

Minutes of the October 16, 2020 Board of Hearing Instrument Specialists Meeting

1. ROLL CALL

Misti Lutt-Chmiel, Chairperson, called the meeting of the Board of Hearing Instrument Specialists to order at 1:07 p.m. on Friday, October 16, 2020 in the First Floor Licensure Unit Conference Room at the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <http://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on October 6, 2020.

Lutt-Chmiel announced that this is a public meeting and the Open Meetings Law is posted.

Members Present: The following members answered roll call:

Misti Lutt-Chmiel, Chairperson
Dr. Sandra Miller, Vice-Chairperson
Ed Granger, Member
Mick Pierce, Member

Members Absent:

Dr. Aaron Robinson, Secretary
Dr. Kelly Pritchett, Member

Others Present:

Natalee Hart, Assistant Attorney General
Carla Cue, Investigator
Claire Covert-ByBee, Program Manager
Antonio Carranza, Health Licensing Coordinator

2. ADOPTION OF AGENDA

MOTION: Miller moved, seconded by Lutt-Chmiel to adopt the agenda. Voting aye: Granger, Lutt-Chmiel, Miller and Pierce. Voting nay: None. Absent: Pritchett and Robinson. Motion carried.

3. REAFFIRMATION OF MAIL BALLOT

The Board reaffirmed the mail ballot approving the February 28, 2020 meeting minutes on March 5, 2020. Board members Granger, Lutt-Chmiel, Miller and Robinson voted to approve. Pierce and Pritchett abstained.

These minutes were approved by the Board of Hearing Instrument Specialists on October 27, 2020.

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Granger moved, seconded by Miller to go into closed session at 1:10 p.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Granger, Lutt-Chmiel, Miller and Pierce. Voting nay: None. Absent: Pritchett and Robinson. Motion carried.

5. BOARD RECOMMENDATIONS – OPEN SESSION

The Board returned to open session at 1:50 p.m. There were no recommendations.

6. REGULATION UPDATE

Covert-ByBee stated the regulations were promulgated and effective as of June 16, 2020. She advised the Audiology & Speech-Language Pathology regulations, chapters 23 and 24 are currently with the Attorney General's Office being reviewed.

7. LEGISLATIVE UPDATE

Covert-ByBee shared that the legislature was suspended due to COVID-19. They went back into session in late July and ended in early August. She was not aware of any potential bills for next year that would affect Hearing Instrument Specialists.

8. OTC HEARING AIDS

Covert-ByBee participated in the International Hearing Society Regulator Meeting. She stated over the counter (otc) hearing aids were a big topic of conversation, although states are waiting for federal regulations to pass to establish definitions. Lutt-Chmiel shared that the state of Texas had been in a legal battle regarding otc hearing aids with Walmart.

9. COVID-19 AND LICENSURE

Covert-ByBee advised that several executive orders have been issued by the Governor during the declared public health emergency and two in particular, Executive Orders 20-10 and 20-27 affected licensure. The main change affecting Hearing Instrument Specialists was Executive Order 20-27 which allowed for a new continuing education waiver. It allows for licensees to apply to waive part or all of their continuing education requirement due to circumstances beyond their control. Documentation is required to be submitted to support the request.

10. LICENSURE APPLICATION PROCESSING REPORT

Carranza presented an application processing report, this was for informational purposes only.

These minutes were approved by the Board of Hearing Instrument Specialists on October 27, 2020.

11. RECOGNITION OF MICK PIERCE

Covert-ByBee recognized Mick Pierce for his ten years of service to the Board. She highlighted his levity and unique perspective as the public member of the Board. She thanked him for the commitment to the residents of the state and helping with public protection. Board members also shared their thanks and well wishes to Pierce for his service.

12. SCHEDULE MEETINGS FOR NEXT YEAR

The Board scheduled meetings for February 12, 2021, June 11, 2021 and October 22, 2021, all starting at 1:00 p.m. Miller volunteered to administer practical exams for all three meetings, Granger volunteered for February 12th and Lutt-Chmiel for the June and October meetings.

13. PUBLIC COMMENT

There were no comments.

14. TOPICS FOR NEXT MEETING

Suggested topics for the next meeting include a regulation update, legislative update, election of officers and notice of meeting publication.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 2:08 p.m.

Respectfully submitted,

Dr. Aaron Robinson, Secretary