

The regular session meeting of the Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists was held on March 15, 2018, in Room 110 of the MDH Metro Executive Building, 4201 Patterson Avenue, Baltimore, Maryland. Mr. Sloan called the meeting to order at 4:28 p.m. Present for the quorum were Dr. Stacey Samuels Cole, Mr. John Cummins, Dr. Tinita Kearney, Dr. Jennifer Mertes, Dr. Candace Robinson, Mr. John Rouse, Mr. George Sheckells, Mr. John Sloan, and Ms. Ellen Stein.

**Staff Present**

Christopher Kelter, Executive Director  
Carla Boyd, AAG, Board Counsel  
Zoann Mouzone, Administrative Specialist III

**Absent Members**

Ms. Jillian DeLuca  
Mr. Billie Jo O'Donovan  
Dr. Scott London

Mr. Sloan welcomed Dr. Kim Lang, Maryland Department of Health Boards and Commission, to the meeting.

**Agenda Review and Approval for March 2018**

Ms. Stein made a motion to approve the agenda. Mr. Rouse seconded the motion. The vote was unanimous.

**Minutes Review and Approval for February 2018**

Ms. Stein made a motion to approve the minutes with corrections. Dr. Cole seconded the motion. The vote was unanimous.

**2018 Legislative Session**

**HB 168: Inactive Status of Licenses**

Mr. Kelter reiterated his concern during the last five weeks or so in reference to the possibility of the bill getting lost amongst the many other bills in the General Assembly, but indicated the bill was just assigned today the bill hearing date in the Senate. Mr. Kelter reported that he will attend the bill hearing in the Senate on March 22, 2018 and testify on behalf of the bill.

**Regulatory Review**

None

## **Executive Director's Report**

### **2018 Renewal – AUD, SLP and SLP-A**

Mr. Kelter informed the Board that testing of the renewal system would be performed soon and the online renewal system on or about March 19, 2018.

### **2018 Renewal – SLP Continuing Education Audit**

Mr. Kelter informed the Board that the audit is going well and that he does not have any final numbers yet; he's still waiting on a handful of licensees to submit their continuing education documents.

### **Criminal History Records Check (CHRC) Update**

Mr. Kelter informed the Board that once the online renewal system is ready he will send an email to all eligible licensees that have completed the criminal history records check requirement that they have immediate access to the online renewal system. Mr. Kelter indicated that he will send a separate email to the remaining licensees that have not completed the criminal history records check requirement that they have to do so in order to gain access. Mr. Kelter will include in that email a recommended soft deadline date that the licensees will need to have completed their CHRC. This soft deadline will provide sufficient time for most licensees to resolve any issues in case of any problems arise.

### **Mid-Atlantic Expo – March 22-24, 2018**

Mr. Kelter indicated that he will try to communicate with Mr. James Orban in reference to the conference. Mr. Kelter also informed the Board that it may be a little difficult for him to attend the conference due to the HB 168 hearing in the Senate the previous day. Mr. Kelter will look into the possibility of telephoning in to the State professional association meeting during the Expo.

### **Maryland Speech-Language Hearing Association (MSHA) Annual Convention – April 20, 2018**

Mr. Kelter reported that he and Mr. Sloan will be attending the convention and will conduct a brief presentation of Board news and activities while leaving plenty of time for a Question and Answer session. Mr. Kelter reported the time slot to be 3:30 pm to 5:00pm. Mr. Sloan invited all Board members to attend the convention at the Annapolis Hilton.

### **Graduate Student Presentations**

#### **Towson University (February 20, 2018 and February 22, 2018)**

#### **Loyola University (March 12, 2018)**

Mr. Kelter informed the Board that the presentations went well and the students that attended were very receptive of the information that Mr. Sloan and he were sharing with them. Mr. Sloan informed the Board that he feels that approximately two-thirds of the attending students will remain in the Maryland area. Mr. Sloan also stated that there is still misinformation being given to the speech-language pathology regarding the role of the Board and the State license requirements and

professional association certification. Mr. Sloan reported that he would also like to help the professors understand the role of the Board. Dr. Kearney suggested that the Board also present at Howard University in the District of Columbia. Mr. Sloan suggested that Dr. Kearney extend an invitation to Howard University for the Board to present there. Dr. Kearney agreed to communicate with Howard University.

### **InterState Compact**

Mr. Sloan informed the Board that the committee had a conference call meeting on March 14, 2018 and that American Speech and Hearing Association (ASHA) is checking into funding for physical therapy, occupational therapy and nursing. The committee is also checking into the Board that would write the draft language. Mr. Sloan also informed the Board that there is another telephone conference scheduled for the week of March 19, 2018. Mr. Sloan indicated that the committee is probably years away from implementing the program. Speech-Language Pathologist Assistants will not be allowed to participate in the program although Mr. Sloan would like for them to be able to participate. Board Counsel Carla Boyd informed the Board that certified nursing assistants and non-certified level nurses will not be able to participate in the nursing interstate compact, but that registered nurses and licensed practical nurses will be able to participate in the interstate compact. Dr. Robinson inquired as to if there were any insight regarding audiologists being able to participate in the program. Dr. Sloan asked the committee if ASHA had been communicating with the American Academy of Audiology (AAA); he was assured that they were. A discussion arose with the Board with various questions as to the InterState Compact, rules & guidelines.

### **Board Membership Update**

Mr. Kelter informed the Board that there's no new information and that he has spoken with Ms. Kim Bernardi on obtaining names for the Governor's Office.

### **Legislation & Regulations Specialist Position**

Mr. Kelter informed the Board that a selection has been made from three of the candidates that were interviewed on Thursday, February 22, 2018. Mr. Kelter reported that the selected candidate agreed to accept the position and will start at a date to be determined.

### **Treasurer's Report**

Mr. Cummins reported to the Board for the month of March, 2018 the budget is \$376,337.00, the expenditures is 209,632.00, and has available funds in the amount of \$166,705.00.

### **Petition from Mike Canary (HAD) to Amend Continuing Education Requirements**

The Board reviewed the petition from Mr. Canary which proposed reduced continuing education requirements for veteran licensees. Mr. Kelter informed the Board that each licensee must be treated the same. Mr. Kelter indicated that if the Board had separate continuing education requirements for "veteran" licensees that it would be problematic. The Board discussed the nature of the petition. Board Counsel Carla Boyd gave an example of another health occupation board in Maryland that has a 40-year exemption in which an individual that has held a license for 40 years is exempt from the

continuing education requirements. Ms. Boyd further described situations that have arisen, such as when statutes and regulations are changed those licensees that are exempt from the continuing education requirements are unaware of the change(s). Ms. Stein made a motion for the Board to respond with a letter to the petitioner denying the petition explaining that it is important for part-time employees to also benefit as full time workers do. Also, that it is for the best interest of the consumer. Dr. Mertes seconded the motion. The vote was unanimous.

#### **Petition Regarding Authority to Assess Re-Stocking Fees to Consumer**

Mr. Kelter reported that an audiologist made an email inquiry regarding re-stocking fees. Mr. Kelter read relevant language from the Hearing Aid Sales Act. The Board discussed the sale of hearing aids and what happens when consumers return a hearing aid. Board Counsel Carla Boyd made a recommendation for the Board to respond in writing with the appropriate statutory language relevant to the inquiry. Ms. Boyd also indicated that the response should also be clear that the Board cannot give legal advice on this matter and that they would need to consult an attorney.

#### **Proposal to Amend Statute – Consumer Members of the Board – Qualifications**

Mr. Kelter informed the Board that he and Mr. Sloan have had previous discussions of the composition of the Board. Mr. Sloan informed the Board that he has recognized that there is specific language in the statute that requires at least one consumer member to be a patient of one of the professions of the Board. Mr. Sloan also indicated that the Department of Disabilities, the entity required to submit nominees for this consumer member, may be unaware of what a communication disorder is; therefore the amended proposal would more clearly articulate what a consumer member of the Board would take place. The Board reviewed and discussed the proposal. The proposal will be discussed at future Board meetings. Mr. Kelter has been in communication with Ms. Kim Bernardi on how to engage individuals to become a Board member. Dr. Mertes suggested appropriate terminology is implemented with the legislation language of the Board.

#### **Proposal to Amend Statute – Physician Members of the Board – Qualifications**

Mr. Kelter indicated, in light of the previous proposal, that diversifying the medical doctor members of the Board would be worthwhile. Mr. Kelter indicated that a licensed physician that primarily practices with a pediatric population may make a referral to a physician that specializes in ear, nose and throat disorders. The Board reviewed and discussed the proposal. Mr. Kelter also gave a brief summary of the Sunset Review for the Board. The proposal will be discussed at future Board meetings.

#### **Correspondence & FYI**

None

Next Board Meeting - April 19, 2018

#### **Adjournment**

The regular session meeting was adjourned at 5:54 p.m.

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Respectfully submitted,

John Sloan, SLP  
Chair