

FLORIDA | Board of Speech-Language Pathology and Audiology



Draft Teleconference Meeting Minutes
Board of Speech-Language, Pathology & Audiology
GoTo Meeting
<https://meet.goto.com/216185421>
Meet-Me-Number 1-866-899-4679
Access Code: 216-185-421
October 14, 2022
9:00 a.m.

The Meeting was called to order by Board Chair, Frederick Rahe at 9:05 a.m.

Present for all or part of the meeting, include:

MEMBERS PRESENT:

Frederick Rahe, Au.D., Chair
Sergio Guerreiro, Au.D., Vice-Chair
Dania Lopez-Ramirez, SLP
Niva Falk, SLP

MEMBERS ABSENT:

Sherry Jordan, Ed.S.

COURT REPORTER:

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

Translator:

LINK Translations.
Rene Espinoza

BOARD STAFF PRESENT:

Allen Hall, Interim Executive Director
Carol Taylor, Program Administrator
Christa Peace, Regulatory Supervisor
Derek Nieves, Regulatory Specialist III

BOARD COUNSEL:

Tom Jones, Board Counsel

PROSECUTION SERVICES UNIT

Collie Nolan, Esq.

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.

WITHDRAWN- DISCIPLINARY ACTIONS

WITHDRAWN-HEARING-NO DISPUTED ISSUES OF MATERIAL FACT

WITHDRAWN- TAB 1: INF-01 Ainalez Lopez, S.L.P., Case No. 2020-01825

This item was withdrawn prior to the meeting. No action was required, and none was taken.

TAB 2: PROSECUTION SERVICES REPORT, Collie Nolan, Esq.

Collie Nolen presented the prosecution report. She requested the board allow the continued prosecution of all year or older cases.

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

PETITION FOR VARIANCE/WAIVER OF RULE

TAB 3: Diana Lucia Abarca, File #11432

Petitioner was present.

Action Taken: After discussion.

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez to grant the petition for variance/waiver of rule. Motion carried.

APPLICATIONS FOR REVIEW

APPLICATION RELATED TO PETITION FOR VARIANCE/WAIVER

TAB 4: Diana Lucia Abarca, File #11432

Applicant was present.

Action Taken: After discussion.

Motion: by Ms. Ramirez, seconded by Dr. Guerreiro to approve the application. Motion carried.

PROVISIONAL SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY APPLICATIONS

WITHDRAWN- TAB 5: Tatiana Esther Curbelo Pantoja, File #11407

This item was withdrawn prior to the meeting. No action was required, and none was taken.

SPEECH-LANGUAGE PATHOLOGY ASSISTANT APPLICATIONS

TAB 6: Elizabeth De Vera, File #6728

Applicant was present.

Applicant was not represented by counsel.

Applicant used the services of the board provided translator.

Action Taken: After discussion.

Motion: by Dr. Guerreiro, seconded by Ms. Falk, to approve the application. Motion carried.

APPLICATIONS CONTINUED FROM PREVIOUS MEETINGS

PROVISIONAL SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

TAB 7: Lazara Marilyn Alvarez, File #11100

Applicant was present. Applicant was not represented by counsel.

Applicant used the services of the board provided translator.

Action Taken: After discussion,

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to approve the application. Motion carried.

WITHDRAWN-TAB 8: Maryelis Navarro Medina, File #10408

This item was withdrawn prior to the meeting. No action was required, and none was taken.

SPEECH-LANGUAGE PATHOLOGY ASSISTANTS

TAB 9: Larissa de Oliveira Martins, File #6649

Applicant was present. Applicant was not represented by counsel.

Action Taken: After discussion:

Motion: by Dr. Guerreiro, seconded by Ms. Falk, to continue the application to the next board meeting and require appearance. If the required information is received by the board office prior to the next meeting the board liaison has authority to review the materials and if applicable approve. Motion carried.

TAB 10: REVIEW AND APPROVAL OF MINUTES

July 22, 2022, Meeting Minutes

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to approve the minutes. Motion carried.

Tab 11: RATIFICATION OF LICENSURE

(a) 3001 - Speech-Language Pathologist 7.6.22 and 9.22.22

Motion: by Dr. Guerreiro, seconded by Dr. Rahe, to ratify license numbers 20461 through 20848 totaling 388 applications approved between 7.6.22 and 9.22.22. Motion carried.

(b) 3002 - Audiologist 7.6.22 and 9.22.22

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to ratify license numbers 2626 through 2666 totaling 41 applications approved between 7.6.22 and 9.22.22. Motion carried.

(c) 3003 - Speech-Language Pathology Assistant 7.6.22 and 9.22.22

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to ratify license numbers 5574 through 5900 totaling 327 applications approved between 7.6.22 and 9.22.22. Motion carried.

(d) 3004 - Audiology Assistant 7.6.22 and 9.22.22

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to ratify license numbers 475 through 491 totaling 17 applications approved between 7.6.22 and 9.22.22. Motion carried.

(e) 3005 - Provisional Speech-Language Pathologist 7.6.22 and 9.22.22

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to ratify license numbers 10740 through 11045 totaling 306 applications approved between 7.6.22 and 9.22.22. Motion carried.

(f) 3006 - Provisional Audiologist 7.6.22 and 9.22.22

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to ratify license numbers 836 through 841 totaling 6 applications approved between 7.6.22 and 9.22.22. Motion carried.

TAB 12: BOARD CHAIR REPORT-Dr. Frederick Rahe, Au.D.

There was no board chair report.

BOARD COUNSEL REPORT, Ronald Jones, Esq.

TAB 13: RULES REPORT

The rules reports were included in the agenda materials for informational purposes. Board counsel reported that there are no new rules to report at this time.

RULE DISCUSSION

TAB 14: FDA DISCUSSION

A summary of the events, beginning with the passing of the OTC hearing aid bill by Congress in 2017, which led to placement of this item on the agenda was provided to board members. Board members were further provided information regarding the latest action by the Federal government which requires action by this board. There is a need to keep Florida rules and statutes in line with federal laws. Board counsel reviewed the proposed draft rule language with board members.

ACTION TAKEN: After review and discussion,

Rule 64B20-4, Rule 64B20-7, Rule 64B20-8, Rule 64B20-9, and new Rule 64B20-8.0011, Florida Administrative Code were voted on in one vote.

Motion: by, Dr. Guerreiro, seconded by Ms. Falk, to approve the proposed draft language for Rule 64B20-4, Rule 64B20-7, Rule 64B20-8, Rule 64B20-9, and Rule 64B20-8.0011. Motion carried.

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to vote no to the following questions:

Will the proposed rule/changes make an adverse impact on small business?

Will the proposed rule/changes directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year of implementation?

Would a violation of the rule/changes or any part of the rule be considered a minor violation?

Should the proposed rule/changes include a Sunset provision?

Motion carried.

TAB 15: HEARING AID DISCUSSION

Dr. Guerreiro informed the board that the intent of pursuing the instant item is to remove the monetary limits from the rule. He noted that the statute does not include the amounts, but the rule does. It was noted that the statute allows more flexibility, but the rule has barricaded the boards to a minimal fee. The board was informed that the rule was implemented thirty years ago, and it has not changed in those thirty years; however, the price of providing the device has increased significantly. The cost of hearing aids at the time the rule was implemented averaged \$600. Board chair noted that the rule was implemented at a time when services were bundled. That is not always the case anymore.

Discussion ensued:

ACTION TAKEN: After discussion,

Motion: by, by Dr. Guerreiro, seconded by Dr. Rahe, to open the rule for the thirty-day refund policy for rule making.

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to vote no to the following questions:

Will the proposed rule/changes make an adverse impact on small business?

Will the proposed rule/changes directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year of implementation?

Would a violation of the rule/changes or any part of the rule be considered a minor violation?

Should the proposed rule/changes include a Sunset provision?

Motion carried.

At this time, Dr. Guerreiro introduced discussion regarding the rule language for Audiology Assistants licensure requirements. The specific rule is Rule 64B20-4.002(2), Florida Administrative Code. After discussion no action was taken, and the matter was put aside.

Tab 16: EXECUTIVE DIRECTOR REPORT- Danielle Terrell- Executive Director

There was no executive director report.

TAB 17: GENERAL DISCUSSION

Ms. Ramirez opined that the board is always discussing foreign applicants and has been for years. She addressed concerns regarding the review of the evaluation/education documents. A lengthy discussion followed, which led to acknowledgement of the point.

TAB 18: BOARD LIAISON REPORTS

A. Budget Liaison Report- Dr. Guerreiro
No report at this time

B: Application - Dr. Rahe (Au.D) & Dr. Guerreiro (Au.D)
a. Approved Providers 3.22.2022 through 6.20.2022 (informational purposes only)
No report at this time.

C: Continuing Education - Dr. Guerreiro
No report at this time.

D: Laws and Rules - Dr. Rahe (Au.D) and Dr. Guerreiro (Au.D)
No report at this time.

E: Unlicensed Activity – Ms. Ramirez & Dr. Guerreiro (Au.D)
No report at this time.

TAB 19: OLD BUSINESS

NEW BUSINESS

TAB 20: Meeting Dates and Locations

ACTION TAKEN: After discussion,

Motion: by Dr. Guerreiro, seconded by Ms. Ramirez, to approve the 2024 proposed meeting dates and locations. Motion carried.

Approved 2024 dates and locations are:

January 19, 2024

Boynton Beach, Delray Beach, Bonita Springs

April 19, 2024

Melbourne, Daytona Beach, Cocoa Beach

July 19, 2024

Orlando, Championsgate, Kissimmee

October 18, 2024

Tampa, St. Petersburg, Sarasota

TAB 21: 2023 Delegation

ACTION TAKEN: After discussion,

Motion: by Dr. Guerreiro, seconded by Dr. Rahe, to approve the 2023 delegation.
Motion carried.

TAB 22: Election of Officers

ACTION TAKEN: After discussion,

Motion: by Ms. Ramirez, seconded by Ms. Falk, to retain the same chair and vice-chair. Motion carried.

Dr. Rahe will continue as chair, Dr. Guerreiro will continue as vice-chair. They were both reminded of the annual chair/vice-chair meeting in Tallahassee, scheduled for January 2023. Both indicated they will be attending.

Following election of officers, the assignment of board liaisons was discussed.

The following are the 2023 liaisons:

Application	Dr. Rahe & Dr. Guerreiro
Budget	Dr. Guerreiro
Continuing Education	Ms. Falk
Laws and Rules	Dr. Rahe & Dr. Guerreiro
Unlicensed Activity	Ms. Ramirez

Tab 23: PUBLIC COMMENT

There was no public comment.

ADJOURN

Meeting adjourned at 12:00 p.m.

Next meeting November 2, 2022, Joint Meeting with the Board of Hearing Aid Specialists via GoToMeeting

Next SLPA meeting: January 20, 2023