

MINUTES

**UTAH
HEARING INSTRUMENT SPECIALIST BOARD
MEETING**

January 4, 2011

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

CONVENED: 9:20 a.m.

ADJOURNED: 11:50 a.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Yvonne King

Board Members Present:

Robert Heygster - Chairperson
Morris Mower
Ken Hornok

Board Members Absent:

David Simmons

Guests:

Enoch Cox
Bruce Sharp, HHPOU
Robert Harris, Probation Interview
Weston Harris, Probation Interview

DOPL Staff Present:

Ronda Trujillo - Compliance Assistant

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Welcome Mr. Hornok

Mr. Hornock was sworn in by Mr. Ormond as the new member for the Hearing Instrument Board.

Welcome Yvonne King

Mr. Ormond introduced Yvonne King as the new Board Secretary replacing Jacky Adams.

Approval of the July 8, 2010 Board Meeting Minutes

Mr. Mower seconded by Mr. Hornok made a motion to approve the July 8, 2010 Board Meeting Minutes as written. The motion carried unanimously.

APPOINTMENTS:

9:55 a.m. Compliance

Ms. Trujillo explained to Mr. Hornok the role of the Compliance Unit in conjunction with the Board.

Ms. Trujillo reviewed the probation reports for Mr. Weston Harris and Mr. Robert Harris.

10:10 a.m. Harris, Weston

Mr. Harris came before the Board for his probationary appointment. It was noted that Mr. Harris had sold his business and was not dispensing hearing aids for approximately two years but was still working in the industry. Mr. Harris did notify the Division in writing during that time period. Mr. Harris technically has three years left if the Board does not count the time he was not dispensing.

Mr. Harris requested that he would like the time counted when he was not dispensing as time served for his probation because he had followed the terms of his probation and felt he had put up with the penalties of his probation for that time period.

Mr. Ormond suggested researching the recording/minutes on exactly what the discussion was between the Board and Mr. Harris and how he should comply.

Mr. Mower made a motion to terminate Mr. Harris's probation status on June 2011. There was not a second. The motion dropped.

Mr. Mower seconded by Mr. Hornok made a motion to table the decision until the April 5, 2011 Board meeting but to continue the requirement of monthly reporting on employer reports, advertisements and sample contracts.

Mr. Harris asked if he could supervise interns after his probation is terminated. After a review of the Rule, Mr. Ormond stated Mr. Harris would have to wait five years after his probation termination date. Mr. Ormond stated he would also check with the Attorney General's Office.

The Board considers Mr. Harris **compliant** with his Stipulation.

10:55 a.m. Harris, Robert

Mr. Harris came before the Board for his probationary appointment. Mr. Harris brought in samples of his advertising. The Board was concerned that he had 50% off on all his advertisements but did not show an advertisement at a regular established price. There was a concern that the advertisements did not reflect the Federal Trade Commission Standards.

It was noted in the July 8, 2010 Meeting Minutes Mr. Heygster proposed amending the Hearing Instrument Licensing Act Rules R156-46a-502a with regards to advertising regulations. Mr. Ormond stated he would look into this for the next Board Meeting.

It was determined by the Board to review Mr. Harris's advertisements in the April 5, 2011 meeting.

The Board considered Mr. Harris **non-compliant** with his Stipulation. A non-compliant letter will be sent to Mr. Harris.

Board Orientation

Mr. Ormond reviewed the Board Orientation which included a power point presentation and reference manual.

Mr. Hegyster requested sitting in on some of the Hearings implemented by the Division for training purposes. Mr. Ormond stated he would get together with Larry Gooch in Investigations to get that set up.

Chairperson Nominations

Mr. Mower seconded by Mr. Hornok made a motion to table the Chairperson Nomination until the April 5, 2011 Board Meeting when more members are present.

ADJOURN:

11:50 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.

April 5, 2011
Date Approved

(ss) Robert Heygster
Chairperson, Utah Hearing Instrument Specialist
Board

April 5, 2011
Date Approved

(ss) Clyde Ormond
Bureau Manager, Division of Occupational &
Professional Licensing
