

## **BOARD OF HEARING AID DEALERS AND FITTERS**

*Minutes of April 15, 2003 Board Meeting*

### **CALL TO ORDER**

Gilbert Poliquin, Chair, established that a quorum was present, and called the meeting to order at 9:05 a.m.

Members Present: Gilbert Poliquin, Robert Bruder, Linda Snow, Sallie Chisholm, Wanda Creed

Members Absent: Dawn Dufkin-Britt

Others Present: Penny Vaillancourt, Board Administrator, Doris Breton, Board Clerk and Dennis Smith, AAG

### **APPROVAL OF March 18, 2003 MINUTES**

Sallie Chisholm made a motion to accept the minutes as written, seconded by Bob Bruder. **Vote: 5-in favor**

### **COMPLAINT PRESENTATIONS:**

The following complaints were presented by Dennis Smith, AAG and Wanda Creed, Complaint Officer:

Complaint #HEA-68: Linda Snow made a motion to dismiss, seconded by Bob Bruder. **Vote: 5-in favor**

Linda Snow made a motion to reopen and withdraw her prior motion due to information presented by OLR Investigator Kevin Cookson, seconded by Bob Bruder. **Vote: 5-in favor**

Linda Snow made a motion to call licensee in for an informal conference, seconded by Bob Bruder. **Vote: 5-in favor**

Motion by Bob Bruder that Kevin will return to see licensee's secretary to discuss appointment schedule changes and do further investigation, seconded by Sallie **Vote: 5-in favor**

### **Informal conference:**

HEA-069: Licensee and her attorney appeared before the board to answer questions asked of her by the Board.

Sallie made a motion to offer a consent agreement with a warning, in which licensee admits violations of misrepresentation of using AuD before having earned it, violation of Rules Chap 7, 1L and 2B And Statute 1658N(2) unethical conduct and to make herself familiar with Board rules and Statute in future practice, and to impose a \$500 fine.

Seconded by Gil

Motion amended by Sallie to add costs of \$110.

Seconded by Gil

**Vote: 3 in favor 1 opposed (Bob) 1-abstained (Wanda)**

HEA-070: Representatives from Earcraft were present to answer questions asked by the Board re: selling hearing aids over the internet on the Earcraft website.

Cristin Scott who is the responsible person could also be held responsible if any violations are found against Earcraft.

Gil made a motion to dismiss the complaints and to send a letter of guidance to Cristin Scott re sale of hearing aids 1658N 4 without testing and rules chapter 1 minimum testing and chapter 7 number 2 advertisement, internet sales is not included under her Maine license. Letter to remain in her file for a period of 2 years

Seconded by Sallie Chisholm

**Vote:4- in favor 1- abstained (Wanda)**

#### **APPLICATION REVIEW:**

None

#### **CORRESPONDENCE:**

Correspondence to Gil re: HA-066 there was no quid pro quo, matter was dismissed with a letter of guidance. Send a copy of the original letter of guidance to Mr. Plante and say there was no quid pro quo.

Dale Rapke is ok to sit for written and oral exam. Can take exam but cannot have license until his 750 hours are completed.

#### **MISCELLANEOUS:**

Discussion for next meeting:

Audiology assistants

Internet sales

#### **ADMINISTRATORS COMMENTARY:**

1. LD 112 is now dead, disclosure of prices

2. LD989 to transfer Speech & Audiolgy board to DOE, was amended.
3. Questions regarding HIPPA to DHS to form a task force that will study the issue further. This has not been reported out of committee yet.
4. Agenda and approved minutes will be on the website.

**ADJOURN:** There being no further business to discuss; Bob Bruder made a motion to adjourn the meeting at 1:15 p.m., seconded by Wanda Creed. **Vote: 5- in favor**

The next meeting will be held on May 20, 2003.

Respectfully submitted,

Doris Breton  
Board Clerk