



DRAFT MEETING MINUTES
Board of Speech-Language Pathology and Audiology
January 15, 2015
9:00 a.m.

Hilton Miami Airport
2101 Blue Lagoon Drive
Miami, Florida 32126
305-262-1000

Call to Order:

Frederick Rahe, AuD, Acting Vice 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:

Frederick Rahe, AuD
Sergio Guerreiro, AuD
Kristen Rutland, SLP

Members Absent:

K. Paul Boyev, MD – Excused
Peter Johnson, PhD, Chair - Excused

Staff Present:

Christy Robinson, Executive Director
Don Olmstead, JD, Program Operations Administrator
Donna McNulty, Esq., Board Counsel
Jessica Hollingsworth, Regulatory Specialist II
Cecilie Sykes, Esq., DOH Prosecuting Attorney

Others Present:

n/a

Court Reporter:

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:

Review and Approval of Minutes:

Tab 1 - Minutes from the October 22, 2014 General Business Meeting

Action Taken: After discussion, Dr. Guerreiro moved to approve the minutes as presented. Ms. Rutland seconded the motion, which passed unanimously.

Disciplinary Cases:

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

Allegations of complaint: 468.1295(1)(g) – violating an order of the board.

Ms. Jellen-Theissen was not present or represented by counsel. Ms. Sykes represented the Department and presented the case to the Board.

Dr. Guerreiro moved to find that the respondent was properly served and waived her right to a formal hearing before the board. Ms. Rutland seconded the motion, which passed unanimously. Dr. Guerreiro moved to adopt the findings of fact as presented in the administrative complaint. Ms. Rutland seconded the motion, which passed unanimously. Dr. Guerreiro moved to adopt the agenda materials including the investigative file into evidence. Ms. Rutland seconded the motion, which passed unanimously. Ms. Rutland moved to adopt the allegations of law as the conclusions of law as presented in the administrative complaint. Dr. Guerreiro seconded the motion, which passed unanimously.

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

- Suspension until in compliance with previous Final Order, with possible probation after reinstatement
- Reprimand

Ms. Rutland seconded the motion, which passed unanimously.

Additional Action Taken: Ms. Rutland moved to assess costs in the amount of \$387.19 to be paid within 90 days of the Final Order. Dr. Geurreiro seconded the motion, which passed unanimously.

Tab 3 – Robin Schultz Bersson – Case #2013-18416 – Motion for Determination of Waiver Hearing

Allegations of complaint: 468.1295(1)(g) – violating an order of the board.

Ms. Bersson was not present or represented by counsel. Ms. Sykes represented the Department and presented the case to the Board.

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

allegations of law as the conclusions of law as presented in the administrative complaint. Dr. Guerreiro seconded the motion, which passed unanimously.

Action Taken: After discussion, Ms. Rutland moved to impose the following penalty:

- Reprimand
- \$1000.00 fine due within 90 days of the Final Order

Dr. Guerreiro seconded the motion, which passed unanimously.

Additional Action Taken: Ms. Rutland moved to assess costs in the amount of \$748.46 to be paid within 90 days of the Final Order. Dr. Guerreiro seconded the motion, which passed unanimously.

Tab 4 – Sergio A. Vegas – Case #2013-06005 – Motion for Determination of Waiver Hearing

Allegation of Complaint: 468.1295(1)(g) – violating a lawful order of the Board.

Mr. Vegas was not present or represented by counsel. Ms. Sykes represented the Department and presented the case to the Board.

Ms. Rutland moved to find that the respondent was properly served and waived his right to a formal hearing before the board. Dr. Guerreiro seconded the motion, which passed unanimously. Ms. Rutland moved to adopt the findings of fact as presented in the administrative complaint. Dr. Guerreiro seconded the motion, which passed unanimously. Ms. Rutland moved to adopt the agenda materials including the investigative file into evidence. Dr. Guerreiro seconded the motion, which passed unanimously. Ms. Rutland moved to adopt the allegations of law as the conclusions of law as presented in the administrative complaint. Dr. Guerreiro seconded the motion, which passed unanimously.

Action Taken: After discussion, Ms. Rutland moved to impose the following penalty:

- Reprimand
- \$1000.00 fine due within 90 days of the Final Order

Dr. Guerreiro seconded the motion, which passed unanimously.

Additional Action Taken: Ms. Rutland moved to assess costs in the amount of \$3479.18 to be paid within 90 days of the Final Order. Dr. Guerreiro seconded the motion, which passed unanimously.

Tab 5 - Prosecution Services Report

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

Licensure Appearances – Review of Background History:

Tab 6 – Brianne Crane Allen

Ms. Allen was not present or represented by counsel.

Action Taken: Ms. Rutland moved to table the application until the next meeting, at which time Ms. Allen's appearance would be required. Dr. Guerreiro seconded the motion, which passed unanimously.

Tab 7 – Jay Allen Wagner

Mr. Wagner was present without counsel and sworn in.

Action Taken: After discussion, Ms. Rutland moved to approve the application for licensure. Dr. Guerreiro seconded the motion, which passed unanimously.

Licensure Appearances – Provisional Applicants (Review of Education):

Tab 8 – Gelsey Amores Hawkins

Ms. Hawkins was present without counsel and sworn in. Mr. Jesus Santana served as a translator for the applicant.

Action Taken: After discussion, Ms. Rutland moved to approve the application. Dr. Guerreiro seconded the motion, which passed unanimously.

General Business / Correspondence:

Tab 9 – Telepractice Presentation

Cheris Frailey, Donna Polelle, and Robert Pfeiffer were present to give the Board history and facts on the state of telepractice in Florida. The Board requested to add to the April agenda a possible legislative change regarding telepractice.

Tab 10 - Ratification of Licenses Issued 7/18/2014-1/5/2015

Action Taken: Dr. Guerreiro moved to approve the list as presented. Ms. Rutland seconded the motion, which passed unanimously.

Reports:

A. Chair Report – Peter Johnson, PhD, Chair

Dr. Johnson was not present to give a report.

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

Ms. McNulty informed the Board that this is her last meeting, and that Diane Guillemette, Esq. will be taking over as Board Counsel.

C. Executive Director Report – Christy Robinson, Executive Director

No report.

D. Budget Liaison Report

Dr. Guerreiro volunteered to fill this vacancy.

Tab 11 - Expenditures by Function for Period Ending September 30, 2014

Informational item.

E. Board Liaison Reports:

Application – Vacant (Au.D.) & (SLP)- Dr. Johnson
Dr. Rahe volunteered to fill this vacancy.

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

Community Relations – vacant
No report.

Continuing Education – vacant
Dr. Guerreiro volunteered to fill this vacancy.

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

Unlicensed Activity – Vacant (Au.D.) & (SLP)- Dr. Johnson No report.
Dr. Rahe volunteered to fill this vacancy.

Healthy Weight Liaison – Vacant
Ms. Rutland volunteered to fill this vacancy.

Old Business

New Business

Dr. Guerreiro wished to discuss the language for SLP Assistants in the rulebook regarding the definition of “facility”. Ms. McNulty volunteered to discuss this with Dr. Guerreiro at a later date, where he will make a decision on possible rule changes at the April meeting.

Dr. Guerreiro further informed the Board that he will not be attending the April meeting.

There being no further business the meeting adjourned at 10:30 a.m.