

FLORIDA | Board of Speech-Language Pathology and Audiology

Teleconference Minutes

**April 16, 2021
9:00 a.m.**

**Conference Number: 1 877 309 2073
Access Code: 396-536-709**

or

**Join the meeting from your computer, tablet or smartphone.
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**Frederick Rahe, Au.D
Chair**

**Peter Johnson, PhD
Vice-Chair**

**Kama Monroe
Executive Director**

The Meeting was called to order by Board Chair, Frederick Rahe at 9:04 a.m.

Present for all or part of the meeting, include:

MEMBERS PRESENT:

Frederick Rahe, Au.D., Chair
Peter Johnson, Au.D., Vice-Chair
Sergio Guerreiro, Au.D.
Sherry Jordan, Ed.S.
Kristen Rutland, SLP

BOARD STAFF PRESENT:

Kama Monroe, Executive Director
Carol Taylor, Program Administrator
Christa Peace, Regulatory Specialist III

MEMBERS ABSENT:

BOARD COUNSEL:

Tom Jones, Board counsel

COURT REPORTER:

For the Record Reporting
(850) 222-5491
Ray Convery

PROSECUTION SERVICES UNIT

Christina Shideler, Esq.

TRANSLATOR:

Link Translations
Ms. Saori Yamashita, Spanish

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

TAB 1: January 22, 2021 Board Meeting Minutes

Motion: by Dr. Guerriero, seconded by Dr. Johnson, to accept the minutes. Motion carried.

TAB 2: PROSECUTION SERVICES REPORT, Christina A. Shideler, Esq.

Prosecuting Services attorney Christina Shideler provided a summary of the Prosecution Services Report. She then requested the board allow the Department to continue to prosecute all year or older cases.

Motion: by Dr. Johnson, seconded by Ms. Rutland, to allow PSU to continue prosecuting cases a year and older. Motion carried.

APPLICANTS

SPEECH-LANGUAGE PATHOLOGY ASSISTANT APPLICATION REVIEW

TAB 3: Clara Rosa Mora Blazquez, File #5436

Applicant was present. Applicant was not represented by counsel. The board provided a Spanish translator for applicant.

Action Taken: After discussion,

Motion: by Dr. Johnson, seconded by Ms. Rutland, to approve the application. Motion carried

TAB 4: Marilyn Ramos, File #5623

Applicant was present. Applicant was not represented by counsel. The board provided a Spanish translator for applicant. Applicant elected not use translator.

Action Taken: After discussion, Dr. Johnson, moved to table the application to the next board meeting, He noted the six months allowed from the October meeting expire in three and a half weeks. Action can be taken once the timeframe expires. Ms. Rutland seconded the motion. Motion carried.

TAB 5: Adriana Elena Aisa, File #5755

Applicant was present. Applicant was not represented by counsel. The board provided a Spanish translator for applicant.

Action Taken: After discussion, Dr. Johnson, moved to accept the application, Dr. Guerriero seconded the motion. Motion carried.

PROVISIONAL SPEECH-LANGUAGE PATHOLOGY APPLICATION REVIEW

TAB 6: Yuleidys Chico, File #10447

Applicant was present. Applicant was not represented by counsel. The board provided a Spanish translator for applicant.

Applicant waived the ninety-day requirement on the record.

Action Taken: After discussion, Dr. Johnson, moved to table the application until the October 22, 2021, board meeting to allow the applicant to submit the appropriate documentation, Ms. Rutland seconded the motion. Motion carried.

TAB 7: Ismery Morales Martinez, File #9904

Applicant was present. Applicant was not represented by counsel. The board provided a Spanish translator for applicant.

Action Taken: After discussion, Ms. Rutland moved to approve the license, Dr. Johnson seconded the

motion. Motion carried.

TAB 4: Marilyn Ramos, File #5623

This item was readdressed as the applicant noted not being able to speak earlier. There are two entries for this item please check both.

After Discussion: The earlier action stands.

TAB 8: Giovanna I. Almenas, File #10540

Applicant was present. Applicant was not represented by counsel. The board provided a Spanish translator for applicant.

Action Taken: After discussion,

Motion: by Dr. Guerreiro, to grant the applicant due to the hardships created by the pandemic, Dr. Johnson, seconded the motion. Motion carried.

Board stated she can continue with her hours.

TAB 9: Marielys Reyes, File #9804

Applicant was present. Applicant was not represented by counsel. The board provided a Spanish translator for applicant.

Action Taken: After discussion, Motion by, Ms. Rutland, to deny the application at the next meeting, if required documentation is not received by the six-month timeframe.

Ms. Rutland submitted an amended motion, to table the application to the next board meeting, Dr. Guerreiro seconded. Motion carried.

TAB 10: RATIFICATION OF LICENSURE

Action Taken:

Motion: by Dr. Johnson, seconded by Ms. Rutland, to ratify licenses issued between 12.18.2021 and 3.24.2021, to include: 285 Speech-Language Pathology licenses, numbers 18611-18897; 8 Audiologist licenses, numbers 2425-2438; 94 Speech-Language Pathology Assistant licenses, numbers 4667-4760; 4 Audiology Assistant licenses numbers 405-408; 86 Provisional Speech-Language Pathologist license numbers 9919-10005; and 1 Provisional Audiologist license, number 813. Motion carried.

TAB 11: RULE DISCUSSION

Board counsel, Tom Jones reported that the remaining eleven rules that were in the rule making process have all become effective.

REPORTS

BOARD COUNSEL REPORT, Ronald Jones, Esq.

TAB 12: RULES REPORT

TAB 13: BOARD CHAIR REPORT-Dr. Frederick Rahe

There was no Board Chair report.

TAB 14: EXECUTIVE DIRECTOR REPORT-Kama Monroe, J.D., Executive Director

Board Executive Director, Kama Monroe provided a list of all the legislative bills she is tracking in the

meeting materials. The Executive Director further discussed the two bills she is monitoring that would directly affect this board.

Additionally, she announced a new processor, Brittany Duhart, who is doing a wonderful job.

TAB 15: BOARD LIAISON REPORTS

A: Budget Liaison Report- Dr. Johnson (SLP)

a. Revenue Report

Dr. Johnson provided revenue amount. The expense report from December was provided. He noted the board was in good shape.

B: Application - Dr. Rahe (Au.D) & Dr. Johnson (SLP)

No report at this time.

C: Continuing Education - Dr. Guerreiro (Au.D)

1. Approved Providers 9.26.2020 through 12.17.2020 (informational purposes only)
Nothing to report on the approval process.

D: Laws and Rules - Vacant: (Dr. Rahe (Au.D) for specific circumstances

No report at this time.

E: Unlicensed Activity - Dr. Rahe (Au.D) & Dr. Johnson (SLP)

No report at this time.

F: Healthy Weight - Ms. Rutland

No report at this time.

GENERAL DISCUSSION

TAB 16: Hearing Aid Dispensing Schemes

Discussion ensued regarding the chatter on various sites, (for example; the American Board of Audiology, Florida Academy of Audiology) regarding whether hearing aid companies can provide hearing aids through the mail. This led to an inquiry whether the companies can mail the hearing aids.

Discussion then turned to the fact the rule states you can't distribute through the mail to a consumer. It was further noted that this topic was discussed during the last board meeting. The Board chair recapped the previous discussion. Discussion ensued wherein it was questioned how out of state hearing aid providers or lobbyists on their behalf can make changes to our practicing guidelines without the board being able to make changes.

Julia Andrews provided additional comments on the matter.

The legislative bills will continue to be monitored.

TAB 17: Dr. Kayla Wilkins, Au. D-Discussion

This item was initially submitted as a request for a declaratory statement; however, the request was withdrawn, and the licensee requested the matter, scope of practice and billing questions, be discussed. The discussion centered around two points; one being whether audiologists can bill for evaluation and management.

Discussion then included evaluation and management, whether it can be done, whether it can be billed, lack of definition in statute, and a request for a determination whether something could be provided in writing that it can be done and billed for. Board counsel stated this is not something the board can assess directly as a board; it is a statute. It was noted the board can't put meaning into words that are not specifically used in statute.

Several attendees spoke regarding the matter, including a request for an interpretation of the statute in writing that would enable a practitioner to send to entities to allow him/her to bill for it irrespective of whether they receive payment.

It was then noted that the Board does not make interpretation of statutes. The Board does make Declaratory statements because declaratory statements are not issued generally, they are issued as it directly affects the petitioner.

Board counsel noted the Board deals with particular matters of licensure and this request is outside the scope of the board's authority.

A request was then made for a rule that defines management. A response was provided noting if it's not in the statute, it can't be addressed by a rule without specific authority; the board can't address things in rule that aren't in statute.

After lengthy discussion, the board chair stated that he understands what the individuals were saying, as well as their position and concern, but this is not under the board's authority they can't do.

TAB 18: OLD BUSINESS

There was no old business.

TAB 19: NEW BUSINESS

There was no new business.

TAB 20: PUBLIC COMMENT

There was no public comment.

ADJOURN Motion by Peter Johnson, seconded by Ms. Rutland adjourn.
Next meeting July 23, 2021 TBA
Meeting adjourned at 12:32 p.m.