

MINUTES

**UTAH
HEARING INSTRUMENT SPECIALIST BOARD
MEETING**

October 6, 2009

**Room 475 – 4th Floor - 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:00 a.m.

ADJOURNED: 10:14 a.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Darlene Congrove

Board Members Present:

Lowell Brown, Chairperson
David Simmons
Kent Milligan
Robert Heygster

Board Members Absent:

Morris Mower

Guests:

Brent Edman, Hearing Healthcare Providers of Utah

DOPL Staff Present:

Ronda Trujillo, Compliance Assistant
Kent Barnes, Compliance Supervisor

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS:
MINUTES:**

Mr. Simmons seconded by Mr. Milligan to approve the Board Meeting Minutes of July 7, 2009. The motion carried unanimously.

OATH OF OFFICE:

The "Oath of Office" was administered to Robert Heygster. Mr. Ormond discussed the responsibilities of serving as a Board member.

**ELECTION OF THE 2009-2010 BOARD
CHAIRPERSON:**

Mr. Simmons made a motion to nominate Kent Milligan as the new board chair for 2009-2010. Mr. Heygster seconded the motion. The motion carried unanimously.

APPOINTMENTS:

9:15 a.m. Compliance

Ms. Trujillo explained that Mr. Weston Harris is compliant with his Stipulation and Order. His "Employer Report" has been submitted.

The Board expressed concern whether Mr. Harris is in compliance with his Stipulation and Order regarding a recently published advertisement in the Vernal Express Newspaper for Senta Performance Hearing. It states that they offer hearing aids with a guarantee up to 500% better than any other in the industry. The hearing aids services are obtainable in Salt Lake City, Draper, Provo, Heber, Tremonton and Vernal.

The Stipulation and Order requires that Mr. Harris submit documentation regarding any business in which he has an interest. It is also necessary to submit a sample of advertisement for him or his business currently running in any publication.

9:30 a.m. Harris, Weston

Mr. Weston Harris appeared for his scheduled appointment with the Board. It was determined that Mr. Harris is in compliance with his Stipulation and Order.

Mr. Simmons seconded by Mr. Brown, made a motion to amend Mr. Harris requirements to meet with the Board on a bi-annual basis. The motion carried unanimously.

The Board requested additional information from Mr. Harris about the advertisement in the Vernal Express Newspaper. Mr. Harris informed the Board that he is a consultant for James Carlson, Hearing Instrument Specialist, and does not have any ownership in Senta Performance Hearing, nor is he practicing as a Hearing Instrument Specialist. Mr. Harris will notify the Board immediately if he begins dispensing hearing aids.

Mr. Harris agreed to submit any advertisement to the Division before it is published. Mr. Harris informed the Board that he is in compliance with the FTC (Federal Trade Commission) offering hearing aids with a guarantee up to 500% better than any other in

the industry.

After careful discernment, Mr. Simmons seconded by Mr. Milligan, made a motion for Mr. Harris to submit "Employer Reports" on a quarterly basis if not dispensing hearing aids. However, if he begins hearing aids, "Employer Reports" must be submitted on a monthly basis for six months. The motion carried unanimously.

DISCUSSION ITEMS:

Practical Examination – Proctor
Recommendations

It was explained that the procedure should be the same for each rater. The rater should be not be leading the examinee by making suggestions and must be totally independent. There must not be a conflict between the individuals. Each rater must verify whether the examinee meets the requirements of the examination. This is a not a subjective examination as there are only "yes" or "no" responses to the questions.

Mr. Barnes informed the Board that PSI will meet with the raters next week with all the professions for Standardization Training.

After considerable discussion, the Board recommended that Mike Littlefield coordinate the raters for the Practical Examination. Mr. Ormond will follow up on this matter.

Mr. Barnes informed the Board that the Division and PSI have a very good working relationship. PSI understands how critical it is for the examinee to have results in a timely manner. PSI also understands the importance of the raters following the set procedures necessary for making an evaluation of the situation. It is noted this industry only has a couple of raters.

Mr. Barnes explained that IHS (International Hearing Society) sets the evaluation standards for the Practical Examination itself. PSI and the Division have control of the environment surrounding the examination and administration of the activities including the sign up and score report.

Later, Mr. Ormond received confirmation that Mike Littlefield accepted the responsibility for coordinating the raters for the Practical Examination. Mr. Littlefield will attend the Standardization Training next week sponsored by PSI.

CORRESPONDENCE:

Executive Order

Reviewed, no further action taken.

NEXT MEETING SCHEDULED FOR:

January 5, 2010 9:00 a.m.

ADJOURN:

10:14 a.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

January 26, 2010

(ss) Robert Heygster

Date Approved

Chairperson, Utah Hearing Instrument Specialist Board

January 28, 2010

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing