

## DRAFT MEETING MINUTES Board of Speech-Language Pathology and Audiology August 5, 2014 9:00 a.m.

Tampa Airport Marriott 4200 George J. Bean Pkwy Tampa, FL 33607 813-879-5151

# Call to Order:

Barbara Gaunt-Jaehne, AuD, Chair, called the meeting to order at 9:00 a.m. Those present for all or part of the meeting included the following:

## Members Present:

Barbara Gaunt-Jaehne, AuD, Chair Peter Johnson, PhD, Vice Chair Barry Pendry, PhD Elana Pizarro-Zeigler, AuD

## Members Absent:

K. Paul Boyev, MD – Excused

# Staff Present:

Christy Robinson, Executive Director Donna McNulty, Esq., Board Counsel Jessica Hollingsworth, Regulatory Specialist II Oaj Gilani, Esq., DOH Prosecuting Attorney

#### Others Present:

n/a

<u>Court Reporter:</u> American Court Reporting 407-896-1813

Please note- the minutes reflect the actual order that items were discussed during the meeting and may deviate from the agenda outline.

# General Business / Correspondence:

#### Tab 14 - Approval of Executive Director

**Action Taken:** After discussion, Dr. Johnson moved to approve Ms. Robinson as the Board's Executive Director. Dr. Pizarro-Zeigler seconded the motion, which passed unanimously.

## **Review and Approval of Minutes:**

#### Tab 1 - Minutes from the April 30, 2014 General Business Meeting

**Action Taken:** After discussion, Dr. Johnson moved to approve the minutes as presented. Dr. Pendry seconded the motion, which passed unanimously.

#### **Disciplinary Cases:**

# <u>Tab 2 - Dina Lynn Jellen-Theissen – Case #2013-06000 - Motion for Determination of</u> <u>Waiver Hearing</u>

This item was pulled by the Department.

<u>Tab 3 - Sheryl Styer – Case #2012-01714 – Motion for Determination of Waiver Hearing</u> Allegations of Complaint: 468.1225(4)- certain standard of care violations; 64B20-7.001(4)(f)fraud, deceit, negligence, incompetence or misconduct in the practice

The respondent was not present or represented by counsel. Ms. Gilani represented the Department and presented the case to the Board. Dr. Pizarro-Zeigler was recused due to participation on the probable cause panel.

Dr. Pendry moved to find that the respondent was properly served and waived their right to a formal hearing before the Board. Dr. Johnson seconded the motion, which passed unanimously. Dr. Pendry moved to adopt the findings of fact as presented in the administrative complaint. Dr. Johnson seconded the motion, which passed unanimously. Dr. Johnson moved to adopt the agenda materials including the investigative file into evidence. Dr. Pendry seconded the motion, which passed unanimously. Dr. Johnson for adopt the adopt the

Action Taken: After discussion, Dr. Johnson moved to impose the following penalty

- Reprimand
- \$3000.00 fine due within 1 year of the Final Order
- 2 years of probation to include direct supervision, if the respondent ever reapplies for licensure

Dr. Gaunt-Jaehne seconded the motion, which passed unanimously.

Additional Action Taken: Dr. Gaunt-Jaehne moved to assess costs in the amount of \$2956.70 to be paid within 1 year of the Final Order. Dr. Johnson seconded the motion, which passed unanimously.

# Prosecution Services Report – Oaj Gilani, Esq.:

#### Tab 4 - Prosecution Services Report

Ms. Gilani provided an overview of the current caseload statistics.

#### Licensure Appearances – Review of Background History:

#### Tab 5 - Melgy Claudia Ramirez

This item was pulled from the agenda by Board staff.

## Tab 7 - David Blackburn

Mr. Blackburn was not present or represented by counsel. Ms. Robinson advised the Board that Mr. Blackburn inadvertently came to the July meeting (which was cancelled), due to staff error.

**Action Taken:** After discussion, Dr. Pizarro-Zeigler moved to approve the application for licensure. Dr. Johnson seconded the motion, which passed unanimously.

#### Tab 8 - Nicholl Ann Bing

Ms. Bing was present without counsel. Ms. Bing was required to appear before the Board to discuss her application and previous disciplinary history.

**Action Taken:** After discussion, Dr. Pizarro-Zeigler moved to approve the application for licensure. Dr. Johnson seconded the motion, which passed unanimously.

## Licensure Appearances – Assistant Applicants (Review of Education):

#### Tab 9 - Laura Elena Hernandez

Ms. Hernandez was not present or represented by counsel. This application was presented to the Board for review of the education requirements. The Board reviewed the materials and determined the applicant did not have enough credits to meet 64B20-4.002(1)(b), F.A.C.

Action Taken: After discussion, Dr. Johnson moved to deny the application based on lack of documented hours meeting the criteria of rule 64B20-4.002(1)(b), F.A.C. Dr. Pendry seconded the motion, which passed unanimously.

#### Tab 10 - Manuela Semino

Ms. Semino was present without counsel. Maite Ramos served as a translator for the applicant. This application was presented to the Board for review of the education requirements. The Board reviewed the materials and determined the applicant did not have enough credits to meet 64B20-4.002(1)(a) or (b), F.A.C. During discussion, the applicant indicated that she wished to withdraw her application.

**Action Taken:** After discussion, Dr. Pizarro-Zeigler moved to allow the applicant to withdraw her application. Dr. Johnson seconded the motion, which passed unanimously.

#### Licensure Appearances – Provisional Applicants (Review of Education):

#### Tab 11 - Alisbell Carbonell

Ms. Carbonell was present without counsel. This application was presented to the Board for review of the education requirements. Ms. Carbonell provided clarification regarding the graduate versus undergraduate hours. The Board asked the applicant to get the course description or syllabus for the 30 hour teaching practice course reflected on the transcript. Ms. Carbonell waived her 90 days for the record.

**Action Taken:** Dr. Gaunt-Jaehne moved to table the application, delegate authority to the Education Liaison to review the additional information and either approve the application or refer the matter back to the Board. Dr. Pizarro-Zeigler seconded the motion, which passed unanimously.

#### Tab 12 - Gelsy Amores Hawkins

Ms. Hawkins was present without counsel. Mana Chavez served as a translator for the applicant. This application was presented to the Board for review of the education requirements. Specifically, there were no credit hours listed on the evaluation. The Board asked the applicant to obtain a revise evaluation containing the credit hours. Ms. Hawkins waived her 90 days for the record.

Action Taken: Dr. Johnson moved to table the application, delegate authority to the Education Liaison to review the additional information and either approve the application or refer the matter back to the Board. Dr. Pendry seconded the motion, which passed unanimously.

# Licensure Appearances – Review of Background History (continued):

#### Tab 18 - Audrey Arvin

Ms. Arvin was present without counsel. This application was presented to the Board for review of her criminal history.

**Action Taken:** After discussion, Dr. Johnson moved to approve the application for licensure. Dr. Pizarro-Zeigler seconded the motion, which passed unanimously.

#### Tab 6 - Erica Lee Needham

Ms. Needham was not present or represented by counsel.

**Action Taken:** Dr. Gaunt-Jaehne moved to table the application and require an appearance at the next meeting of the Board. Dr. Pizarro-Zeigler seconded the motion, which passed unanimously.

#### General Business / Correspondence (continued):

#### Tab 13 - Ratification of Licenses Issued 4/14/2014 - 7/17/2014

Action Taken: Dr. Pizarro-Zeigler moved to approve the list as presented. Dr. Johnson seconded the motion, which passed unanimously.

#### **Reports:**

# A. Chair Report – Barbara Gaunt- Jaehne, AuD, Chair

No report.

#### B. Board Counsel Report and Rules Discussion – Donna McNulty, Esq.

#### Tab 15 - Rules Report

Informational item.

#### Tab 16 - Ratification of Annual Regulatory Plan

Informational item.

#### **C. Executive Director Report – Christy Robinson, Executive Director** No report.

#### **D. Budget Liaison Report**

#### Tab 17 - Expenditures by Function for Period Ending March 31, 2014

Informational item.

## E. Board Liaison Reports:

<u>Application – Dr. Gaunt-Jaehne (Au.D.) & (SLP)- Dr. Johnson</u> No report.

Build Alliances/Communication – Dr. Gaunt-Jaehne No report.

<u>Community Relations – vacant</u> No report.

<u>Continuing Education – Dr. Pendry</u> Dr. Pendry indicated that he reviewed 3 applications since the last meeting.

Ms. Robinson was asked to reach out to the associations to discuss the CE@Renewal project.

Laws and Rules – Dr. Pizarro-Ziegler No report.

<u>Unlicensed Activity – Dr. Pizarro-Zeigler (Au.D.) & (SLP)- Dr. Johnson</u> No report.

#### **Old Business**

#### **New Business**

Dr. Gaunt-Jaehne provided an overview of the recent Healthy Weight Liaison meeting she attended on behalf of the Board.

Dr. Johnson advised that he would be attending the Chair/Vice Chair meeting in September.

#### There being no further business the meeting adjourned at 11:10 a.m.