

STATE COMMITTEE OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS
COMPLAINTS SUBCOMMITTEE MEETING
Thursday, February 23, 2006, 9:00 a.m.
Department of State Health Services
Exchange Building, Room S-402
8407 Wall Street
Austin, Texas 78754

MINUTES

Subcommittee Members Present:

Rosemary Geraci, Chair
Ken Haesly
Audrey McDonald

Subcommittee Members Absent:

Sara Garza

DSHS Present:

Stephen Mills
Joyce Parsons
David Richards
Steve Slough
Stewart Myrick

Guests Present:

Ronald Boyle
Jose Espinoza
Robert Landry
Joe Geraci
Ray Jones
Rose Minnett
Jim Carson
John Bomhardt
Kelly Kelley

Agenda Item 1 was the call to order by Ms. Geraci at 9:03 a.m.

Agenda Item 2 was the introduction of guests.

Agenda Item 3 was the review and approval of subcommittee report of the meeting held October 20, 2005. Mr. Haesly made a motion to approve the minutes as amended. The motion was seconded and passed unanimously.

Agenda Item 4 was the discussion and possible action to consider pending complaints requiring subcommittee review:

FD-05-069 – Mr. Haesly made a motion to issue a warning letter. The motion was seconded and passed unanimously.

FD-06-004 – Mr. Haesly made a motion to issue a warning letter. The motion was seconded and passed unanimously.

FD-06-005 – Mr. Haesly made a motion to close the complaint as no violation. The motion was seconded and passed unanimously.

FD-06-006 – Ms. McDonald made a motion to close the complaint as no violation. The motion was seconded and passed unanimously.

FD-06-007 – Mr. Haesly made a motion to close the complaint as no violation. The motion was seconded and passed unanimously.

FD-06-009 – Mr. Haesly made a motion to close the complaint as no violation. The motion was seconded and passed unanimously.

FD-06-010 – Ms. McDonald made a motion to close the complaint as no violation. The motion was seconded and passed unanimously.

The subcommittee recessed at 9:55 am. The subcommittee reconvened at 10:02 am.

FD-06-011 – Mr. Haesly made a motion to recommend administrative penalties of \$250 each for violations of §141.16(a)(2)(c), §141.16(d)(1), and §141.16(d)(2)(c), and to refer the complaint for an investigation. The motion was seconded and passed unanimously.

FD-06-012 – Mr. Haesly made a motion to close the complaint as no violation. The motion was seconded and passed unanimously.

FD-06-015 – Ms. McDonald made a motion to close the complaint as no violation. The motion was seconded and passed unanimously.

FD-06-002 – Ms. Geraci recused herself from discussion and vote of this item. Mr. Haesly made a motion to recommend an administrative penalty of \$100 for violation of §141.4(d). The motion was seconded and passed unanimously.

FD-05-058 – Ms. Geraci recused herself from discussion and vote of this item. Mr. Haesly made a motion to close the complaint as no violation. The motion was seconded and passed unanimously.

Agenda Item 5 was the discussion and possible action concerning staff report of open complaints. Ms. Geraci commented on the process of generating notices of violation. No action was taken.

Agenda Item 6 was the discussion and possible action regarding the licensure surrender order of David Sirmons. Mr. Haesly made a motion to recommend approval of the surrender order to the full committee. The motion was seconded and passed unanimously.

Agenda Item 7 was the discussion and possible action regarding the default order of Lawrence Cox. Mr. Haesly made a motion to recommend approval of the default order to the full committee. The motion was seconded and passed unanimously.

Agenda Item 8 was the discussion and possible action regarding comments and final adoption of proposed amendments to 22 Texas Administrative Code, Chapter 141, as they relate to the work of the subcommittee. Ms. McDonald made a motion to defer the agenda item to the full committee. The motion was seconded and passed unanimously.

Agenda Item 9 was announcements and subcommittee member(s) comments not requiring subcommittee action. Rose Minnett from the Texas Department of Assistive and Rehabilitative Services made comments regarding disseminating general information to the hearing impaired.

Agenda Item 10 was the adjournment of the meeting. Ms. Geraci moved to adjourn. The motion was seconded and passed unanimously at 10:56 a.m.

Approved by the subcommittee on June 1, 2006

Rosemary Geraci, Chair