



Board of Examiners
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Meeting Minutes May 6, 2022 Via Zoom Meeting

PRESENT: Dustin Ooley, Au.D. Chair
Amy Martin, CCC-SLP, Vice Chair
Carrie Slough, Au.D.
Victoria Edwards, CCC-SLP
Clarence Williams, Public Member
Christopher Hargunani, M.D. (arrived at 10:00 a.m.)

Erin Haag, Executive Director
David Linn, Administrative Assistant
Leslea Smith, Investigator
Catriona McCracken, Sr. AAG

EXCUSED: N/A

CALL TO ORDER:

The meeting was called to order at 9:01 a.m. by Chair Ooley after a roll call quorum was established. The meeting was held via Zoom.

PREVIOUS MEETING MINUTES:

Martin moved to approve the minutes. The motion was seconded by Williams and passed unanimously.

BUDGET REPORT:

Haag reported that licensing and revenue numbers continue to be strong. The Board is working with the Department of Administrative Services Chief Financial Office and the Legislative Fiscal office because it will need additional expense limitation for the current biennium. Since the number of licensees is up strongly, the background check and credit card fees expenses have gone up as well. In addition, the Department of Justice eliminated the “flat fee” program and as such attorney fees are up considerably over the prior biennium. Haag shared the 2023-25 Agency Request Budget.

RULEMAKING:

Ashley Northam, CCC-SLP, and director of the SLPA program at Chemeketa introduced proposed updates to board rules concerning equity and inclusion. Helen Sharp, CCC-SLP and director of the SLP program at Pacific University joined the meeting and described how her students studied the issue and came up with the proposed new language. It was a nice opportunity for her students to participate in the rulemaking process. Sharp ran the language by her colleagues at the University of Oregon and Portland State University SLP programs and they

concurred with the proposed language, which is attached to the minutes. Martin moved for the Board to approve this language and proceed with the rulemaking process. The motion was seconded by Slough and passed unanimously.

HB 2359 – Health Interpreter rules: At the last session, the legislature passed HB 2359 that requires health licensing boards to require licensees to utilize interpreters from the OHA list for all care provided. Brian Greenaway, audiologist and member of Oregon Audiology Association expressed concerns as to who can be on the list and implementation. The board decided to consult with counsel and conduct the vote during this afternoon’s second public session immediately following executive session.

CLINICAL FELLOWSHIP EXPERIENCE

Haag reported that she recently spoke at an Oregon Speech-Language & Hearing Association (OSHA) meeting and asked for volunteers to serve on a rules committee to look at the rules for the clinical fellowship experience in light of ASHA updating its requirements. Haag will work with Martin on the project and convene the committee over the summer.

This portion of the public session ended at 9:36 a.m.

EXECUTIVE SESSION

Chair Ooley called the Executive Session to order at 9:40 a.m. to consider information obtained as part of investigations of licensee or applicant conduct as provided in ORS 192.660(2)(L), consider information or records that are exempt by law from public inspection as provided in ORS 192.660(2)(f), and to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed as provided in ORS 192.660(2)(h).

The executive session ended at 11:24 a.m. and the Board returned to public session at 3:10 p.m.

MOTIONS FOLLOWING EXECUTIVE SESSION

2017-79: Martin moved to take action pursuant to ORS 681.350(1)(c) and (d) in the form of a Notice of Proposed Intent to Discipline - Probation; assessment of civil penalties; and assessments of board costs:

- Pursuant ORS 681.420 (5) and
- Pursuant to OAR 335-005-0020(1), (3),(4),(5), and (6)
- Pursuant to OAR 335-005-0025(3)
- Pursuant to OAR 335-005-0015(1), (2) and (16)

With proposed discipline to include a period of probation wherein Respondent shall be subject to the mentorship of a mutually agreed upon Oregon Licensed Pediatric Audiology Specialist. Such mentorship to include in person observation in addition to review of medical reports with a requirement that the mentor submit a report to the Board at the end of the proposed probationary period advising the Board as to whether the Respondent is now competent in all areas subject to mentorship.

Proposed discipline to also include imposition of a \$5000 civil penalty pursuant to ORS 681.490(5).

Proposed discipline to also include imposition of board costs of the disciplinary proceeding as an additional civil penalty, pursuant to ORS 681.350(4)

The motion was seconded by Hargunani, and passed unanimously.

2022-22: Williams moved that if respondent is in compliance to close the case with no action. Ooley seconded the motion and it passed unanimously.

2019-69: Martin moved that the Board take the following action: On one count of unprofessional conduct by making a false statement to the Board, in violation of OAR 335-005-0010(2)(b) with a civil penalty of \$500. The motion was seconded by Ooley and passed unanimously.

2019-70: Hargunani moved that the Board take the following action: On one count of unprofessional conduct by making a false statement to the Board, in violation of OAR 335-005-0010(2)(b) with a civil penalty of \$500. The motion was seconded by Slough and passed unanimously.

2019-71: Williams moved that the Board take the following action: On one count of unprofessional conduct by making a false statement to the Board, in violation of OAR 335-005-0010(2)(b) with a civil penalty of \$500. The motion was seconded by Martin and passed unanimously.

2019-72: Hargunani moved that the Board take the following action: On one count of unprofessional conduct by making a false statement to the Board, in violation of OAR 335-005-0010(2)(b) with a civil penalty of \$500. The motion was seconded by Slough and passed unanimously.

2022-05: Ooley moved that the Board take the following action: On one count of practicing without a license in violation of ORS 681.250(2), a civil penalty of \$400. The motion was seconded by Williams and passed unanimously.

2022-08: Martin moved to take the following action: On one count of unprofessional conduct for supervising a Conditional SLP whose license had expired for more than 4 months, in violation of OAR 335-004-0010(2)(g), a civil penalty of \$400. The motion was seconded by Williams and passed unanimously.

2021-44: Ooley moved to close with no action. The motion was seconded by Hargunani and passed unanimously.

2022-06: Williams moved to take the following action: On one count of failing to verify that a speech-language pathology assistant was certified with the Board under ORS 681.360 before

using the services of the speech-language pathology assistant, in violation of OAR 335-095-0050(5), a reprimand. The motion was seconded by Martin and passed unanimously.

2022-07: Hargunani moved to take the following action: On one count of failing to verify that a speech-language pathology assistant was certified with the Board under ORS 681.360 before using the services of the speech-language pathology assistant, in violation of OAR 335-095-0050(5), a reprimand. The motion was seconded by Ooley and passed unanimously.

2022-09: Ooley moved to take the following action: On one count of failing to verify that a speech-language pathology assistant was certified with the Board under ORS 681.360 before using the services of the speech-language pathology assistant, in violation of OAR 335-095-0050(5), a reprimand. The motion was seconded by Williams and passed unanimously.

2022-10: Slough moved to close with no action. The motion was seconded by Ooley and passed unanimously.

2022-12: Ooley moved to take the following action: On one count of practicing without a license for less than one month, in violation of ORS 681.250(2), a civil penalty of \$100. The motion was seconded by Williams and passed unanimously.

2022-13: Williams moved to close with no action. The motion was seconded by Martin and passed unanimously.

2022-14: Martin moved to close with no action. The motion was seconded by Ooley and passed unanimously.

2022-15: Williams moved to close with no action. The motion was seconded by Hargunani and passed unanimously.

2022-20: Ooley moved to take the following action: On one count of practicing without a license for ten months in violation of ORS 681.250(2), a civil penalty of \$1000. The motion was seconded by Williams and passed unanimously.

2022-19: Ooley moved to take the following action: On one count of practicing without a license for three months in violation of ORS 681.250(2), a civil penalty of \$300. The motion was seconded by Martin and passed unanimously. Ooley moved to issue the license. The motion was seconded by Williams and passed unanimously.

2022-17: Martin moved to issue the license. The motion was seconded by Ooley and passed unanimously.

2022-21: Williams moved to ratify the license. The motion was seconded by Ooley and passed unanimously.

2022-23: Slough moved to ratify the license. The motion was seconded by Ooley and passed unanimously.

2022-25: Martin moved to approve the license. The motion was seconded by Hargunani and passed unanimously.

2022-27: Williams moved to approve the license then the application is complete. The motion was seconded by Ooley and passed unanimously.

2021-41: Ooley moved to take the following action: On one count of practicing without a license for three months in violation of ORS 681.250(2), a civil penalty of \$300. The motion was seconded by Williams and passed unanimously.

2021-42: Ooley moved to take action pursuant to ORS 681.350(1)(c) and (d) in the form of a Notice of Proposed Intent to Discipline – Reprimand for failure to prevent unlicensed practice of CF and Cap on number of CFs that can be mentored at any one time; and assessment of board costs:

- Pursuant ORS 681.420 (5) and
- Pursuant to OAR 335-080-0015(1), (3) and (5)
- Pursuant to OAR 335-080-0005(2)

Proposed discipline to also include imposition of board costs of the disciplinary proceeding as an additional civil penalty, pursuant to ORS 681.350(4). The motion was seconded by Williams and passed unanimously.

2022-28: Hargunani moved to approve the issuance of the license when the application is complete. The motion was seconded by Ooley and passed unanimously.

Ooley moved to approve the 2023-25 Agency Request Budget. Seconded by Williams, the motion carried.

Slough moved to open rulemaking for HB 2359 as shared with the board. Martin seconded the motion and it carried.

Hargunani moved to extend the time to investigate open cases. The motion was seconded by Williams and passed unanimously.

ADJOURNMENT The Board meeting adjourned at 3:40 p.m.