

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

*Minutes of May 17, 2005 Board Meeting*

### **I. CALL TO ORDER**

Gilbert Poliquin, Chair, established that a quorum was present and called the meeting to order at 9:27 a.m.

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

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:**

Wanda Creed, seconded by Bob Bruder, made a motion to accept the minutes of April 26, 2005, as revised.

**Vote: 5 In favor**

### **III. NEW BUSINESS**

#### **HEA-072 – Review revised contract**

Lab fees are to be removed from shaded area, along with the minor language.

Bob Bruder made a motion to accept the revised contract and close the complaint. Motion seconded by Linda Snow.

**Vote: 3 in favor (2 recused – Sallie Chisholm & Wanda Creed)**

#### **HEA-073 – Informal Conference**

Dennis Smith provided the board with a brief outline regarding the use and purpose of an informal conference in a disciplinary matter.

Wanda gave an update on complaint HEA-073 and discussed points that the Board had identified as issues in the complaint.

The licensee discussed his purchase agreement and has agreed to make the necessary changes to conform with the Board's purchase agreement.

The Board suggested the licensee make the following changes to the purchase agreement: signature box to be included, font size enlarged, unconditional guarantee language to include 30 day trial and 60 day medical trial; HAD board contact information, signature and date at time of sale, service agreement – office visit of \$20.00 should be removed, and medical opinion and medical examination language to be revised.

Sallie Chisholm made a motion to table until the next Board meeting, and requested the licensee to submit a revised purchase agreement which complies with board statute and rules.

**Vote: 4 in favor (1 recused – Wanda Creed)**

**A. COMPLAINT PRESENTATIONS**

**B. COMPLAINT OFFICER'S REPORT**

No report given this month.

**C. APPLICATION REVIEW:**

None.

**D. CEU REQUESTS REVIEW:**

No CEU requests this month.

**E. CORRESPONDENCE**

None.

**F. MISCELLANEOUS**

Wanda Creed gave the update on the proposed presenters for the October 29, 2005 seminar as follows:

Open ear acoustic – Danielle Tryanski from Oticon – 2 hour presentation

Eric from Siemens – 4 hour presentation

Ron Tye / Governor's perspectives – 2 hour presentation

There was discussion on doing a half day seminar rather than the 8 hour full day seminar starting next year.

**IV. OTHER BUSINESS**

**A. ADMINISTRATORS Report:**

Penny Vaillancourt reported that she received a call from Steve Eagan regarding Hearing Planet and inquired why the notice was geared toward that particular organization. The board's response was a result of an inquiry from the public as to practice issues with this particular company. Gil Poliquin confirmed that he also received a phone call from Mr. Eagan and he advised him to the Board for further clarification.

There was discussion on extended warranty period under Maine law for certain goods and services and how it applies to the board's trial period statutory language. According to Maine statute, an implied warranty can come into effect, if there is no express warranty. This provision allows for another avenue for consumer remedy for hearing aides; however, it does not set forth an additional regulation on the board's statute.

Penny Vaillancourt informed the Board that Christine Bruenn was confirmed as Commissioner of PFR.

**V. ADJOURN:**

There being no further business to discuss, the meeting was adjourned at 11:09 a.m. Motion was made by Bob Bruder and seconded by Sallie Chisholm.

**Vote: 5 In favor**

The next meeting is scheduled for Tuesday, June 21, 2005.

Respectfully submitted,

Colleen Eugley, Acting Board Clerk