

Board of Registration of Hearing Instrument Specialists
Meeting Held by Video/Telephone Conference
Date: July 31, 2020 Time: 10:00 am

Public Session Meeting Minutes

Board Members Present by video or phone:

Eugene Antonell, Chair (EA)
Stanley Zoll (SZ)
Loleata Wigall, Secretary (LW)
Camille Catalano (CC)

Staff Present by video or phone:

Michael Hawley, Executive Director
Lynn Read, Board Counsel
Kristina Gasson, Board Counsel

Members of the Public Present by video or phone:

Charles Margossian

Called To Order:

- The meeting was called to order at 10:24 a.m. by EA.

Board Business:

- Review of Minutes:
 - January 17, 2020
A MOTION was made by CC to approve the minutes of the January 17, 2020 board meeting as written. LW seconded. The motion passed on a roll call vote: CC – “Yes”; EA – “Yes”; SZ – “Yes”; LW – “Yes”.
 - April 22, 2020
A MOTION was made by SZ to approve the minutes of the April 22, 2020 board meeting as written. LW seconded. The motion passed on a roll call vote: CC – “Yes”; EA – “Yes”; SZ – “Yes”; LW – “Yes”.
- Introduction of new Board Counsel, Kristina Gasson. Attorney Gasson introduced herself to the Board. She will be replacing Lynn Read as Board Counsel.
- Report from Executive Director, Michael Hawley
 - Staffing – Mr. Hawley reported that board staff continues working mostly from home with some staff members going into the office several times a week. Mr. Hawley also reported that the Commissioner has sent a letter to most Hearing Instrument Specialist licensees seeking volunteers to serve on the Board. There are two vacant positions. One is for a licensed Hearing Instrument Specialist and the other is for a member of the public who is not a licensee and who has no affiliation with the Hearing Aid industry.
- Report from Legal Counsels Lynn Read and Kristina Gasson
 - Progress of federal regulations – Over the Counter Hearing Aids. Attorney Read reported that the FDA has not yet implemented regulations regarding sales of over-the-counter hearing aids.

Apprenticeship Extension Requests

- **Charles Margossian**- Mr. Margossian appeared before the board (by phone) to request an extension of his apprenticeship. This is his first request for an extension. **A MOTION was made by EP to grant an 18 month extension of Mr. Margossian’s apprenticeship. LW seconded. The motion passed on a roll call vote: CC – “Yes”; EA – “Yes”; SZ – “Yes”; LW – “Yes”.**

Discussion:

- **Impacts of COVID-19**
 - **IHS exam Availability:** No updates at this time.
 - **Dispensing when and audiogram cannot be performed and most recent audiogram is more than six months old:** The Board has received a number of emails regarding the expiration of audiograms for individuals who are unable to obtain new audiograms due to the COVID-19 pandemic. The Board discussed the issue of expiring audiograms and agreed that, during the state of emergency the period allowed before retesting is expired can be extended from six months to one year. The Board asked staff to present this issue to the Board of Registration for Speech-Language Pathology & Audiology because audiologists also dispense hearing aids. **A MOTION was made by LW to extend the period allowed for a retest from six months to twelve months and delegate authority to the Division of Professional Licensure (DPL) to approve such requests. SZ seconded. The motion passed on a roll call vote: CC – “Yes”; EA – “Yes”; SZ – “Yes”; LW – “Yes”. A MOTION was made by LW direct the Division of Professional Licensure to draft and post a policy extending the period allowed for a retest from six months to 12 months and to delegate authority to CC to review the language of the policy. SZ seconded. The motion passed on a roll call vote: CC – “Yes”; EA – “Yes”; SZ – “Yes”; LW – “Yes”.**
 - **Other Impacts:** No Discussion.
- **Review of Board Regulations, 265 CMR 2.00 – 10.00-**
A MOTION was made by LW to table review of the regulations until a future meeting. SZ seconded. The motion passed on a roll call vote: CC – “Yes”; EA – “Yes”; SZ – “Yes”; LW – “Yes”.

Open Session for Topics not reasonably anticipated 48 hours in advance of the meeting:
None.

Cases, Investigative Conference [Closed session pursuant to G.L. c. 112 §65C]:

At 12:10 p.m., a MOTION was made by LW to adjourn the open meeting and enter investigative conference [Closed session pursuant to G.L. c. 112 §65C] to consider investigative matters. CC seconded. The motion passed on a roll call vote: CC – “Yes”; EA – “Yes”; SZ – “Yes”; LW – “Yes”.

During the investigative session the Board voted to take the following actions:

- HE 2019-000447-IT-ENF – Forwarded to the office of prosecutions
- HE 2020-000584-IT-ENF - Dismissed

Respectfully Submitted,

A handwritten signature in black ink, reading "Michael Hawley". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Hawley
Executive Director

Documents used in Public Session:

- Agenda for July 31, 2020 Board meeting
- Minutes of April 22, 2020 Board meeting
- Minutes of January 17, 2020 Board meeting
- Apprenticeship Extension request from Charles Margossian
- Inquiry Regarding Audiogram, dated May 11, 2020
- Audiogram Related MD letter, dated June 23, 2020
- Audiogram