

STATE COMMITTEE OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS  
REGULAR MEETING  
Friday, October 21, 2005 9:00 a.m.  
Department of State Health Services  
Exchange Building, Room S-402  
8407 Wall Street  
Austin, Texas 78754

MINUTES

**Committee Members Present:**

James McCrae, President, Professional Member  
Kenneth Earl, Professional Member  
Rosemary Geraci, Professional Member  
Ronald J. Ensweiler, Professional Member  
Sara Garza, Public Member  
Richard Davila, II, Professional Member

**Committee Members Absent:**

Gordon Bisel, Professional Member  
Audrey McDonald, Public Member  
Dr. Jerome Kosoy, Physician Member

**DSHS Staff Present:**

David Richards  
Stephen Mills  
Joyce Parsons  
Melissa Utpadel

**Guests Present:**

Joe Geraci  
Scott Pospisil, THAA  
Ray Jones

**Agenda Item 1** was the call to order by Mr. McCrae at 9:03 am.

**Agenda Item 2** was the introduction members, staff, and guests.

**Agenda Item 3** was public comment. No action was taken.

**Agenda Item 4** was the review and approval of minutes from the June 10, 2005 committee meeting, the September 13, 2005 Stakeholder's Meeting, and the September 14, 2005 Rules Review Meeting. A motion was made by Mr. Ensweiler to approve the June 10<sup>th</sup> minutes with corrections. The motion was seconded and passed unanimously. A motion was made by Mr. Davila to approve the September 13<sup>th</sup> minutes. The motion was seconded and passed unanimously. A motion was made by Ms. Garza to approve the September 14<sup>th</sup> minutes. The motion was seconded and passed unanimously.

**Agenda Item 5** was discussion and possible action and recommendations concerning the report of the Complaints Subcommittee meeting of October 20, 2005. A motion was made by Ms. Geraci to approve the report as presented. The motion was seconded and passed unanimously. A motion was made by Ms. Geraci, to re-open and

assign new numbers to FD-05-063 and FD-05-059, in regards to 141.17(b)(3) and review at the next complaints committee. The motion was seconded. Ms. Geraci withdrew the motion and made a revised motion to have FD-05-063 and FD-05-059 presented at the next subcommittee meeting. The motion was seconded and passed unanimously. Ms. Geraci made a motion to have a status report about pending complaints available between meetings. The motion was seconded and passed unanimously.

**Agenda Item 6** was discussion and possible action concerning the report and recommendations of the Continuing Education Subcommittee meeting of October 20, 2005. A motion was made by Mr. Earl to approve CostCo as a non-manufacturer CE sponsor and Sebotex as a manufacturer CE sponsor. The motion was seconded and passed unanimously. A motion was made by Mr. Earl to approve the subcommittee report. The motion was seconded and passed unanimously.

**Agenda Item 7** was discussion and possible action concerning the report and recommendations of Examination Subcommittee meeting of October 20, 2005. A motion was made by Ms. Geraci to approve the subcommittee report as presented. The motion was seconded and passed unanimously.

**Agenda Item 8** was discussion and possible action and recommendations concerning the report of Application Subcommittee meeting of October 20, 2005. Mr. Davila made a motion to accept the two applications from Katrina evacuees regarding licensure in Texas. The motion was seconded and passed unanimously.

**Agenda Item 9** was discussion and possible action concerning the review of and proposed amendments to 22 Texas Administrative Code, Chapter 141 in accordance with Texas Government Code, §2001.039. A motion was made by Mr. Earl to approve all housekeeping recommendations from DSHS staff. The motion was seconded and passed unanimously.

A motion was made by Mr. McCrae to approve Mr. Mills wording in §141.89(c)(t). The motion was seconded and passed unanimously.

A motion was made by Mr. Earl to not change the proposed language to §141.14(b). The motion was seconded and passed with opposition.

A motion was made by Mr. Davila to approve the proposed language in §141.15(d)(2). The motion was seconded and passed unanimously. A motion was made by Mr. Davila to approve the removal of 141.15(d)(5) as proposed. The motion was seconded and passed unanimously.

A motion was made by Ms. Geraci to approve the proposed rules for publication. The motion was seconded and passed unanimously.

**Agenda Item 10** was discussion and possible action concerning follow-up from the September 13-14, 2005 meeting. Mr. McCrae appointed Ms. Geraci and Mr. Ensweiler to the Task Force.

**Agenda Item 11** was discussion and possible action concerning license and permit certificate forms and renewal cards. Mr. Mills discussed the new certificates. No action was taken.

**Agenda Item 12** was discussion and possible action concerning the license renewal process. No action was taken.

**Agenda Item 13** was discussion and possible action concerning travel accommodations and procedures for committee members. Mr. McCrae discussed changes to hotel reservations. Mr. Mills suggested that the committee set the dates for next year's meetings, so that hotel reservation can be made immediately. The 2006 meeting dates will be February 23-25, 2006, June 1-3, 2006 and October 5-7, 2006.

**Agenda Item 14** was the President's report. Mr. McCrae distributed handouts regarding open meeting rules.

**Agenda Item 15** was the Executive Director report. Ms. Parsons discussed the new forms that relate to the new computer program.

**Agenda Item 16** was the management report by Mr. Mills regarding operations and staffing. No action was taken.

**Agenda Item 17** was the report regarding pending litigation. No action was taken.

**Agenda Item 18** was the election of officers. A motion was made by Mr. Earl to elect Mr. Ensweller as the new President. The motion was seconded and passed. A motion was made by Ms. Geraci to elect Mr. Earl as the new Vice-President. Motion was seconded and passed.

**Agenda Item 19** was announcements and comments not requiring committee action. No action was taken.

Mr. Earl moved to adjourn. The motion was seconded and passed unanimously at 11:58 a.m.

Approved by the committee on February 24, 2006

Ronald Ensweller, President  
Joyce Parsons, Executive Director