



Tony Evers, Governor
Dawn Crim, Secretary

HEARING AND SPEECH EXAMINING BOARD
Room N208, 4822 Madison Yards Way, 2nd Floor, Madison
Contact: Valerie Payne (608) 266-2112
January 13, 2020

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 record 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 October 7, 2019 (4-6)

C. Administrative Matters

- 1) Department, Staff and Board Updates
- 2) Annual Policy Review **(7)**
- 3) Election of Officers **(8-9)**
- 4) Appointment of Liaisons and Alternates **(8-9)**
- 5) Delegation of Authorities **(8, 10-15)**
- 6) 2020 Meeting Dates **(16)**
- 7) Board Members – Term Expiration Dates
 - a. Robert Broeckert – 7/1/2020
 - b. Michael Harris – 7/1/2023
 - c. Barbara Johnson – 7/1/2021
 - d. Steven Klapperich – 7/1/2019
 - e. Thomas Krier – 7/1/2021
 - f. Thomas Sather – 7/1/2015
 - g. David Seligman – 7/1/2023
 - h. Hearing Instrument Specialist Member – Vacant
 - i. Public Member – Vacant
 - j. Speech-Language Pathologist Member – Vacant

D. Administrative Rule Matters – Discussion and Consideration (17)

- 1) HAS 3,6,7 & 8, Relating to Rule Revisions for Technical Changes in Response to the Board's Act 108 Report
- 2) Review of Draft Scope Statement for HAS 1 and 2, Relating to Direct Supervision of Hearing Instrument Specialists Temporary Trainees **(18-20)**
- 3) Pending or Possible Rulemaking Projects

- E. **Online Speech Pathology/Audiology Services and Board Jurisdiction – Discussion and Consideration**
- F. **Federal Regulations Regarding Over-the-Counter Hearing Aides – Discussion and Consideration**
- G. **Review of International Licensing Examination (ILE) Scores – Discussion and Consideration**
- H. Discussion and Consideration of Items Added After Preparation of Agenda:
 - 1) Introductions, Announcements and Recognition
 - 2) Nominations, Elections, and Appointments
 - 3) Administrative Matters
 - 4) Election of Officers
 - 5) Appointment of Liaisons and Alternates
 - 6) Delegation of Authorities
 - 7) Education and Examination Matters
 - 8) Credentialing Matters
 - 9) Practice Matters
 - 10) Legislative and Policy Matters
 - 11) Administrative Rule Matters
 - 12) Liaison Reports
 - 13) Board Liaison Training and Appointment of Mentors
 - 14) Informational Items
 - 15) Division of Legal Services and Compliance (DLSC) Matters
 - 16) Presentations of Petitions for Summary Suspension
 - 17) Petitions for Designation of Hearing Examiner
 - 18) Presentation of Stipulations, Final Decisions and Orders
 - 19) Presentation of Proposed Final Decisions and Orders
 - 20) Presentation of Interim Orders
 - 21) Petitions for Re-Hearing
 - 22) Petitions for Assessments
 - 23) Petitions to Vacate Orders
 - 24) Requests for Disciplinary Proceeding Presentations
 - 25) Motions
 - 26) Petitions
 - 27) Appearances from Requests Received or Renewed
 - 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports
- I. 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.)

- J. Deliberation of Items Added After Preparation of the Agenda:
 - 1) Education and Examination Matters
 - 2) Credentialing Matters
 - 3) DLSC Matters
 - 4) Monitoring Matters

- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

K. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

M. Open Session Items Noticed Above Not Completed in the Initial Open Session

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

ADJOURNMENT

NEXT SCHEDULED MEETING: APRIL 6, 2020

 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 4822 Madison Yards Way, 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
OCTOBER 7, 2019**

PRESENT: Robert Broeckert, Michael Harris, Barbara Johnson, Steven Klapperich, Thomas Krier, Thomas Sather (*via Skype*), David Seligman

STAFF: Yolanda McGowan, Administrator- Division of Policy Development; Jameson Whitney, Legal Counsel; Valerie Payne, Executive Director; Kimberly Wood, Program Assistant Supervisor-Adv; and other Department Staff

CALL TO ORDER

Thomas Krier, Chairperson, called the meeting to order at 1:00 p.m. A quorum was confirmed with seven (7) members present.

ADOPTION OF AGENDA

MOTION: Barbara Johnson moved, seconded by Robert Broeckert, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 7, 2019

MOTION: Robert Broeckert moved, seconded by Steven Klapperich, to approve the Minutes of January 7, 2019 as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

Resignations

Scott Larson, Hearing Instrument Specialist Member

MOTION: Steven Klapperich moved, seconded by Thomas Sather, to recognize and thank Scott Larson for his years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

Patricia Willis, Speech Language Pathologist Member

MOTION: Steven Klapperich moved, seconded by Thomas Sather, to recognize and thank Patricia Willis for her years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

CLOSED SESSION

MOTION: Thomas Sather moved, seconded by Barbara Johnson, 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.). Thomas Krier, Chairperson; read the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Robert Broeckert-yes; Michael Harris-yes; Barbara Johnson-yes; Steven Klapperich-yes; Thomas Krier-yes; Thomas Sather-yes; and David Seligman-yes. Motion carried unanimously.

The Board convened to Closed Session at 2:12 p.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Case Closings

18 HAD 006 – A.L.R.

MOTION: Barbara Johnson moved, seconded by Robert Broeckert, to close DLSC Case Number 18 HAD 006, against A.L.R., for No Violation. Motion carried unanimously.

18 HAD 007 – A.L.P.

MOTION: Thomas Sather moved, seconded by Michael Harris, to close DLSC Case Number 18 HAD 007, against A.L.P., for No Violation. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Barbara Johnson moved, seconded by Thomas Sather, to reconvene to open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:38 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Robert Broeckert moved, seconded by Steven Klapperich, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(David Seligman was out of the room for this vote.)

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

**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 October 7, 2019 examinations and grant the licenses once requirements are met. Motion carried unanimously.

ADJOURNMENT

MOTION: Steven Klapperich moved, seconded by Thomas Sather, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:47 p.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv.		2) Date When Request Submitted: 1/7/2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: 1/13/2020	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> 1. Attendance/Quorum – Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting, we ask that you let us know ASAP as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law. DSPS Boards-Open Meetings Resources 2. Walking Quorum – Please refrain from discussing Board/Section/Council business with other members outside of legally noticed meetings so to avoid walking quorum issues pursuant to Open Meetings Law. DSPS Boards-Open Meetings Resources 3. Agenda Deadlines – Please let your executive Director know if you have items to be considered on an upcoming agenda no less than 8 business days prior to a meeting when possible. DSPS Boards-Reference Materials-Meeting Timeline 4. Travel Voucher and Per Diem Submissions – Please submit all Per Diem and Reimbursement Claims to DSPS within 30 days of date an expense is incurred. DSPS Boards-Travel and Reimbursement-Travel and Reimbursement Overview 5. Lodging Accommodations/Hotel Cancellation Policy – Lodging accommodations are provided to members who must leave home before 6:00 a.m. to attend a meeting. If you cannot attend a meeting it is the board member’s responsibility to cancel their reservation within the stated cancellation timeframe. If a meeting is changed to a teleconference or cancelled or rescheduled, DSPS staff will make lodging cancellations or modifications as needed. DSPS Boards-Travel and Reimbursement-Travel and Reimbursement Overview 6. Inclement Weather Policy – In the event of inclement weather the agency may change a meeting from an in-person meeting to a teleconference. 			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;"> <i>Kimberly Wood</i> </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;"> 1/7/2020 </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;"> Signature of person making this request </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;"> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;"> Supervisor (if required) </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;"> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;"> Date </div> </div>			
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 			

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv.		2) Date When Request Submitted: 12/17/19 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting											
3) Name of Board, Committee, Council, Sections: Hearing and Speech Examining Board													
4) Meeting Date: 1/13/2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters: 1) Election of Officers 2) Appointment of Liaisons and Alternates 3) Delegation of Authorities											
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A											
10) Describe the issue and action that should be addressed: 1) The Board should conduct Election of its Officers 2) The Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider continuation or modification of previously delegated authorities or any additional delegations that may be deemed necessary													
11) Authorization <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;"><i>Kimberly Wood</i></td> <td style="width: 40%; border-bottom: 1px solid black; text-align: right;"><i>12/17/2019</i></td> </tr> <tr> <td style="text-align: left;">Signature of person making this request</td> <td style="text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> </table>				<i>Kimberly Wood</i>	<i>12/17/2019</i>	Signature of person making this request	Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
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HEARING AND SPEECH EXAMINING BOARD

2019 Elections and Liaison Appointments

Elections and liaison appointments made in January 2019.

ELECTION RESULTS	
Chairperson	Thomas Krier
Vice Chairperson	Robert Broeckert
Secretary	Barbara Johnson
LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Patricia Willis , Thomas Sather, Steven Klapperich, Robert Broeckert, Barbara Johnson
Exam Liaison(s)	Robert Broeckert, Steven Klapperich, Barbara Johnson
Continuing Education (CE) Liaison(s)	Patricia Willis , Thomas Sather, Thomas Krier, Barbara Johnson
Professional Assistance Program (PAP) and Monitoring Liaison(s)	Robert Broeckert
Legislative Liaison(s)	Thomas Sather
Travel Liaison(s)	Barbara Johnson
Website Liaison(s)	Thomas Krier, Robert Broeckert, Thomas Sather
Practice Question Liaison(s)	Steven Klapperich, Patricia Willis , Barbara Johnson
Screening Panel	Robert Broeckert, Steven Klapperich, Patricia Willis Alternate: Barbara Johnson, Thomas Sather

DELEGATION MOTIONS

Delegation of Authorities

Document Signature Delegations

MOTION: Steven Klapperich moved, seconded by Robert Broeckert, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out duties of the Board. Motion carried unanimously.

MOTION: Steven Klapperich moved, seconded by Robert Broeckert, in order to carry out duties of the Board, the Chairperson, chief presiding officer, or longest serving board member, has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Robert Broeckert moved, seconded by Steven Klapperich, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, 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.

Monitoring Delegations

MOTION: Robert Broeckert moved, seconded by Barbara Johnson, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” as presented. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: Barbara Johnson moved, seconded by Thomas Sather, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between DSPS and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Robert Broeckert moved, seconded by Barbara Johnson, to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Barbara Johnson moved, seconded by Robert Broeckert, that the Department's Attorney Supervisors, DLSC Administrator, or their designee are authorized to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Voluntary Surrenders

MOTION: Steven Klapperich moved, seconded by Robert Broeckert, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Education, Continuing Education and/or Examination Delegation(s)

MOTION: Steven Klapperich moved, seconded by Barbara Johnson, to delegate authority to the Education, Continuing Education and/or Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

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

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

Optional Renewal Notice Insert Delegation

MOTION: Robert Broeckert moved, seconded by Thomas Sather to designate the Chair (or in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) 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.

Legislative Liaison Delegation

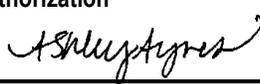
MOTION: Thomas Sather moved, seconded by Patricia Willis, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Delegation

MOTION: Robert Broeckert moved, seconded by Thomas Sather, to delegate authority to the Travel Liaison to approve any board member travel. Motion carried unanimously.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Ashley Ayres Monitoring and Intake Supervisor Division of Legal Services and Compliance		2) Date When Request Submitted: December 31, 2019 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections: Hearing and Speech Examining Board			
4) Meeting Date: January 13, 2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Appointment of Monitoring Liaison and Delegated Authorities	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: 1. Appoint primary and alternate liaisons for Monitoring, and for the Professional Assistance Procedure (PAP). 2. Adopt or reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet. 3. Delegate authority to Board Counsel to sign Monitoring orders on behalf of the Board/Section, after the Board/Section has taken action on Monitoring agenda items. <i>Current practice is for Department Monitors to draft Monitoring orders after Board meetings, send them to Board Counsel for review, and then send them to the Executive Director for subsequent review and signature. With the new proposed process, Department Monitors would only send their orders to Board Counsel for review and signature, eliminating the need for a second review by the Executive Director.</i>			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">  <hr/> Signature of person making this request </div> <div style="text-align: center;"> December 31, 2019 <hr/> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="width: 60%;"> <hr/> Supervisor (if required) </div> <div style="width: 30%;"> <hr/> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="width: 80%;"> <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </div> <div style="width: 15%;"> <hr/> Date </div> </div>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

Current Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.
8. Grant or deny a request to appear before the Board/Section in closed session.
9. Board Monitoring Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
10. (*Except Pharmacy*) Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.
11. (*Except Pharmacy*) Grant Respondent’s petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison.
 - a. Year 1: 49 screens (including 1 hair test, if required by original order)
 - b. Year 2: 36 screens (plus 1 hair test, if required by original order)
 - c. Year 3: 28 screens plus 1 hair test
 - d. Year 4: 28 screens plus 1 hair test
 - e. Year 5: 14 screens plus 1 hair test

12. (*Dentistry only*) – Ability to approve or deny all requests from a respondent.

13. (*Except Nursing*) – Board Monitoring Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

Current Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
 2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.
 3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv.		2) Date When Request Submitted: 11/27/2019	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
3) Name of Board, Committee, Council, Sections: Hearing & Speech Examining Board			
4) Meeting Date: 1/13/2020	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? 2020 Meeting Dates	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Please review the finalized 2020 meeting dates. Any conflicts should be identified so to ensure quorum. 1/13/2020 4/6/2020 7/6/2020 10/5/2020			
11) Authorization			
Kimberly Wood		11/27/19	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Cassandra Walbrun Administrative Rules Coordinator		2) Date when request submitted: 01/02/2020 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Hearing and Speech Examining Board			
4) Meeting Date: 01/13/2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. HAS 3, 6, 7 and 8, Relating to Rule Revisions for Technical Changes in Response to the Board's Act 108 Report. 2. Review of Draft Scope Statement for HAS 1 and 2, Relating to Direct Supervision of Hearing Instrument Specialists Temporary Trainees. 3. Update on Pending or Possible Rulemaking Projects.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
Signature of person making this request <i>Kassandra Walbrun</i>		Date 01/02/2020	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			
Date			

**State of Wisconsin
Department of Safety & Professional Services**

Directions for including supporting documents:

1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

STATEMENT OF SCOPE

Hearing and Speech Examining Board

Rule No.: HAS 1 and 2

Relating to: Supervision of hearing instrument specialist temporary trainees

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

Under s. 459.07, Stats., a person may receive a temporary trainee permit to practice the fitting of hearing aids for a period of one year while the permit holder completes the requirements for a hearing instrument specialist license. Typically, a trainee takes the practical exam after several months of training and then takes the written exam after a minimum of six months of study. The Board would like to examine this process to increase opportunities for new permit holders. The Board will review the definition of "direct supervision," as provided in s. HAS 1.01 (2a), and the ratio of trainee to licensee requirements as provided in s. HAS 2.01 (4), and consider potentially amending these requirements to ensure that permit holders are directly supervised to ensure the health, safety, and welfare of the public while potentially increasing opportunities for new applicants entering the profession.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Board will examine the rules relating to the supervision of hearing instrument specialist temporary trainees to identify and pursue increased opportunities for new trainees interested in entering the profession. While it is essential to protect the health, safety, and welfare of the public during the one-year training period for permit holders, the Board is aware that other states are providing more flexibility once permit holders have passed their practical examination. Thus, the Board has determined that a closer look at the process of transitioning from a trainee to a licensee should be reviewed to see whether changes could increase opportunities for new trainees while adequately protecting the public, and also keep Wisconsin current with national trends in the industry.

The policy alternative is maintaining a process that may be unnecessarily restrictive for new professionals entering the field of the fitting of hearing aids.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., states that, "[e]ach examining board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession."

Section 459.12 (1) and (3), Stats., states that, "[t]he examining board may make rules not inconsistent with the laws of this state which are necessary to carry out the intent of this chapter," and that "[t]he examining board shall by rule prescribe the number of trainees a licensee may supervise under s. 459.07."

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

It is anticipated that staff will require approximately 80 hours to develop any rule changes.

6. List with description of all entities that may be affected by the proposed rule:

Entities that may be affected by the proposed rules include hearing instrument specialists and temporary trainees.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule is not anticipated to have any significant economic impact on the state's economy or its small businesses.

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Authorized Signature

Date Submitted