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**Commonwealth of Massachusetts**  
**Bureau of Health Professions Licensure**  
**Board of Registration of Hearing Instrument Specialists**  
**250 Washington Street**  
**Boston, MA 02108**

**Public Meeting Minutes**

**July 19, 2024**

A public meeting of the Massachusetts Board of Registration of Hearing Instrument Specialists (the Board) was held remotely with video and audio conference as an alternate means of public access pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain State of Emergency Accommodations, signed into law on July 16, 2022.

Lisa Guglietta, Executive Director, informed attendees that the meeting was being recorded.

Rony Soto, Chair, noted a quorum of members present via video or phone and called the meeting to order at 9:14 a.m.

**MEMBERS PRESENT**

Dana Mario  
Rony Soto  
Elizabeth Adebayo  
Paul Beckner

**MEMBERS ABSENT**

Heather Hanley

**STAFF PRESENT**

Lisa Guglietta, Board Executive Director  
Katie Goldrick, Board Associate Executive Director  
Sheila York, Esq., Board Counsel

### **ATTENDANCE:**

Rony Soto, Chair, took attendance by roll call and a quorum of board members was recorded with the following members present via video conference: *Mario, Soto, Adebayo, Beckner*

### **APPROVAL OF AGENDA:**

Rony Soto called for a motion to approve the July 19, 2024 meeting agenda. Thereafter a motion was made by Elizabeth Adebayo, seconded by Rony Soto and VOTED (roll call); **to approve the July 19, 2024 agenda as drafted.**

*in-favor: Soto, Adebayo, Beckner*

*opposed: none*

*non-voting member: Mario*

### **CONFLICT OF INTEREST AND OPEN MEETING LAW REQUIREMENTS:**

Sheila York, Board Counsel, reviewed Conflict of Interest and Open Meeting Law Requirements with the Board. Members should contact Attorney York with questions about possible conflicts with applicants, petitioners, or cases before the Board. If possible, members should bring these matters to Board Counsel's attention before the meeting.

### **CHANGE TO PUBLIC COMMENT PROCEDURE**

Sheila York, Board Counsel, explained that to increase consistency among DPH boards, the boards transferred from DOL are adopting meeting procedures followed by other DPH boards. One change is that the transferred boards are no longer going to hold a public comment period at the end of Board meetings. Opening the floor for public comment at board meetings creates a risk that the Board could unintentionally frustrate the purpose of the open meeting law by having the Board discuss topics that were not posted for the public's benefit on the meeting agenda. Under the new procedure, the Board will accept comments in writing. Members of the public who wish to provide a comment to the Board should email the board their comment at least two weeks before the meeting. Board staff will review the information provided, consult with the Chair as necessary, and the comment may be added to the agenda for Board discussion or responded to in a different manner.

### **PUBLIC MEETING MINUTES**

The Board discussed the draft public meeting minutes of 4/19/24. Thereafter a motion was made by Elizabeth Adebayo, seconded by Paul Beckner and VOTED (roll call); **to approve the public meeting minutes of April 19, 2024 as drafted.**

*in-favor: Soto, Adebayo, Beckner*

*opposed: none*

*non-voting member: Mario*

### **APPRENTICESHIP EXTENSION REQUESTS**

**Victor Ramos, License HEA6507**, requested an extension of his apprenticeship to be able to work and take the International Hearing Society (IHS) exam. This was the first extension request for the licensee. Board members asked questions and discussed the request. Thereafter a motion was made by Paul Beckner, seconded by Elizabeth Adebayo and VOTED (roll call); **to approve an 18-month extension of his apprenticeship.**

*in-favor: Soto, Adebayo, Beckner*  
*opposed: none*  
*non-voting member: Mario*

**Gianna Parent, License HEA6513**, requested an extension of her apprenticeship to be able to work and take the International Hearing Society (IHS) exam. The Board was not able to discuss her petition at this time due to a conflict of interest for a board member who had worked with the licensee in the past. This resulted in the board losing quorum for a vote. The Chair, via delegated authority, gave direction to staff to extend her license expiration to October 18, 2024 which is the date of the next Board meeting. The licensee will attend the October board meeting to request an extension.

**Alyssa Humphrey, License HEA6512**, requested an extension of her apprenticeship to be able to work and take the International Hearing Society (IHS) exam. This was the first extension request for the licensee. Board members asked questions and discussed the request. Thereafter a motion was made by Elizabeth Adebayo, seconded by Paul Beckner and VOTED (roll call); **to approve an 18-month extension of her apprenticeship.**

*in-favor: Soto, Adebayo, Beckner*  
*opposed: none*  
*non-voting member: Mario*

## **DISCUSSION**

### **265 CMR Regulation Review Process**

The Board began its discussion of the 265 CMR regulation review process. Board Counsel, Sheila York, explained the process involved in making changes to regulations and that it could take a year or more. She also explained the difference between statutes, which are laws enacted by the Legislature, and Board regulations, which are rules the Board sets to implement and interpret the statutes. The Board can change its regulations, provided the change is consistent with the statute, but the Board cannot change the statute. Only the Legislature can change the statute. For example, the Board cannot change the definitions set by statute in Chapter 112 Section 196. The minimum age requirement and education level of an applicant for licensure are also set by the statute in Chapter 112 Section 197 and cannot be changed by regulation. Regulations written by the Board must be reasonably related to the statutory language and purpose of the law.

The Board discussed the possibility of a requirement for licensees to be licensed for a certain number of years before they are eligible to sponsor an apprentice. However, the statute and regulations do not set a years of experience requirement and only require that a sponsor be a MA licensed hearing instrument specialist or audiologist. The Board discussed setting limits to the number of times an apprentice can take the exam before having to re-train. The Board also discussed making changes to the standards of practice for supervisors which include clarifying the amount of time supervisors must be on-site and/or at the same office as apprentices. Dr. Dana Mario suggested that healthcare ethics should be part of the training required for applicants. Rony Soto, Chair, gave direction to staff to have Board Counsel review his proposed regulation changes for the purpose of providing clarification on what changes were within the Board's purview based on the statutes.

The topic of a practical exam was brought up in the Board's discussion of regulation changes. The Board would like to learn about the new practical exam offered by the International Hearing Society (IHS). Lisa Guglietta, Executive Director, will reach out to Sierra Sharpe of IHS to see if she can present information about the practical exam to the Board at the October 2024 meeting.

### **ADJOURNMENT**

At 11:00 a.m. a motion was made by Dana Mario, seconded by Elizabeth Adebayo and VOTED (roll call); to end the public session.

*in-favor: Adebayo, Soto, Beckner*

*opposed: none*

*non-voting member: Mario*

Respectfully submitted,

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Lisa M. Guglietta, Executive Director  
Board of Registration of Hearing Instrument Specialists

### **Documents used by the Board during open session:**

- *Posted agenda 7/19/2024*
- *Draft public meeting minutes of 4/19/24*
- *Board Regulations 265 CMR and Board Statutes Chapters 13 and 112*
- *Proposed Changes to Regulations by Rony Soto*