

STATE COMMITTEE OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS  
COMPLAINTS SUBCOMMITTEE MEETING

Wednesday, January 25, 2012 8:30 a.m.  
Department of State Health Services  
Exchange Building, Room N-102  
8407 Wall Street  
Austin, Texas 78754

MINUTES

**Members Present:**

Ben Norris, Chair, Professional Member  
Barbara Willy, Public Member  
Cindy Steinbart, Public Member

**Members Absent:**

Amy Trost, Professional Member

**Staff Present:**

Joyce Parsons  
Stephen Mills  
Cindy Bourland  
David Richards  
Nerissa Andrews

**Public Present:**

Maxine Gammon	Ray Jones	Doug Gammon	Austin Greeson
Clarence Mendel	Paul Jay	Mark Greeson	Andria Franco
Musa Judeh	David Spradlir	John Hennan	

**Agenda item 1** was the call to order. The meeting was called to order by Mr. Norris at 9:00 a.m.

**Agenda item 2** was introduction of members, staff, and guests.

**Agenda item 3** was review and approval subcommittee report of the meeting held September 28, 2011. Ms. Steinbart made a motion to approve the minutes as written. The motion was seconded by Ms. Willy and passed.

**Agenda item 4** was discussion and possible action to consider pending complaints requiring subcommittee review.

1066-12-0005 – Ms. Willy made a motion to close the complaint with a letter of advisement. The motion was seconded by Ms. Steinbart and passed.

1066-10-0015 – Ms. Willy made a motion to deny renewal of license. The motion was seconded by Ms. Steinbart and passed.

1066-11-0012 – Ms. Steinbart made a motion to impose a three (3) year suspension, first year suspension and the second and third years probated suspension with monthly supervision and quarterly reports, an additional twelve (12) hours of continuing education in ethics, a \$500.00 administrative penalty for failing to response committee regarding the complaint, a \$3000.00 administrative penalty for standard of care, and a committee-ordered refund to client. The motion was seconded by Ms. Willy and passed.

1066-11-0019 – Ms. Steinbart made a motion to close the complaint with a letter of advisement. The motion was seconded by Ms. Willy and passed.

1066-11-0020 – Ms. Steinbart made a motion to impose a committee-ordered refund of \$998.63 to the client and a \$100.00 administrative penalty of \$100.00 for failure to response to the committee regarding the complaint – §141.4(d). The motion was seconded by Ms. Willy and passed.

1066-11-0021 – Ms. Steinbart made a motion to close the complaint by withdrawal. The motion was seconded by Ms. Willy and passed.

1066-11-0022 – Ms. Steinbart made a motion to impose a \$100.00 administrative penalty for failure to have a medical wavier signed. The motion was seconded by Ms. Willy and passed.

The subcommittee recessed at 9:50 a.m. The subcommittee reconvened at 10:00 a.m.

1066-12-0002 – Ms. Willy made a motion to close the complaint as non jurisdictional. The motion was seconded by Ms. Steinbart and passed.

1066-12-0008 – Ms. Steinbart made a motion to impose a committee-ordered refund upon return of the device. The motion was seconded by Ms. Willy and passed.

1066-12-0007 – Ms. Steinbart made a motion to close the complaint as non jurisdictional. The motion was seconded by Ms. Willy and passed.

1066-12-0004 – Ms. Willy made a motion to close the complaint with no violation. The motion was seconded by Ms. Steinbart and passed.

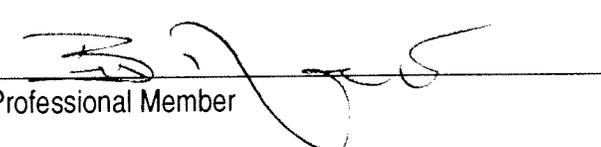
1066-12-0003 – Ms. Steinbart made a motion to impose a three (3) year suspension, first year suspension and the second and third years probated suspension with monthly supervision and quarterly reports, an additional twelve (12) hours of continuing education in ethics, a \$500.00 administrative penalty for failing to response committee regarding the complaint, a \$3000.00 administrative penalty for standard of care, and a committee-ordered refund to client. The motion was seconded by Ms. Willy and passed.

1066-11-0025 – Ms. Steinbart made a motion to close the complaint with no violation. The motion was seconded by Ms. Willy and passed.

1066-12-0001- Ms Willy made a motion to table the complaint to find a new mailing address for the respondent and to place a hold on the licensee's renewal. The motion was seconded by Ms. Steinbart and passed.

**Agenda item 5** was discussion and possible action concerning staff report of open complaints. Ms. Parsons gave the report.

**Agenda item 6** was adjournment. Ms. Willy made a motion to adjourn the meeting. The motion was seconded by Ms. Steinbart and passed. Mr. Norris adjourned the meeting at 11:25 a.m.

  
Ben Norris, Professional Member

7-11-12  
Date