

**Minutes of the November 9, 2022
Board of Audiology and Speech-Language Pathology
Video Conference Meeting**

1. ROLL CALL

Dr. Rhonda Dick, Chairperson, called the meeting of the Board of Audiology and Speech-Language Pathology to order at 1:00 p.m. on Wednesday, November 9, 2022, in Conference Room 5G at the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on October 26, 2022.

Dick announced that this is an open meeting and the Open Meetings Act is posted.

Members Present: The following members answered roll call:

Dr. Rhonda Dick, Chairperson (via Webex)
Dr. Michelle Leenerts, Vice-Chairperson (via Webex)
Katie Brennan, Member (Via Webex)

Absent:

Kathryn Anderson, Secretary
Robert Thornhill, Member

Staff Present:

TJ O'Neill, Assistant Attorney General
Mindy Lester, Assistant Attorney General
Suzanna Glover-Ettrich, DHHS Attorney (via Webex)
Jennifer Miralles, DHHS Attorney (via Webex)
Claire Covert-ByBee, Program Manager
Amy Blinston, Health Licensing Coordinator
Lindsay Braddock, Unit Administrator
Jeff Newman, Investigations
Kathleen Krueger, Investigations

2. ADOPTION OF AGENDA

MOTION: Brennan moved, seconded by Leenerts to adopt the agenda as posted. Voting aye: Leenerts, Brennan, and Dick. Voting nay: None. Motion carried.

3. REAFFIRMATION OF MAIL BALLOT

The Board reaffirmed the mail ballot approving the August 16, 2022, Meeting Minutes. Voting to approve: Brennan, Leenerts, and Thornhill. Voting to abstain: Dick and Anderson.

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Leenerts moved, seconded by Brennan to move into closed session at 1:06 p.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Leenerts, Brennan, and Dick. Voting nay: None. Motion carried.

5. BOARD RECOMMENDATIONS ON APPLICATIONS – OPEN SESSION

The Board returned to open session at 1:29 p.m. There were no applications to review or recommendations made.

6. OTC HEARING AID DISCUSSION

Dick indicated the Board had received questions and heard concerns from colleagues as to who can prescribe hearing aids. A letter from the FDA dated 10.13.2022 provided clarity regarding those concerns. The FDA defines non-OTC hearing aids as prescription devices and stated that the qualifications necessary to provide hearing healthcare with prescription hearing aids has not changed. Covert-ByBee added that change in regulations makes available to individuals of a certain age, OTC hearing aids however this does not prohibit someone from seeing an Audiologist or Hearing Instrument Specialist to obtain prescription hearing aids.

7. LICENSURE AND EXECUTIVE ORDER 22-05

Covert-ByBee advised with the issuance of EO 22-05, the Executive Orders to address healthcare workforce shortages are extended through December 31, 2022.

8. UPDATE ON LICENSURE DATABASE

Covert-ByBee advised that the Department is looking at other options for a new database as the LANCE project was discontinued.

9. ASLP COMPACT COMMISSION

Covert-ByBee is the ASLP Compact Delegate for Nebraska as well as a member of the Executive Committee. Covert-ByBee indicated bylaws and rules have been adopted, which are available on both the DHHS and ASLP Compact websites. She also advised the Board that they are welcome to attend any compact committee meetings, as rules are still being developed. Fingerprinting has caused some delays with the compact, which is expected to be live in 2024.

10. SCHEDULE MEETING DATES FOR 2023

*These minutes were approved by the Board of Audiology and Speech-Language Pathology via mail ballot on
11.21.2022*

Meetings were scheduled for 1:00 p.m. February 15, May 10, and November 8, 2023.
Locations to be determined.

11. APPLICATION PROCESSING REPORT

Blinston presented the Licensure Application Processing Report. This was for informational purposes only.

12. TOPICS FOR NEXT MEETING

Suggested topics for next meeting include Legislative Update, Executive Orders (if any), Licensure database Update (if any), ASLP Compact, and Application Processing Report.

13. ADJOURNMENT

There being no further business, the meeting adjourned at 1:58 p.m.

Respectfully submitted,

Michelle Leenerts, Vice-Chairperson