

## Advisory Council Meeting Minutes

Hearing Instrument Dispensers  
February 8, 2017  
The Wellstone Center, Room 208  
179 Robie Street East, St. Paul, MN 55107

### IN ATTENDANCE:

**Present Members:** Sarah Kahley, Daniel Rochel, Robert McLachlan, Arthur Zimmerman, P. J Kiedrowski, Richard Caruso, Dale Thorstad.

**MDH Staff Members:** Amanda Hirsch, Anne Kukowski, Catherine Lloyd, Kevin Reinke, Gloria Rudolph

### Absent Members:

### AGENDA:

1. **Convene and introductions.** Done by those in attendance
2. **Review and Approval of Minutes.** Approved as written.
3. **Additions/Adoptions of Agenda.**
4. **Announcements.**
  - A. **Secretary of the State Website.** Hirsch reported that the secretary of the state website was updated
  - B. **HPSP data practices.** The Attorney General's office reviewed the data practices between the Health Licensing Board and Minnesota Department of Health. The AG determined that HPSP needed to limit information shared with the boards.
  - C. **New expense forms.** Hirsch informed members that the expense form has changed and combines the per diem and travel. The new travel rate is .535.
  - D. **Retention schedule.** Previous retention schedule the Department had to keep all records for 50 years. Over fiscal year 16, the Department finalized the retention schedule and HOP is in the process of determining records to be kept or destroyed. This includes investigative files, which are to be retained for seven years. HOP investigative staff will develop criteria to determine if final investigative actions should be kept longer than seven years.

## HEARING INSTRUMENT DISPENSER ADVISORY COUNCIL

- E. **Invoicing civil penalties.** Lloyd informed council members that HOP offers practitioners the option of paying civil penalties, in excess on \$200, on an agreed-upon schedule. Practitioners make payments directly to the HOP program staff for deposit, and the amount is verified by investigative staff. In the future, MDH Financial Management is planning on invoicing the civil penalties, therefore removing the task of collections from investigative staff to accounting staff.

### 5. Staff Updates

- A. **Staff Updates – Credentialing Report.** Rudolph presented the Hearing Instrument Dispenser credentialing stats, as of December 31, 2016.\*
- B. **Staff Updates – HID Exam Report.** Rudolph presented the Hearing Instrument Dispenser exam results from December 2, 2016 exam. \*
- C. **Staff Updates – Investigations and Enforcements Reports.** Lloyd presented the HID Investigation and Enforcement Reports for the second quarter of Fiscal Year 2017.\*
- D. **Staff Updates – Budget Report.** Kukowski reported on the second quarter Fiscal Year 2017 budget for Hearing Instrument Dispenser Certification and the Hearing Instrument Dispenser Examination.

### 6. Old Business

- A. **Old Business – Assistive listening device.** MDH received an inquiry from a HID Advisory Council member regarding whether there is a scope of practice issue when teachers dispense assistive listening devices (ALD) in schools. Discussions surrounded the differential scope of practice and roles of audiologists, teachers and special education staff and the importance of educational needs. The Department is seeking information on best practices in the dispensing of assistive listening devices for school children.
- B. **Old Business – 2017 Legislation.**
  - a) **HLB CBC Report.** The Health Licensing Boards, in collaboration with MDH, Department of Human Services and the Bureau of Criminal Apprehension, submitted a report and recommendation to the 2017 Legislature on conducting criminal background checks against individuals licensed prior to January 1, 2018.
  - b) **Other.** Kukowski shared the proposed fee increases for the Hearing Instrument Dispenser with the council members.

HEARING INSTRUMENT DISPENSER ADVISORY COUNCIL

7. **New Business**

- A. **New Business – Craigslist.** Received questions in regards to FDA guidance when doing public search.
  
- B. **New Business – FDA New Guidance.** Reinke reported on FDA guidance related to not enforcing the FDA requirements that potential consumers of hearing aids obtain a medical evaluation or waive the evaluation. MDH will continue to enforce the rule that minors under the age of 18 must be evaluated and the FDA warning, but will not take enforcement action if the primary issue relates to the Practitioner’s failure to obtain an FDA waiver, or medical evaluation prior to dispensing hearing aids.
  
- C. **New Business – Review HID Consumer Pamphlet.** The Department asked the council members to review the HID Consumer Pamphlet and if they had any suggestions to email them to Kevin Reinke.

8. **Adjourn – Meeting adjourned.**

**Next Meeting:**  
May 10, 2017

\*Detailed credentialing reports are available upon request.

Minnesota Department of Health  
Health Occupations Program  
PO Box 64882,  
St. Paul, MN 55101  
651-201-3731  
Email: [Health.HOP@state.mn.us](mailto:Health.HOP@state.mn.us)