

IOWA BOARD OF HEARING AID SPECIALISTS

November 7, 2022

Origination Site: Lucas State Office Building, 5th Floor Conference Room #526
Des Moines, Iowa

Open Session Meeting Minutes

The Board meeting was hosted virtually and in-person at the Lucas Building, 5th Floor, Conference Room 525. Instructions for virtual attendance through ZOOM were provided on the agenda.

Call to Order

The meeting was called to order at 9:03 a.m.

Members Present

Tricia Veik, HAS

Molly Parker, Au.D., HAS

Helen Royer, HAS

Rick Knudson, Public Member

Members Absent

None

Staff Present

Steve Garrison, Bureau Chief

Jessica O'Brien, Board Executive

Susan Reynolds, Board Executive

Tessa Register, Assistant Attorney General

Beth Jorgenson, Compliance Administrator

Lacy Hepp, Assistant to Board Administrator

Public Present

Taylor Parker, Concept Iowa Hearing

Maddie Wilcox, Legislative Liaison

Kathryn Klauer, Concept Iowa Hearing

Shauna Learn, Hearing Aid Specialist

Introductions

Introductions were made by the staff, members of the Board, and guests in attendance.

Approval of Open Session Minutes

Veik moved the Board approve the open session meeting minutes of August 1, 2022, as presented. A second was received by Royer. All ayes, nays none, motion carried.

Public Comment

There was no public comment.

Reports

Bureau Chief Steve Garrison was not yet in attendance, Board Executive O'Brien gave an update on the Board's financial situation.

New Business

A. Exam Approval

Prospective applicant Shauna Learn addressed the Board asking for permission to retake the IHS exam for the fifth time, pursuant to 645 Iowa Admin. Code r. 121.5(2). Ms. Learn discussed her career path, her intent to participate in an intensive course. Knudson moved the Board approve the request to retake the exam. A second was received by Parker. All ayes, nays none, motion carried.

B. Discussion of New FDA Rule for Over-The-Counter (OTC Hearing Aids)

The Board discussed the FDA's Final Rule authorizing OTC hearing aids. AAG Register provided an overview of the FDA's rule. The Board discussed the ways in which the Rule might affect practice including the new requirement that prescription hearing aids be sold only upon an "order" of a practitioner. Wilcox explained the Department of Health and Human Services could not this year offer legislation because the rulemaking came too close to the legislative session. The Board discussed issuing an FAQ document to assist licensees with common questions about the new OTC policies. Veik moved the Board delegate authority to review and approve a final FAQ to Parker. A second was received by Royer. All ayes, nays none, motion carried.

C. Discussion of Patient Care Coordinator, Clinic Administrator, and Receptionist's Ability to Perform Certain Functions (Changing domes and filters, cleaning aids, etc.)

The Board discussed a question regarding what tasks an unlicensed assistive person could perform. AAG Register clarified that Iowa law requires a hearing aid specialist license for "providing hearing aid services or maintenance." (Iowa Code § 154A.1(6)). Board consensus was that basic, routine tasks that do not require making independent clinical decisions or that rise to the level of servicing a hearing aid can be delegated, but licensees should ensure they are not delegating a task that requires a license.

D. Discussion of Continuing Education Requirements

The Board discussed a question regarding whether hearing aid specialists had a minimum number of continuing education hours that had to be completed in-person. Board Executive O'Brien explained the Board did not have any minimum hours that must be completed in person, and all required education can be completed through remote offerings.

Administrative Rules

The Board discussed a proposal from staff to eliminate the requirement that licensees receive permission from the Board to retake the exam after failing three times. The Board discussed the importance of allowing applicants many opportunities to take the exam. The Board also discussed the importance of protecting the public and allowing patients to make informed choices about their providers, which may include Board oversight of applicants who are repeatedly unsuccessful. The Board decided to compromise by not eliminating the permission requirement, but instead increasing the number of unsuccessful attempts allowed before needing Board permission to retake the exam. Board Executive O'Brien explained the Board's prior precedent was to allow six attempts, and the Board agreed the rule could be amended to reflect that precedent. Parker moved to amend rule 121.5(2) to replace "third" with "sixth." A second was received by Veik. All ayes, nays none, motion carried.

Closed Session Agenda

10:32a.m. A motion was made by Veik to go into closed session pursuant to Iowa Code section 21.5(1)(d) to discuss whether to initiate licensee disciplinary investigations or proceedings. A second was received from Parker. Roll call was taken. Veik – aye, Parker – aye, Knudson – aye, Royer – aye, motion carried.

The Board returned to open session at 10:38 a.m.

Future Board Meetings

February 6, 2023

May 1, 2023

August 7, 2023

November 6, 2023

Adjournment

A motion was made by Parker to adjourn the meeting at 10:39 a.m. A second was received by Knudson. All ayes, opposed none, motion carried.