

BOARD OF HEARING AID DEALERS AND FITTERS

Minutes of March 15, 2005 Board Meeting

I. CALL TO ORDER

Gilbert Poliquin, Chair, established that a quorum was present and called the meeting to order at 9:02 a.m.

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

Members Absent: Dawn Dufkin-Britt

Others Present: Dennis Smith, AAG; Penny Vaillancourt, Board Administrator; Colleen Eugley, Acting Board Clerk.

II. OLD BUSINESS

A. APPROVAL OF MINUTES:

Bob Bruder made a motion to accept the minutes of November 16, 2004 as written, seconded by Sallie Chisholm.

Vote: 4 In favor -1 – Recused (Linda Snow)

III. NEW BUSINESS

A. COMPLAINT PRESENTATIONS

Sally recused herself from the discussion.

Board reviewed Mr. Dunn's contract, including wording of the notice to buyer, review of the refund, and the medical waiver.

Bob Bruder made a motion to send a letter to Mr. Dunn to make changes to the contract. The motion was seconded by Linda Snow.

Vote: 3 in favor (1 recused – Sally Chisholm) (1 abstained – Wanda Creed)

Linda Snow made a motion to submit a complaint against Ms. Dunn for failure to have client sign medical waiver. Bob Bruder seconded the motion.

Vote: 3 in favor (1 recused – Sally Chisholm) (1 abstained – Wanda Creed)

B. COMPLAINT OFFICER'S REPORT

No report given this month.

C. APPLICATION REVIEW:

Mark Nickerson – Licensee filed a late renewal. He worked a year without a dealer license. He intended to fax his dealer and business license renewal at the same time, but only the business application renewal came through. Discussion on whether a clerical error was involved. Licensee did not follow up, however. There was no copy of an expiration letter in the file.

Wanda Creed made a motion that there was a clerical error involved and that Mark Nickerson filed a timely renewal within the 90-day grace period. Sally Chisholm seconded the motion.

Vote: 5 in favor

Wanda Creed made a motion that for the period of time from February 4, 2004 to January 31, 2005, licensee will need to pay the \$325 renewal fee along with the late fee and to approve the re-application. Bob Bruder seconded the motion.

Vote: 5 in favor

Michael Luney – Mr. Luney is a licensee with a Trainee Permit who did not disclose criminal convictions on his application. Board discussed filing a complaint and sending the licensee a letter of guidance.

Sally Chisholm made a motion to initiate a complaint against Mr. Luney for alleged fraud or deceit and failure to disclose criminal convictions. Linda Snow seconded the motion.

Vote: 5 in favor

D. ELECTION OF OFFICERS:

Sally Chisholm made a motion for Gil Poliquin to remain Board Chair. Bob Bruder seconded the motion.

Vote: 5 in favor

Wanda Creed made a motion for Sally Chisholm to remain Board Secretary. Bob Bruder seconded the motion.

Vote: 5 in favor

Bob Bruder made a motion for Wanda Creed to remain Complaint Officer. Sally Chisholm seconded the motion.

Vote: 5 in favor

E. CEU REQUESTS REVIEW:

No CEU requests this month.

F. CORRESPONDENCE

Discussion on HearingPlanet.com, an online hearing aid company, and whether online companies need a Maine dealers' license.

Linda Snow made a motion to send a letter to licensees who dispense for Hearing Planet that they will be responsible under the Board's statutes for a full refund, notice, testing and fitting, regardless of Hearing Planet's policy and contract and regardless of the client paying Hearing Planet directly. The licensee will still be responsible under Maine law. Wanda Creed seconded the motion.

Vote: 5 in favor

G. MISCELLANEOUS

Wanda Creed gave an update on the annual seminar. The IHS president will be giving a 4 hour presentation, topics to include federal statute and rules/compared to state statute and rules; advertising/ethics; configurations/hands-on; and ideas on working with senior citizens.

Penny Vaillancourt reminded the Board that the travel restriction remains through FY 05. Additionally, the board needs to obtain BESPAs approval for CEUs for the fall seminar.

IV. OTHER BUSINESS

Anne Head informed the Board of the audiologist meeting she had with Senator Davis and audiologists concerning the audiology statute and the concern with the entry-level degree requirement. Discussion also touched on the possible future combination of the Hearing Aid & Speech Boards. Future discussions will be held at some point.

Linda Snow informed the board that Robin Gelleher, an audiologist, is interested in serving on the HAD board. Linda doesn't want to be re-appointed to the Board, but she can still serve.

Gil Poliquin was updated on the new licensees.

A. ADMINISTRATORS Report:

Penny Vaillancourt informed the board that the random audit will include one board member.

Penny Vaillancourt gave the Board a Business, Research & Economic Development Committee list of members.

Discussion on LD's:

LD 447 – An Act to Require Health Insurers To Cover the Costs of Hearing Aids

LD 697 – An Act to Clarify Reporting Responsibilities to Licensing Boards

LD 685 – An Act to Waive Continuing Education Requirements and To Provide an Automatic Extension of a License, Certificate, or Registration for Mobilized Military Members”

V. ADJOURN:

There being no further business to discuss, the meeting was adjourned at p.m.
Motion was made by Bob Bruder and seconded by Sallie Chisholm.

Vote: 5 - In favor

The next meeting will be rescheduled for Tuesday, April 26, 2005.

Respectfully submitted,

Colleen Eugley, Acting Board Clerk