



## **BOARD MEETING MINUTES**

### **October 26-27, 2017**

### **Carson, CA**

For the sake of clarity, the meeting minutes are organized in numerical order to reflect their original order on the agenda; however, issues were taken out of order during the meeting.

#### **October 26, 2017**

##### 1. Call to Order / Roll Call / Establishment of Quorum

Dee Parker, Board Chair, called the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board meeting to order at 1:40 p.m. Ms. Parker called roll; six members of the Board were present and thus a quorum was established.

##### Board Members Present

Dee Parker, Board Chair  
Marcia Raggio, Vice Chair  
Alison Grimes, Board Member  
Amnon Shalev, Board Member  
Debbie Snow, Public Board Member  
Patti Solomon-Rice, Board Member

##### Board Members Absent

Rodney Diaz, MD, Public Board Member  
Jaime Lee, Public Board Member

##### Staff Present

Paul Sanchez, Executive Officer  
Bryce Penney, DCA Web Cast  
Breanne Humphreys, Program Manager  
Sabina Knight, Legal Counsel  
Karen Robison, Analyst

##### Guests Present

Toni Barrient, Hearing Loss Association of America (HLAA)  
Vanessa Cajina, KP Public Affairs for Hearing Healthcare Providers (HHP)  
Beryl Fogel, California Speech-Language-Hearing Association (CSHA)  
Dennis Van Vliet, Audiologist

##### 2. Public Comment for Items not on the Agenda

*There were no comments from Public/Outside Agencies/Associations.*

3. Review and Approval of the May 11-12, 2017 and August 10-11, 2017 Board Meeting Minutes

The Board recommended edits to the May 11-12, 2017 and the August 10-11, 2017 Board Meeting Minutes. Staff will amend the May and August 2017 Board Meeting Minutes and will bring them back to the February 2018 Board Meeting.

4. Update from Speech-Language Pathology Practice Committee

Patti Solomon-Rice updated the Board about the SLP Practice Committee meetings that were held on August 28, 2017 and October 9, 2017. The Committee reviewed the Business and Professions Code (BPC) and the California Code of Regulation (CCR) summaries that staff compiled regarding SLPA's and its formation into a checklist for SLPA programs to use to ensure they meet the requirements. The Committee also reviewed the SLPA program courses offered by currently approved programs. Staff completed the task of locating the American Speech-Language-Hearing Association (ASHA) SLPA Guidelines (1996). The Committee reviewed the 1996, 2004 and 2013 ASHA Guidelines and it was noted that the only difference between the 1996 document and the 2004 document was the elimination of ASHA credentialing of SLPA's. the 2013 documents did not discuss curricular guidelines.

5. Discussion and Possible Action regarding Approved Institution Accreditation Requirements in California Code of Regulations (CCR) section 1399.152

The Board discussed CCR section 1399.152 and its reference to ASHA as an approved accrediting body. Ms. Raggio expressed concerns regarding references to specific professional organizations. Ms. Grimes added that while we should recognize accrediting bodies, it is unnecessary to reference specific, voluntary organizations. Mr. Sanchez suggested that the Board can update the language that would remove specific redundant references to professional organizations. The Board suggested the reference specifically to ASHA be removed from this section of regulation since 1399.152(e) covers the approval of any institution that meets the criteria for accreditation.

The Board discussed Doris Gordon's request to approve the Accreditation Commission for Audiology Education (ACAЕ) as an accrediting body as identified in CCR section 1399.152.

**M/S/C Raggio/Grimes**

- **Motion to delegate to staff to updated the language in CCR section 1399.152. by removing 1399.152. (c) and (d) and bring the proposed language to the February 2018 Board Meeting. The motion carried 6-0**

**M/S/C Raggio/Grimes**

- **Motion to provide ACAЕ with a letter of approval as an accrediting body of approved institutions. The motion carried 6-0**

6. Discussion and Possible Action regarding Communications with California Children's Services (CCS)

Ms. Grimes informed the Board that there is a new contact overseeing Audiology services for CCS and she feels that we are back where we started. Ms. Raggio mentioned working with Sacramento Advocates to assist in setting up communication between the Board and the Department of Healthcare Services (DHS) CCS division to work on some of the issues. Sacramento Advocates reviewed a document that Ms. Grimes and Becky Bingea wrote to CCS a few years ago; noted whether statutory change is needed or if a conversation with DHS would suffice; and are looking to the Board for further direction in terms of what the Board wants their help with. The Board discussed the formation of a subcommittee to work on creating a list of the top five issues that the Board wants to address in its talks with CCS and bring the list back to the Board. Mr. Sanchez remarked that having the Audiology Committee take the lead on this project would be a good place to begin. He mentioned reviewing the issues and look into taking action on the ones that we believe we can make an impact on. Mr. Sanchez advised that the Board needs to act on this topic instead of discussing the topic at each Board meeting. The Board commented on including the CCS on the February Board Meeting Agenda and inviting CCS representatives to talk with the Board about its concerns.

### **Closed Session**

7. Pursuant to Government Code Section 11126 (a) (1), the Board will Meet in Closed Session for the Executive Officer's Evaluation

The Board met in closed session to discuss the evaluation of the executive officer.

### **Return to Open Session**

The Board returned to open session and immediately went into recess until October 27, 2017.

### **October 27, 2017**

8. Call to Order / Roll Call / Establishment of Quorum

Dee Parker, Board Chair, called the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board meeting to order at 9:17 a.m. Ms. Parker called roll; six members of the Board were present and thus a quorum was established.

#### **Board Members Present**

Dee Parker, Board Chair  
Marcia Raggio, Vice Chair  
Alison Grimes, Board Member  
Amnon Shalev, Board Member  
Debbie Snow, Public Board Member  
Patti Solomon-Rice, Board Member

#### **Board Members Absent**

Rodney Diaz, MD, Public Board Member  
Jaime Lee, Public Board Member

#### **Staff Present**

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Paul Sanchez, Executive Officer  
Bryce Penney, DCA Web Cast  
Breanne Humphreys, Program Manager  
Sabina Knight, Legal Counsel  
Karen Robison, Analyst

Guests Present

Vanessa Cajina, KP Public Affairs for Hearing Healthcare Providers (HHP)  
Kyle Epps – Los Angeles Unified School District  
Linda Pippert - CSHA  
Dennis Van Vliet, Audiologist

9. Public Comment for Items not on the Agenda

*There were no comments from Public/Outside Agencies/Associations.*

10. Discussion and Possible Action on Board's Development of Hearing Aid Consumer Fact Sheet

Ms. Raggio led the discussion on the Consumer Fact Sheet informing the Board that the publication is easy to understand for the general public and addresses many aspects of today's hearing aids. Mr. Sanchez apprised the Board that he had met with HLAA and that consumers question what they should look for when purchasing a hearing aid. Edits to the document included, but were not limited to, adding cochlear or inter ear implant information, changing Bluetooth to wireless, making consumers aware that the booklet is for adults with hearing loss, and adding a sentence that informs consumers that internet or catalog purchases are not subject to Board jurisdiction. Edits were requested to be sent by email to Ms. Raggio.

11. Discussion and Possible Action Regarding Supervision Requirements of Hearing Aid Dispenser Trainees

Mr. Sanchez spoke on the hearing aid dispenser trainees (trainee) supervision requirement and noted that this issue needed to be addressed due to the potential for client harm. He questioned why it is adequate for a trainee to fit and sell hearing aids without supervision eighty percent (80%) of the time when a hearing aid dispenser needs a license to perform those same duties. Mr. Shalev advised that ear molds should be immediate supervision one hundred percent (100%) of the time and Ms. Grimes remarked that the taking of an ear impression is potentially one of the most consumer harmful things an audiologist or a hearing aid dispenser does".

Comments and discussion continued to circle back to hearing aid dispenser training and the types of training trainees should receive. Ms. Solomon-Rice opined that as the hearing aid profession changes the competency level should change and referenced the audiology educational change from Master's to Clinical Doctorate (AuD). There is no hearing aid dispenser academic or field work course of study and adding educational requirements to tasks with a higher chance of harm to the client was mentioned. Establishing an apprenticeship program was also brought up to increase competency.

The Hearing Aid Dispenser Practice Committee was delegated the task determining how to prepare trainees to take the examinations.

## 12. Discussion and Possible Action regarding Pediatric Hearing Aid Fitting by Hearing Dispensers

Mr. Sanchez presented the Board with the language of Business and Professions Code (BPC) 2538.37 and questioned whether hearing aid dispensers would dispense to pediatric clients. Ms. Raggio commented that this language was incorporated when audiologists could not dispense hearing aids and Ms. Grimes explained that the audiologist would send the client to the hearing aid dispenser for the fitting and the child would come back to the audiologist to confirm that the device was the one recommended. Ms. Grimes informed the Board that this is still happening at the local Children's Hospital in Los Angeles because of the difficulty in getting reimbursed by CCS.

The Hearing Aid Dispensers Practice Committee has been delegated the task of reviewing the pediatric hearing aid dispensing requirements and addressing concerns regarding consumer protection.

## 13. Update on Upcoming Federal Regulations regarding Over-the-Counter Hearing Aids

MR. Sanchez updated the Board on the status of the Federal regulations regarding over-the-counter hearing aids. He informed the Board he had a conversation with the Federal Trade Commission (FTC) and was waiting to speak with the Federal Drug Administration (FDA) to gather information on how the passage of this law will affect consumer warranty laws.

## 14. Executive Officer's Report

### a. Administration Update

Mr. Sanchez informed the Board that three new staff members were hired to fill openings in licensing, enforcement, and office support. He let the Board know that Continuing Education audits would resume within the next six months.

### b. Budget Report

The Board is looking into increasing staff through the BCP process in FY 2018/2019 because it is becoming difficult to provide services at an acceptable level with the continual increase in the licensing population. DCA is converting to a new accounting data base and is unable to run current revenue and expenditure reports but staff is watching expenditures and should have an updated fund report at the February 2018 Board Meeting.

### c. Licensing Report

License processing time have remained steady and staff met the performance based budget targets. The Board would like the reports to be split into license types so they can look at the licensing trends.

### d. Practical Examination Report

Mr. Sanchez did not have a practical examination report.

e. Enforcement Report

Mr. Sanchez informed the Board that a settlement was reached with McDonald Hearing Aid Centers. He noted that complaint questions should be directed to Enforcement staff. Mr. Sanchez thanked Marti Shaffer for her assistance with the enforcement coordinator workload after since Anita Joseph vacated the position. The Board remarked that if enforcement data was split between the professions addressing issues as they arose would be beneficial.

15. Proposed Regulations – Discussion and Possible Action

- a. Title 16, CCR, Section 1399.120 - Hearing Aid Dispenser Examinations Proposed Language

**M/S/C Shalev/Grimes**

- **Move to approve the proposed text for a 45-day public comment period; delegate to the EO the authority to adopt the proposed regulatory changes if there are no adverse comments received during the public comment period and make any technical and non-substantive changes that may be required to complete the rule making file. The motion carried 6-0**

16. Legislation Update, Review, and Possible Action

- a. AB 1706 (Low) Sunset of Board

Mr. Sanchez informed the Board that AB 1706 was signed by Governor Brown and the Board has been extended for four (4) more years.

- b. HR 1539 (Guthrie) Early Hearing Detection and Intervention Act of 2017

Ms. Grimes updated the Board on the status of HR 1539.

17. Future Agenda Items and Future Board Meeting Dates

Items to be considered for future agendas are: The Children’s Health Insurance Program (CHIP), Federal Regulations on Over-The-Counter Hearing Aids, Regulations, Audiology Practice Committee Meeting, Hearing Aid Dispenser Practice Committee Meeting, and Speech-Language Pathology Practice Committee Meeting. Mr. Sanchez opined that the Board should consider committees that involved regulations, legislation, enforcement, etc.

The Board discussed retuning to Dominguez Hills to hold the February 2019 Board Meeting.

- a. February 8-9, 2018 – Sacramento  
b. May 10-11, 2018 – Bay Area  
c. August 9-10, 2018– TBD

The Board chose to hold the August 2018 Board Meeting in San Diego.

d. November 8-9, 2018 - TBD

The Board chose to hold the November 2018 Board Meeting in Sacramento.

18. Adjournment

The meeting adjourned at 11:46 a.m.