

MINUTES

**UTAH
HEARING INSTRUMENT SPECIALIST BOARD
MEETING**

July 11, 2012

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

CONVENED: 9:10 a.m.

ADJOURNED: 10:17 a.m.

Acting Bureau Manager:

April Ellis

Board Secretary:

Yvonne King

Board Members Present:

Robert Heygster - Chairperson
Ken Hornok
E. Paul Lloyd

Board Members Absent

David Simmons
Morris Mower

Guests:

Doug Dunker, HHPU

DOPL Staff Present:

Mark Steinagel, Division Director

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of the October 4, 2011 Board Meeting Minutes

Mr. Hornok, seconded by Mr. Lloyd, made a motion to approve the October 4, 2011 Board Meeting Minutes as written. The motion carried unanimously.

Welcome E. Paul Lloyd

Ms. Ellis gave the Oath of Office to Mr. Lloyd as the new Board member

Nominations for Chair

Mr. Hornok, seconded by Mr. Lloyd, made a motion to nominate Mr. Heygster to remain as Chair. The motion carried unanimously.

Welcome April Ellis

Mr. Steinagel introduced Ms. Ellis who will be the new Bureau Manager, taking over Mr. Ormond's position, who is in the process of retiring.

Ms. Ellis gave a brief summary of her background.

Misleading and Deceptive Advertising

Mr. Steinagel gave an update from investigations on how they will handle deceptive advertising. Mr. Steinagel stated that because we are a complaint driven agency the Division has had to change the process on how they look at the areas of misleading and deceptive advertising. Mr. Steinagel also stated that it is hard to compare deceptive advertisements as it relates to our laws and rules because fraudsters are clever at figuring out where the lines are with respect to the law.

Mr. Steinagel also stated that we adjust what we do based on what the Board tells us and when we find a good case where the Division can take the proper action and publicize it, it sends a message and clears a path for future cases.

Mr. Steinagel informed the Board that if they have a complaint to contact Ms. Ellis or David Furlong from Investigations.

APPOINTMENTS:

Protocol for Testing Doug Dunker

Mr. Dunker appeared before the Board for his scheduled appointment. Mr. Dunker's concern was when an individual does not pass all five components of the practical exam; the way it stands now, the examinee may still obtain a passing score. Mr. Dunker believes this is wrong.

Mr. Steinagel stated that it appeared that there is no specific language in statute or rule with regards to this issue but if the Board wanted to make the change it would be a rule change.

Mr. Dunker made a recommendation to require an examinee to pass all five components of the practical exam in order to obtain a passing score.

Mr. Lloyd, seconded by Mr. Hornok made a motion to make a rule change to require the examinee to

pass all five components of the practical exam in order to obtain a passing score with respect to meeting the requirements of the International Hearing Standards (IHS). The motion carried unanimously.

The rule will need to be drafted with respect to the motion.

The Board also discussed whether the examinee would need to only re-take the failed component of the exam. Mr. Lloyd believed the examinee should retake all five components.

The Board would also like to obtain the pricing of the exams with respect to Utah.

These will all be agenda items for the next Board meeting.

ADJOURN:

10:17 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.

October 12, 2012

(ss) Robert Heygster

Date Approved

Chairperson, Utah Hearing Instrument Specialist Board

October 12, 2012

(ss) April Ellis

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing