SPEECH EXAMINING BOARD  
MEETING MINUTES  
JANUARY 8, 2018**

**PRESENT:** Robert Broeckert, Barbara Johnson, Steven Klapperich, Thomas Krier, Scott Larson, Patricia Willis

**EXCUSED:** Thomas Sather

**STAFF:** Tom Ryan, Executive Director; Helen Leong, Administrative Rules Coordinator; Laura Smith, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Scott Larson, Vice Chair, called the meeting to order at 1:02 p.m. A quorum of six (6) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Steven Klapperich moved, seconded by Robert Broeckert, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF OCTOBER 9, 2017**

**MOTION:** Barbara Johnson moved, seconded by Thomas Krier, to approve the minutes of October 9, 2017 as published. Motion carried unanimously.

**ADMINISTRATIVE UPDATES**

**Election of Officers**

**BOARD CHAIR**

**NOMINATION:** Steven Klapperich nominated Barbara Johnson for the Office of Board Chair.

Tom Ryan called for nominations three (3) times.

Barbara Johnson was elected as Chair by unanimous consent.

**VICE CHAIR**

**NOMINATION:** Scott Larson nominated Patricia Willis for the Office of Vice Chair.

Tom Ryan called for nominations three (3) times.

Patricia Willis was elected as Vice Chair by unanimous consent.

**SECRETARY**

**NOMINATION:** Steven Klapperich nominated Thomas Krier for the Office of Secretary.

Tom Ryan called for nominations three (3) times.

Thomas Krier was elected as Secretary by unanimous consent.

<b>2018 ELECTION RESULTS</b>	
<b>Board Chair</b>	Barbara Johnson
<b>Vice Chair</b>	Patricia Willis
<b>Secretary</b>	Thomas Krier

**Appointment of Liaisons and Alternates**

<b>2018 LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison(s)</b>	Patricia Willis, Thomas Sather, Steven Klapperich, Robert Broeckert, Scott Larson, Barbara Johnson
<b>Professional Assistance Program (PAP) and Monitoring Liaison</b>	Robert Broeckert
<b>Travel Liaison</b>	Barbara Johnson
<b>Website Liaison(s)</b>	Thomas Krier, Robert Broeckert Scott Larson, Thomas Sather
<b>Practice Question Liaison(s)</b>	Steven Klapperich, Patricia Willis, Barbara Johnson
<b>Continuing Education (CE) Liaison(s)</b>	Patricia Willis, Thomas Sather, Thomas Krier, Barbara Johnson
<b>Exam Liaison(s)</b>	Steven Klapperich, Robert Broeckert, Barbara Johnson
<b>Legislative Liaison(s)</b>	Thomas Sather
<b>Occupational License Review Liaison</b>	Barbara Johnson Alternate: Patricia Willis

**MOTION:** Thomas Krier moved, seconded by Steven Klapperich, to affirm the Chair’s appointment of Liaisons for 2018. Motion carried unanimously.

**Delegation of Authority**

***Delegated Authority for Urgent Matters***

**MOTION:** Steven Klapperich moved, seconded by Scott Larson, that, in order to facilitate the completion of urgent matters between meetings, the Board delegates its

authority to the Chair (or, in the absence of the Chair, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

### ***Document Signature Delegation***

**MOTION:** Thomas Krier moved, seconded by Robert Broeckert, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director, or designee, to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.

### ***Credentialing Authority Delegations***

#### **Delegation of Authority to Credentialing Liaison (Generic)**

**MOTION:** Steven Klapperich moved, seconded by Patricia Willis, to delegate authority to the Credentialing Liaisons to make all credentialing decisions. Motion carried unanimously.

#### **Delegation of Authority to DSPS When Rule and Statute Criteria is Met**

**MOTION:** Patricia Willis moved, seconded by Steven Klapperich, to delegate credentialing authority to DSPS to act upon applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

### ***Voluntary Surrenders***

**MOTION:** Steven Klapperich moved, seconded by Patricia Willis, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender of a license by a licensee who has a pending complaint or disciplinary matter per Wis. Stat. § 440.19. Motion carried unanimously.

### ***Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Bodies***

**MOTION:** Robert Broeckert moved, seconded by Thomas Krier, to authorize Department staff to provide national regulatory bodies with all Board member contact information that the Department retains on file. Motion carried unanimously.

### ***Optional Renewal Notice Insert Delegation***

**MOTION:** Steven Klapperich moved, seconded by Patricia Willis to designate the highest-ranking officer (or longest serving member of the Board) to provide a brief

statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

### ***Occupational Licensure Study Liaison***

**MOTION:** Patricia Willis moved, seconded by Scott Larson, to designate the Chair as the Board's liaison, and the Vice Chair as alternate, to represent and speak on behalf of the Board regarding occupational license review and related matters. Motion carried unanimously.

### ***Legislative Liaison Delegation***

**MOTION:** Robert Broeckert moved, seconded by Steven Klapperich, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

### ***Travel Delegation***

**MOTION:** Patricia Willis moved, seconded by Thomas Krier, to delegate authority to the Travel Liaison to approve any Board Member travel. Motion carried unanimously.

### ***Continuing Education Delegation***

**MOTION:** Scott Larson moved, seconded by Steven Klapperich, to delegate authority to the Continuing Education Liaison(s) to address all issues related to CE and education. Motion carried unanimously.

### ***Examination Delegation***

**MOTION:** Steven Klapperich moved, seconded by Thomas Krier, to delegate authority to the Examination Liaison(s) to address all issues related to examinations. Motion carried unanimously.

### ***Monitoring Delegations***

**MOTION:** Steven Klapperich moved, seconded by Robert Broeckert, to adopt the "Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor" as presented. Motion carried unanimously.

## **CLOSED SESSION**

**MOTION:** Robert Broeckert moved, seconded by Scott Larson, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Barbara Johnson, Chair; read the motion. The vote of each member was ascertained by

voice vote. Roll Call Vote: Robert Broeckert-yes; Barbara Johnson-yes; Steven Klapperich-yes; Thomas Krier-yes; Scott Larson-yes; Patricia Willis-yes. Motion carried unanimously.

The Board convened to Closed Session at 1:35 p.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Barbara Johnson moved, seconded by Scott Larson, to reconvene to open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:00 p.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Robert Broeckert moved, seconded by Thomas Krier, to affirm all votes made in closed session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

### **RECUSAL OF BOARD FROM 16 HAD 005 – JERROLD JERUE**

**MOTION:** Barbara Johnson moved, seconded by Scott Larson, to delegate to Department Chief Legal Counsel to preside over and resolve any violation(s) with appropriate discipline in the matter of disciplinary proceedings against Jerrold Jerue, DLSC case 16 HAD 005. Motion carried unanimously.

### **DELIBERATION ON CREDENTIALING MATTERS**

#### **Philip N. Heistad**

**MOTION:** Steven Klapperich moved, seconded by Thomas Krier, to approve the Hearing Instrument Specialist re-licensure application of Phillip N. Heistad once all requirements are met. Motion carried unanimously.

### **APPEARANCE: RYAN ZEINERT, DSPS LICENSING EXAMINATION SPECIALIST – LICENSE RATIFICATION**

**MOTION:** Steven Klapperich moved, seconded by Barbara Johnson, that the Board ratify the scores from the January 8, 2018 examinations and grant the licenses once requirements are met. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Patricia Willis moved, seconded by Thomas Krier, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:01 p.m.