

## MINUTES

### SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD

JULY 20, 2010

#### I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Ms. Andrea Gray called the meeting to order at 10:39 a.m. in Room W064 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana and declared a quorum in accordance with IC 25-35.6-2-1(g).

**Members Present:**

Andrea Gray, MS, CCC-A - Board Chair  
Thomas Hemeyer, Ph.D., CCC-A – Vice-Chair  
Michael Flahive, Ph.D., CCC-SLP, CCC-A  
Patricia Wong, MA, CCC-SLP

**Members Absent:**

Carol Hession, Ph.D., CCC-A  
Vacant, Otolaryngologist Member  
Vacant, Consumer Member

**State Officials Present:**

Valerie L. Jones, Board Director  
Ronnie C. Saunders III, Assistant Board Director  
Donna Sembroski, Board Advisory Counsel, Office of the Attorney General

#### II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended.

WONG/FLAHIVE  
Motion carried 4-0-0

#### III. APPROVAL OF MINUTES FROM JANUARY 26, 2010

A motion was made and seconded to approve the minutes of the January 26, 2010 meeting of the Board.

FLAHIVE/ HEMEYER  
Motion carried 4-0-0

#### IV. ADMINISTRATIVE HEARING

A. **Stephanie L. Levin, License #23002121A**  
**Re: Complaint**

**Parties and Counsel Present:**

Stephanie L. Levin, Respondent  
David Fleischhacker, Deputy Attorney General, Counsel for the State of Indiana

**Witnesses:**

Ronald Saunders, III, Assistant Board Member

**Participating Board Members:**

Andrea Gray, MS, CCC-A - Board Chair  
Thomas Hemeyer, Ph.D., CCC-A – Vice-Chair  
Michael Flahive, Ph.D., CCC-SLP, CCC-A  
Patricia Wong, MA, CCC-SLP

**Case Summary:** A complaint was filed against the Respondent on May 28, 2009 alleging that the Respondent has violated the statute by continuing to practice as an audiologist on an expired audiology license. The Respondent's license expired in 1997.

The Office of Attorney General ("State") and the Respondent both offered opening statements.

During the Respondent's opening statement she explained that she has not practiced as an audiologist since allowing her license to expire. She stated that she functions as an audiometric technician.

The State called Ms. Levin as a witness. The State questioned Ms. Levin about her job description and title. The Board furthered questioned Ms. Levin about her license and when it was obtained. Ms. Levin testified that she operates audiometric assistant.

The state presented four (4) exhibits to the Board and questioned Ms. Levin about the information contained in the exhibits. The Board admitted the exhibits without objection.

The Board questioned Ms. Levin about the purpose of the testing she conducts at her job.

The State called Ronald Saunders as a witness to discuss the Respondent's licensure history.

The State made a closing statement requesting that the Board discipline Ms. Levin for failing to maintain a valid license.

**Board Action:** A motion was made and seconded to find that the Respondent was in violation of Indiana Code § 25-1-9(a)(4)(B).

HEMEYER/FLAHIVE  
Motion carried 4-0-0

A motion was made and seconded to issue a letter of written reprimand which includes a cease and desist of the use of CCC-A or further referring to herself as an audiologist.

HEMEYER/FLAHIVE  
Motion carried 4-0-0

**V. OLD/NEW BUSINESS**

**A. Licensure Reinstatement for Licenses Expired Six-Plus Years**

- i. Michael L. Hill, License #23001770A

A motion was made and seconded that Mr. Hill's license be reinstated once the board receives 36 hours of continuing education and proof of his Ohio license.

WONG/HEMEYER  
Motion carried 4-0-0

**B. First Steps**

The Board reviewed a letter submitted by Ms. Cowan expressing concerns with the job descriptions used by First Steps. After review and discussion, the Board determined that, based on the job description listed by First Steps, developmental therapy communication specialists should be registered as SLP support personnel.

The Board directed Mrs. Jones to send a letter to Ms. Cowan and First Steps informing them of the Board's determination.

**C. Cleaning out Ear Wax**

The Board discussed whether audiologists and hearing aid dealers are generally allowed to clean out ear wax. The Board determined that it is a normal function of both audiologists and hearing aid dealers do clean ear wax however, they stated that cleaning earwax brings liability concerns.

**D. Audiology Aide (Support Personnel)**

The Board discussed the possibility of writing rules for audiology aids. After discussion, the Board determined that there is no interest in writing rules to define registration requirements for audiology aides at this point in time.

**E. Hearing Loss Examinations**

The Board discussed which professionals were allowed to administer hearing loss examinations. After discussion, the Board determined that only audiologist and those persons covered by IC 25-35.6-1-4 are allowed to administer hearing loss examinations.

## **F. Audiological Assessment Audiometric Test Forms**

The Board discussed which professionals were allowed to administer and use audiological assessment audiometric test forms. After discussion, the Board determined that only audiologist and those persons covered by IC 25-35.6-1-4 are allowed to administer and use audiological assessment audiometric test forms.

## **G. 2011 Board Meeting Dates and Agency Updates**

The Board reviewed the 2011 meeting dates and determined that the July 12, 2011 meeting should be moved to July 19, 2011.

## **H. ROEC Discussion**

Ms. Gray discussed her meeting with the PLA legislative directors. Ms. Gray and the legislative directors discussed the issues currently facing the speech board and the issues she would like to see addressed in the future including remote meetings, the creation of a compliance and education fund, and rule promulgations issues.

## **I. Positive Response Review**

### **i. Michael Ray Ralph**

Mr. Ralph contacted the Board to admit that he should have checked “yes” on his renewal application to the following question:

“Have you ever been convicted of, pled guilty, or nolo contendere to any offense, misdemeanor or felony in any state?”

Mr. Ralph was convicted of operating a vehicle while intoxicated.

After review and discussion, a motion was made and seconded that no Board action is required. A copy of Mr. Ralph’s letter and legal documentation will be placed in his electronic file.

GRAY/FLAHIVE  
Motion carried 4-0-0

## **VI. APPLICATION REVIEW**

### **A. Matthew Joseph Gould, Pending Audiology Applicant**

Mr. Gould’s application was reviewed by the Board in order to address the positive response on his audiology application. Mr. Gould answered “yes” to the following question:

“Have you ever been convicted of, pled guilty, or nolo contendere to any offense, misdemeanor or felony in any state?”

Mr. Gould was cited for reckless driving after being pulled over driving a vehicle that was not legal for use on public streets. After discussion, a motion was made and seconded to approve the speech-language pathology application of Matthew Joseph Gould.

WONG/HEMEYER  
Motion carried 4-0-0

**B. Mary J. Zagzebski, Pending Speech-Language Pathologist Applicant**

Ms. Zagzebski's pending speech-language pathology application was reviewed by the Board to determine whether she has met the qualifications for licensure. Ms. Zagzebski has a expired license to practice speech-language pathology license and a lapsed certificate of clinical competence (CCC) from ASHA.

After review and discussion, a motion was made and seconded to require Ms. Zagzebski to obtain her active ASHA CCC or meet the current requirements for licensure prior to issuing a license.

HEMEYER/FLAHIVE  
Motion carried 4-0-0

**VII. ADJOURNMENT**

There being no further business and having completed its duties, the meeting of the Speech-Language Pathology and Audiology Board adjourned at 12:56 p.m.

\_\_\_\_\_  
**Andrea Gray, MS, CCC-A -- Board Chair**  
**Speech-Language Pathology and Audiology Board**

**Date** \_\_\_\_\_