

DRAFT MINUTES
of the Sixth Meeting of the
Hearing Care Professionals Technical Review Committee
May 21, 2024
9:00 a.m. to Noon

TRC Members Present

Daniel Rosenthal, PE (Chair)
Theresa Parker, CSW
Wendy McCarty, Ed.D.
David Deemer, NHA
Rebecca Wardlaw, ATC
Kevin Low, DDS
Mark Malesker, PharmD, RP

TRC Members Absent

Program Staff Present

Matt Gelvin
Ron Briel
Jessie Enfield

I. Call to Order, Roll Call, Approval of the Agenda

Chairperson Rosenthal called the meeting to order at 9:00 a.m. The roll was called; a quorum was present. Mr. Rosenthal welcomed all attendees and informed attendees that the agenda for the meeting and the Open Meetings Law were posted and the meeting was advertised online at <https://dhhs.ne.gov/Licensure/Pages/Credentialing-Review.aspx>. The committee members unanimously approved the agenda for the sixth meeting and the minutes of the fifth meeting.

II. The Public Hearing on the Hearing Care Professionals Proposal

Testimony was received from members of the following three professional groups:

Proponent Testimony

- Mellissa Paridy, Nebraska Hearing Society
- Misti Schmiel, Nebraska Hearing Society
- Janie York, VP of The Nebraska Hearing Society
- Scott Jones, Nebraska Hearing Society
- Roy Christiansen, Audiologist Speech Language Pathologist
- Ken Stallom, Audiologist Speech Language Pathologist
- Samantha Sikorsky, Audiologist Speech Language Pathologist

Opponent Testimony

- Nikki Kopetzky, Audiologist, Speech Language Pathologist
- Katherine Gamaral, Audiologist, Speech Language Pathologist
- Tessa Bresinger, Audiologist, Speech Language Pathologist
- Kelly Pritchett, Audiologist, Speech Language Pathologist
- Victor Gray, Audiologist, Speech Language Pathologist
- Stephanie Czuhajewski, Audiologist Speech Language Pathologist

Neutral Testimony

- Paul Henderson, NMA representative

III. Public Comments

Mark Malesker asked the applicants how medical liaison would work given liability concerns. Misti Schmiel replied that NMA representatives recommended that the applicants include a provision in their proposal about liaison with a physician in order to address concerns about lack of medical oversight in the original proposal.

IV. Formulation of Recommendations on the Proposal by the TRC Members

Action on the Six Scope of Practice Criteria

Criterion One: The health, safety, and welfare of the public are inadequately addressed by the present scope of practice or limitations on the scope of practice.

Rebecca Docter, Yes,
David Deemer, Yes, There are access to care issues under the current situation
Theresa Parker, Yes, There are access to care issues under the current situation
Wendy McCarty, Yes, There are access to care issues under the current situation
Mark Malesker, No,
Kevin Low, No,
Dan Rosenthal, Abstained

Criterion Two: Enactment of the proposed change in scope of practice would benefit the health, safety, or welfare of the public.

Rebecca Docter, No,
David Deemer, Yes, Allowing the applicants to provide these services would provide better access
Theresa Parker, No, There are too many unresolved safety concerns with this proposal
Wendy McCarty, Yes, The amended proposal would provide safe and effective services
Mark Malesker, No, There are too many unresolved safety concerns with this proposal
Kevin Low, Yes,
Dan Rosenthal, Abstained

Criterion Three: The proposed change in scope of practice does not create a significant new danger to the health, safety, or welfare of the public.

Rebecca Docter, No,
David Deemer, No, The proposed training is too limited to ensure safe and effective services
Theresa Parker, No, The proposed training is too limited to ensure safe and effective services
Wendy McCarty, Yes, The amended proposal would provide safe and effective services
Mark Malesker, No, The proposed training is too limited to ensure safe and effective services
Kevin Low, Yes,
Dan Rosenthal, Abstained

Criterion Four: The current education and training for the health profession adequately prepares practitioners to perform the new skill or service.

Rebecca Docter, No,
David Deemer, No, Proposed applicant group education and training provisions would be inadequate to ensure safe and effective care
Theresa Parker, No, Proposed applicant group education and training provisions would be inadequate to ensure safe and effective care
Wendy McCarty, No, The current training is not adequate but the amended training would be adequate
Mark Malesker, No, Proposed applicant group education and training provisions would be inadequate to ensure safe and effective care
Kevin Low, No,
Dan Rosenthal, Abstained

Criterion Five: There are appropriate post-professional programs and competence assessment measures available to assure that the practitioner is competent to perform the new skill of service in a safe manner.

Rebecca Docter, No,
David Deemer, No, There is training available but this is not included in the proposal
Theresa Parker, No,
Wendy McCarty, No,
Mark Malesker, No,
Kevin Low, No,
Dan Rosenthal, Abstained

Criterion Six: There are adequate measures to assess whether practitioners are competently performing the new skill or service and to take appropriate action if they are not performing competently

Rebecca Docter, No,
David Deemer, No,
Theresa Parker, No,
Wendy McCarty, No,
Mark Malesker, No,
Kevin Low, No,
Dan Rosenthal, Abstained

The Up/Down Vote on the Proposal as a Whole

Rebecca Docter, No,
David Deemer, No, There are too many safety concerns to approve this proposal
Theresa Parker, No, Applicant group education and training provisions would be inadequate to ensure safe and effective care
Wendy McCarty, Yes, The proposed education and training would enable the applicants to provide safe and effective care
Mark Malesker, No, Proposed applicant group education and training provisions would be

inadequate to ensure safe and effective care
Kevin Low, Yes,
Dan Rosenthal, Abstained

By this vote the Committee members decided to recommend against approval of the applicants' proposal.

V. Final Public Comments

There were no comments at this time.

VI. Other Business and Adjournment

There being no further business, the committee members unanimously agreed to adjourn the meeting at 12:20 p.m.