

FLORIDA | Board of Speech-Language
Pathology and Audiology

Meeting Minutes

**November 1, 2019
10:00 a.m.**

**Four Points by Sheraton Suites Tampa
Westshore 440 W Cypress Street
Tampa, FL 33607
(813) 357-6143**



Peter Johnson, PhD
Chair

Frederick Rahe, Au.D.
Vice-Chair

Kama Monroe
Executive Director

November 1, 2019, Board Meeting

The Meeting was called to order by Board vice-chair, Frederick Rahe at 10:04 a.m.

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.
Sherry Jordan, Ed.S.
Paul Boyev, M.D.

BOARD STAFF PRESENT:

Kama Monroe, Executive Director
Carol Taylor, Program Office Administrator

MEMBERS ABSENT:

Kristen Rutland, SLP

BOARD COUNSEL:

Rachelle Munson, Board counsel
Tom Jones, Board counsel

COURT REPORTER:

Phipps Reporting
(888) 811-3408
Sheri Smargon

PROSECUTION SERVICES UNIT

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.

TAB 1: REVIEW AND APPROVAL OF MINUTES

Minutes of the April 16, 2019, Teleconference Board Meeting were reviewed.

Motion: by Sergio Guerreiro, seconded by Paul Boyev, to approve the minutes. Motion carried.

DISCIPLINARY CASES:

VOLUNTARY RELINQUISHMENTS

TAB 2: Elizabeth Burgess, S.L.P., Case Number 2018-04957

Respondent was not present.

Kristen Rutland was not present but would have been recused due to participation on the probable cause panel.

Ms. Monroe presented the matter on behalf of the Prosecution Services Unit (PSU) and requested that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of the case.

Motion: by Sergio Guerreiro, seconded by, Paul Boyev, to accept the Voluntary Relinquishment. Motion carried.

TAB 3: PROSECUTION SERVICES REPORT

A motion to allow the Department to continue to prosecute all year or older cases, including the prosecution services report as an attachment was included on the agenda.

Motion: by Sergio Guerreiro, seconded by, Paul Boyev, to allow PSU to continue prosecuting cases a year and older. Motion carried.

APPLICANTS

Speech-Language Pathology Assistant Application Review

TAB 6 – Katherine Rees, File #4942

Applicant was present. Applicant was not represented by counsel.

Action Taken: After discussion, Frederick Rahe, moved to table the application for ninety days to allow the applicant the opportunity to provide a letter from either her current health care professional or PRN indicating the applicant is safe to practice and once received delegate Dr. Johnson the authority to approve the application, Sergio Guerreiro seconded the motion, which passed unanimously. Applicant verbally waived the ninety-day requirement.

TAB 7 – Alejandra Valeria Peralba, File #4992

Applicant was present. Applicant was not represented by counsel.

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

Provisional Speech-Language Pathologist Application Review

TAB 13 – Nettie Lantigua Segovia, File #8354

Applicant was present. Applicant was not represented by counsel.

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

EXEMPTION

TAB 14: Prema M. Turnbull-Creamer, File #9264

Applicant was not present.

Action Taken: After discussion, Sergio Guerreiro, moved to accept the application, Paul Boyev, seconded the motion, Frederick Rahe voted nay. Motion passed.

PETITION FOR VARIANCE OR WAIVER

TAB 15: Daniel P. Gardner, M.S., Master Audiologist

Applicant was present. Co- applicant Joanne Conter appeared with Dr. Gardner.

Action Taken: After discussion, Frederick Rahe, moved to extend the current variance for a period of twenty-four months, Frederick Rahe, seconded the motion. Motion passed.

The variance will continue under the terms of the prior approval. Dr. Gardner will provide the board a blank copy of the questionnaire survey, a current statement that they will continue the HIPAA compliant agreement, a current copy of the policies and procedures.

Speech-Language Pathology Assistant Application Review

TAB 4 – Lydia Maria Placeres, File #4991

Applicant was present. Applicant was not represented by counsel. The Board provided a translator.

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

TAB 5 – Yanuvis Toirac Perez, File #5109

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

Action Taken: After discussion, Sergio Guerreiro, moved to table the application to the next board meeting and require applicant to appear, Paul Boyev, seconded the motion, which passed unanimously.

TAB 8 – Monica Mercadante-Castro, File #4448
Applicant was present. Applicant was not represented by counsel.

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

TAB 9 – Lisney Perez Vazquez, File #4223
Applicant was present. Applicant was not represented by counsel. The Board provided a translator

Action Taken: After discussion, Paul Boyev, moved to table the application for thirty days to allow the applicant time to provide additional documentation; the board chair is delegated authority to review and approve; if the board chair is unable to approve the application, it is required to be on the January board meeting, Sergio Guerreiro, seconded the motion, which passed unanimously.

The applicant verbally waived the ninety-day requirement.

TAB 10 – Yarely Aguila Garcia, File #4908
Applicant was present. Applicant was not represented by counsel. The Board provided a translator

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

Provisional Speech-Language Pathologist Application Review

TAB 11 – Lizandra Marleys Garcia, File #9063
Applicant was present. Applicant was not represented by counsel. The Board provided a translator

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

TAB 12 – Magdalys Mendoza, File #9354
Applicant was not present. Applicant was not represented by counsel.

This was the first required appearance of applicant. Since applicant did not appear, applicant is required to appear at the January board meeting. A letter will be sent.

TAB 16 – RATIFICATION OF LICENSES ISSUED 3.11.2019-9.30.2019

- (a) 3001 - Speech-Language Pathologist
529 licenses. License numbers 16973-17501 inclusive.
- (b) 3002 – Audiologist
65 licenses License numbers 2259-2324 inclusive.
- (c) 3003 - Speech-Language Pathology Assistant
220 licenses. License numbers 3943-4162 inclusive.
- (d) 3004 – Audiologist Assistant
27 licenses. License numbers 336-362 inclusive.
- (e) 3005 - Provisional Speech-Language Pathologist
378 licenses. License numbers 8996-9373 inclusive.

(f) 3006 – Provisional Audiologist

29 licenses. License numbers 766 to 794 inclusive.

Motion: by Sergio Guerreiro, seconded by Paul Boyev, to approve ratification of licenses issued from March 11, 2019, through September 30, 2019. Motion carried.
Ratified License numbers are identified above.

TAB 17 – BOARD CHAIR REPORT – Dr. Johnson

Board chair, Peter Johnson, reported that ASHA has approved an English proficiency rule that is out for public comment.

Board chair, Peter Johnson then presented outgoing Board Counsel, Rachele Munson, with a Board Chair Award plaque for her service to the board during her time as board counsel.

New Board Counsel, Tom Jones was officially welcomed.

TAB 34 (B) - PETITION FOR DECLARATORY STATEMENT

COLLEEN ENDRIZZI, FILE #16120

The Petitioner presented her request. The petition did not meet sufficient specificity.

After much discussion, the petitioner withdrew her petition. Motion carried.

TAB 22: AD HOC COMMITTEE MEETING UPDATE

An update of the latest changes from the Ad Hoc committee meeting was provided. Further revisions were identified.

Action Taken: After discussion: Sergio Guerreiro, moved to open Rule 64B20-4.003 and Rule 64B20-4.004 for rule development and submit the current draft revisions to Rule 64B20-4.003 and Rule 64B20-4.004, the proposed new rule, and proposed new form, with noted revisions to JAPC. Paul Boyev seconded the motion. Motion passed unanimously.

Action Taken: Motion by, Sergio Guerreiro, seconded by Frederick Rahe, that the proposed rule amendments will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 aggregate in Florida within one year after the implementation of the rule. No SERC is needed, and no legislative ratification is needed. Motion carried.

Action Taken: Motion by, Frederick Rahe, seconded by Sergio Guerreiro, to find that a violation of the rules or any part of the rules would not be considered a minor violation. Motion carried.

BOARD COUNSEL REPORT

TAB 18 – Rules Report

October 2019 Rules Report
September 2019 Rules Report
August 2019 Rules Report
July 2019 Rules Report
June 2019 Rules Report

Board counsel reviewed the most recent report with the board.

TAB 19 – Rule Discussion

Annual Regulatory Plan

Action Taken: Motion by, Sergio Guerreiro, seconded by Paul Boyev, to ratify the annual regulatory report. Motion carried.

EXECUTIVE DIRECTOR REPORT-Kama Monroe, J.D., Executive Director

TAB 21 –Applications

Ms. Monroe reviewed the changes to the applications for the board's benefit. During discussion the Second-Tier Application Review was addressed.

Action Taken: After discussion: Paul Boyev, moved to approve the proposed SPA-1 SLPA Full Licensure Application, Sergio Guerreiro seconded the motion. Motion passed unanimously.

Action Taken: After discussion: Paul Boyev, moved to approve the proposed SPA-2 Provisional Licensure Application, Sergio Guerreiro seconded the motion. Motion passed unanimously.

Action Taken: After discussion: Paul Boyev, moved to approve the proposed SPA-3 Assistant Certification Application, Sergio Guerreiro seconded the motion. Motion passed unanimously.

Action Taken: After discussion: Paul Boyev, moved to approve Rule 64B20-2.001, F.A. C., Sergio Guerreiro seconded the motion. Motion passed unanimously.

Action Taken: After discussion: Paul Boyev, moved to approve Rule 64B20-2.003, F.A. C., Sergio Guerreiro seconded the motion. Motion passed unanimously.

Action Taken: After discussion: Paul Boyev, moved to approve Rule 64B20-4.001, F.A. C., Sergio Guerreiro seconded the motion. Motion passed unanimously.

Action Taken: Motion by, Frederick Rahe, seconded by Peter Johnson, that the proposed changes for Rules 64B20-2.001, 64B20-2.003, and 64B20-4.001, F.A.C., and SPA-1 SLPA Full Licensure Application, SPA-2 Provisional Licensure Application and SPA-3 Assistant Certification Application will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed, and no legislative ratification is needed. Motion carried.

Action Taken: Motion by, Frederick Rahe, seconded by Peter Johnson, to find that a violation of Rules 64B20-2.001, 64B20-2.003, and 64B20-4.001, F.A.C. and SPA-1 SLPA Full Licensure Application, SPA-2 Provisional Licensure Application and SPA-3 Assistant Certification Application or any part of this rule would not be considered a minor violation. Motion carried.

TAB 20 – Legislative Updates

Ms. Monroe provided on the telehealth HB23. Board counsel Tom Jones provided the bill's location in the Laws of Florida.

BOARD LIAISON REPORTS

TAB 23 – Budget Liaison Report- No report currently.

TAB 24 – Application – Dr. Rahe (AuD) & Dr. Johnson (SLP): Modifying applications was discussed during the Executive Director Report.

TAB 25 – Continuing Education – Dr. Guerreiro noted that among the many applications received there were a few submitted as Clinical courses that were returned for them to re-apply as non-clinical hours. Dr. Guerreiro posed a question for the ED to report on in January.

TAB 26 – Laws and Rules – Dr. Rahe (AuD): This matter was discussed earlier in the meeting.

TAB 27 – Unlicensed Activity – Dr. Rahe (AuD) & Dr. Johnson (SLP): No report currently.

TAB 28– Healthy Weight –Ms. Rutland was not in attendance. There was no report currently.

GENERAL DISCUSSION

TAB 29: Discussion of Matrix

This item was tabled to the January meeting.

TAB 30: English Competency Discussion - Dr. Guerreiro

This item was tabled to the January meeting.

OLD BUSINESS

TAB 31: Second Tier Application Review

This item was discussed during tab 21.

NEW BUSINESS

TAB 32: Election of Officers

Action Taken: After discussion: Frederick Rahe, nominated Dr. Johnson to continue as board chair. Sergio Guerreiro nominated Frederick Rahe to continue as board vice-chair. Motion by Frederick Rahe seconded by Sergio Guerreiro to have a consensus vote for the platform. Motion passed unanimously.

TAB 33: 2021 Proposed Meeting Dates and Locations

This item was placed on the agenda to provide board members time to check dates and make comments on locations. The locations for April and July will be switched. Board members agreed to locations with the noted changes. Revised document will be placed on the January agenda for approval.

25. ADJOURN: Meeting adjourned at 3:36 p.m.

Next Meeting: January 24, 2020, Orlando

DRAFT