

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

*Minutes of January 20, 2004 Board Meeting*

### **CALL TO ORDER**

Gilbert Poliquin, Chair, established that a quorum was present and called the meeting to order at 9:00 a.m.

Members Present: Gilbert Poliquin, Sallie Chisholm, Robert Bruder, Wanda Creed, Dawn Dufkin-Britt and Linda Snow

Members Absent: None

Others Present: Dennis Smith, Assistant Attorney General, Penny Vaillancourt, Board Administrator; Diane Bradstreet, Acting Board Clerk

### **APPROVAL OF MINUTES:**

Robert Bruder made a motion to accept the minutes of November 18, 2003 as written, seconded by Sallie Chisholm. **Vote: 6-in favor**

### **COMPLAINT PRESENTATION:**

Complaint #HEA-071 was presented by Wanda Creed, Complaint Officer. In a motion by Linda Snow, seconded by Dawn Dufkin-Britt, this complaint was dismissed with a letter of concern regarding the hearing aid contract used in this case. The Board will also request that the licensee furnish within 30 days a copy of an updated contract that complies with both §1658-B and §1658-C. The letter of concern will be placed in the licensee's file for a period five (5) years and may be accessed and considered by the Board in any subsequent action commenced against this licensee within that time frame.

**Vote: 5-in favor with Wanda Creed recused**

### **LICENSURE DENIAL HEARING**

The Board held a hearing on the appeal of Christopher R. Clukey to determine whether grounds exist to support the initial denial of November 21, 2003 of Mr. Clukey's application for licensure by reciprocity as a licensed hearing aid dealer and fitter.

The Board concluded that Mr. Clukey's application failed to meet the provisions for reciprocal licensure pursuant to 32 M.R.S.A. Sec. 1658-H and 32 M.R.S.A. Sec. 1658-I (2). In a motion by Wanda Creed, seconded by Robert Bruder, the Board affirmed its initial denial of the application and denied Mr. Clukey's appeal of that decision. **Vote: 6-in favor**

### **ELECTION OF OFFICERS:**

In a motion by Sallie Chisholm, seconded by Linda Snow, the Board voted to re-elect Gilbert Poliquin as Chair, Wanda Creed as Complaint Officer and Sallie Chisholm as Secretary. **Vote: 6-in favor.**

**APPLICATION REVIEW:**

Maryellen B. Toothaker – In a motion by Linda Snow, seconded by Wanda Creed, the Board voted to deny Ms. Toothaker's request for licensure by reciprocity because she did not provide the Board with evidence that she had completed a program of training equivalent to that required under Maine law that included proof of 750 hours of direct supervision by a licensee. **Vote: 6-in favor.**

Karen Manley – In a motion by Robert Bruder, seconded by Sallie Chisholm, the Board voted to approve Ms. Manley's request for a Trainee Permit. **Vote: 6-in favor**

Jamie Bethany Healy – In a motion by Wanda Creed, seconded by Sallie Chisholm, the Board voted to approve Ms. Healy's request for licensure by reciprocity. **Vote: 6-in favor**

Bethany E. Galligher – In a motion by Linda Snow, seconded by Sallie Chisholm, the Board voted to approve Ms. Galligher's request for licensure by reciprocity pending proof that Virginia's statutes and rules for licensure are equivalent to Maine's statutes and rules as found in 32 MRSA §1658-I(D) whereby an applicant has obtained a trainee permit pursuant to Section 1658-J and has received a minimum of 750 hours of training in the practice of fitting and dealing in hearing aids under the direct supervision of a licensee during a period of not fewer than 6 nor more than 12 months. **Vote: 6-in favor**

Christy Morrison – In a motion by Linda Snow, seconded by Sallie Chisholm, the Board voted to approve Ms. Morrison's request for a trainee permit. **Vote: 6-in favor.**

**ADMINISTRATORS COMMENTARY:**

Penny Vaillancourt provided a financial update and informed the Board that a memorandum was submitted to Director Anne Head identifying the board's recommendations for statutory changes and proposed rule changes.

**ADJOURN:** There being no further business to discuss; the meeting was adjourned at 12:30 p.m.

The next meeting will be held on Tuesday, March 16, 2004.

Respectfully submitted,

Diane Bradstreet  
Acting Board Clerk