

FLORIDA | Board of Speech-Language
Pathology and Audiology

Meeting Minutes

**July 26, 2017
9:00 a.m.**

**Springhill Suites Orlando Airport
5828 Hazeltine National Drive
Orlando, FL
(407) 802-1126**



Peter Johnson, PhD
Chair

Frederick Rahe, Au.D.
Vice-Chair

Kama Monroe
Executive Director

July 26, 2017

The Meeting was called to order by Board chair, Peter Johnson at 9:00 a.m., or soon thereafter.

Present for all or part of the meeting, include:

MEMBERS PRESENT:

Peter Johnson, Au.D., Chair
Frederick Rahe, Au.D., Vice-Chair
Sergio Guerreiro, Au.D.
Kristen Rutland
Paul Boyev

BOARD STAFF PRESENT:

Kama Monroe, Executive Director
Carol Taylor, Program Administrator

MEMBERS ABSENT:

BOARD COUNSEL:

Rachelle Munson, Board counsel

COURT REPORTER:

American Court Reporting
850-421-0058

OTHERS PRESENT

Peter Delia, PSU atty

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

REVIEW AND APPROVAL OF MINUTES

1. April 19, 2017

Minutes of the April 19, 2017, Board Meeting were reviewed.

Motion: by Frederick Rahe, seconded by Sergio Guerreiro, to allow to continue prosecuting cases over a year old.

Motion carried.

Prosecution Services Report – Peter Delia, Esq.

2. The Prosecution Services Report was presented by PSU attorney Peter Delia. Mr. Delia reported the plan to have a Probable Cause Panel meeting prior to the end of the year.

Motion: by Frederick Rahe, seconded by Sergio Guerreiro, to accept report as presented. Motion carried.

Probation and Compliance Review

Administrative Voluntary Relinquishment (Discussion)

3. Mayra Romero

This matter was previously before the board and a motion passed to accept the voluntary relinquishment. Normally a Final Order would follow; however, there was a discrepancy noticed in that the language used, was that of a disciplinary relinquishment. The matter was brought back to the panel to address the discrepancy.

Motion: by Frederick Rahe, seconded by Kristen Rutland to recall the previous ruling and to make a new motion to accept the Voluntary Relinquishment as an administrative relinquishment with the understanding that Mayra Romero cannot reapply for licensure without meeting her outstanding obligations. Motion carried.

Formal Approval of Monitor

4. Doris Simons Wolf, SLP; Case number 2015-30245

Respondent was present and sworn in. Respondent's proposed monitor was present and sworn in. Respondent's counsel Steven Brownlee, Esq, was not present.

Respondent appeared to comply with the requirements of Final Order #DOH-17-1949-FOI-MQA, which required that she appear before the board with her proposed monitor at the first meeting following the commencement of the probation.

After discussion, wherein it was noted that Respondent has complied with the continuing education requirements of the Final Order;

Motion: Frederick Rahe, seconded by Sergio Guerreiro, to approve Carl Hawkins, SLP, as Respondent's monitor. Motion carried.

Petition for Temporary Variance or Waiver of Rule 64B20-6.002

5. Mia Lawson: File number 7307

Ms. Lawson took a CEU course that was 4 days long. The instructor did not obtain permission prior to presenting the course for it to be approved for ASHA certification and/or for Department continuing education credit. ASHA subsequently approved the course for ASHA certification.

Discussion.

Motion: Frederick Rahe, seconded by Kristen Rutland, to accept the petition request for temporary variance or waiver of Rule 64B20-6.002. Motion carried.

Applicants

Speech-Language Pathology Assistant Licensure Application Review

6. Elizabeth Ann Bayer: File number 3932

Applicant was not present. Applicant was not represented by counsel.

Action Taken: After discussion, Kristen Rutland, moved to send applicant a second notice to appear before the board, Sergio Guerreiro seconded the motion, which passed unanimously.

7. Lizandra Garcia: File number 3720

Applicant was present. Applicant was not represented by counsel. Applicant was accompanied by translator.

Action Taken: After discussion, Sergio Guerreiro, moved to accept the application, Paul Boyev seconded the motion, which passed unanimously.

8. Ivon Beatriz Cambor File number 3222

Applicant was not present. Applicant was not represented by counsel.

Action Taken: After discussion, Kristen Rutland moved to deny the application, Sergio Guerreiro seconded the motion, which passed unanimously.

Provisional Speech-Language Pathology and Audiology Application Review

9. Jessica Beltrame: File number 8177

Applicant was present. Applicant was not represented by counsel.

Action Taken: After discussion, Kristen Rutland, moved to accept the application, Paul Boyev seconded the motion, which passed unanimously.

10. Nettie Lantigua: File number 8354

Applicant was present. Applicant was not represented counsel.

Action Taken: After discussion, Kristen Rutland, moved to deny the application, Frederick Rahe seconded the motion. The motion was withdrawn upon the applicant's withdrawal of application.

11. Maria Morales Solar File number 8181

Applicant was present. Applicant was not represented by counsel. Applicant was accompanied by translator.

Action Taken: After discussion, Kristen Rutland moved to table the application until further supporting documentation is received, Paul Boyev seconded the motion, which passed unanimously. Applicant is to provide in writing through a translation company the syllabus of all courses in Module 3 and the title and abstract of her thesis.

Ratification of Licenses Issued 4/1/2017-7/10/2017

12.(a) 3001 - Speech-Language Pathologist

Motion: by Sergio Guerreiro, seconded by Frederick Rahe, to approve ratification of issued licenses. Motion carried.

(b) 3002 – Audiologist

Motion: by Paul Boyev, seconded by Frederick Rahe, to approve ratification of issued licenses. Motion carried.

(c) 3003 - Speech-Language Pathology Assistant_

Motion: by Paul Boyev, seconded by Kristen Rutland to approve ratification of issued licenses. Motion carried.

(d) 3004 – Audiologist Assistant

Motion: by Paul Boyev, seconded by Kristen Rutland, to approve ratification of issued licenses. Motion carried.

(e) 3005 - Provisional Speech-Language Pathologist

Motion: by Paul Boyev, seconded by Kristen Rutland, to approve ratification of issued licenses. Motion carried.

(f) 3006 – Provisional Audiologist

Motion: by Paul Boyev, seconded by Kristen Rutland, to approve ratification of issued licenses. Motion carried.

Rules Report

13. June 2017 Rules report
July 2017 Rules report

Board counsel, Rachelle Munson presented the board with the June and July 2017 Rules Report, which, reflect that there are no rules currently under development, review or under the rulemaking process.

Reports:

Board Counsel Report:

14. Minor Violations

Effective July 1, 2017, this year, with every new rulemaking action that takes place, which would require SERC certification, additionally a question as to whether the rule would qualify as a minor violation is required. This technical addition to the rulemaking process will be required every time rule development comes before the board. The Joint Administrative Procedures Committee has agreed to allow the board chair to delegate the rulemaking authority to the Executive Director to sign rulemaking certificates. Dr. Johnson has delegated the authority to Ms. Monroe.

Action Taken: Sergio Guerreiro moved, Paul Boyev, seconded the motion, that the board approve delegation by the board chair, of the rulemaking authority to sign rulemaking certificates, to the executive director
Motion passed unanimously.

Annual Regulatory plan is required once a year. This year it is due by October 1, 2017. There is no meeting prior to the due date. The Annual Regulatory plan is an assessment of the board identifying any anticipated rules for the 2017/2018 fiscal year which is submitted under the direction of the governor to the Office of Fiscal Accountability and Regulatory Reform. A request was made that the chair be given delegated authority to sign the regulatory plan.

Action Taken: Sergio Guerreiro moved, Paul Boyev, seconded the motion, that the board chair be delegated authority to sign the regulatory plan. Motion passed unanimously.

Board Chair Report – Dr. Johnson

15. Provisional Licensure pursuant to Rule 64B20-2.003

A Petition for Declaratory Statement regarding supervision of provisional licensees was submitted. It was not properly submitted. Notification was provided to the petitioner; however, after clarification by board staff she subsequently withdrew her petition prior to the board meeting.

Discussion ensued. Ms. Westman from audience provided background that had led to the initial request.

Executive Director Report – Kama Monroe

16. Ms. Monroe informed the board that there is an existing discrepancy between a rule and a statute: Specifically Rule 64B20-3.0095 related to delinquency fees. It has not been updated since 1995. Options for ways to bring the rule into compliance were presented.

The statute is Section 456.036(7) and the Rule is 64B20-3.0095.

Action Taken: After discussion, Sergio Guerreiro moved to name Frederick Rahe as the rules liaison specifically related to Rule 64B20-3. Paul Boyev seconded the motion, which passed unanimously.

This will be noticed and discussed at the next board meeting.

Board Liaison Reports -

17. Budget Liaison Report- Dr. Johnson will serve as budget liaison moving forward;
Dr. Johnson presented the March budget report.

18. Application – Dr. Rahe (AuD) & Dr. Johnson (SLP): Discussion ensued regarding applications and the need to include requirements and instructions on the application. Ms. Monroe informed the Board that a standardized application is being created, but the draft was not finalized in time for this meeting. Once in place, customization of the profession application will need to occur to fit correctly and smoothly with the Department mandated application.

Action Taken: After discussion, Paul Boyev moved to name Sergio Guerreiro as the liaison to work with Ms.

Monroe on drafts to come up with the application.

19. Continuing Education – Dr. Guerreiro: No report at this time. An inquiry was made as to whether board members could receive continuing education for the board meeting.

20. Laws and Rules – Vacant: No report at this time

21. Unlicensed Activity – Dr. Rahe (AuD) & Dr. Johnson (SLP): No report at this time

22. Healthy Weight – Ms. Rutland: No report at this time; but, attendees were encouraged to pick up informational materials and items from the display table.

23. General Discussion: There was no general discussion outside of listed agenda items.

24. Old Business: None

25. New Business:

Charlene Westman, representing Florida Association of Speech Language Pathologists and Audiologists, where she serves as the Vice President for governmental education. She appeared regarding the guidelines for Speech Language Pathology Assistant's and required supervision. Debra Campbell also appeared with Ms. Westman. Ms. Campbell appeared representing the Medicaid Task Force. FLASHA created a committee with members from various organizations to research this matter. The committee created proposed changes to rules 64B20-4.003 and 64B20-4.004. Ms. Campbell presented a presentation regarding the committee's findings and recommendations. Four handouts were provided. Said handouts are included on the board website with the updated meeting agenda.

After discussion: This will be placed on the next board agenda for discussion and public comment.

Adjourn Motion to ADJOURN at 12:24 p.m. by Sergio Guerreiro, seconded by Paul Boyev. Motion carried.

Next Meeting: October 18, 2017 Tampa