

NEW YORK STATE HEARING AID DISPENSING ADVISORY BOARD
MEETING SUMMARY

March 22, 2021

The meeting was held by the Department of State, Division of Licensing Services, via WebEx conferencing. A virtual meeting was held to comply with COVID-19 social distancing directives. Due to the fact the meeting of the NYS Hearing Aid Dispensing Advisory Board was held remotely, the public hearing section was held in abeyance.

I. INTRODUCTIONS, ROLL CALL AND QUORUM ANNOUNCEMENT

The meeting was called to order at 1:12 p.m. J. DeLollo took roll call and David Mossberg declared that there was not a quorum present. The official attendance was as follows:

BOARD MEMBERS

Jerry Bergman
Peter Fisher
Eric Freeman
Ana Hae-Ok Kim
Anne Orsene
Zhanneta Shapiro

Excused:

Florence Butler
Anthony Macera

DEPARTMENT OF STATE STAFF

David Mossberg
Ernita Gantt
Ernest Delany
Alison Lacy
Emily Lupe
Shannon Maguire
Marcella Rose
Denise Tidings

EX-OFFICIO BOARD MEMBERS

Jodi DeLollo, representing
Rossana Rosado, Secretary of State,
Board Chair
Jason Kramer, representing NYSED
Commissioner
Anita Vigorito, representing NYS DOH
Commissioner

VISITORS

Barbara Ahern, Hearing Health Care Alliance of NY
(HHCANY)
Fred Goossen, HHCANY, International Hearing Society
(IHS)
Eric Matson, HLAA-NYS/Rochester

*Other Public Members

- A. Approval of Meeting Summary for 12-10-19, 3-10-20, 9-22-20 & 12/7/20 – J. DeLollo mentioned that since a quorum was not present, the approval of the meeting summaries will be tabled until a future meeting.

II. SUBCOMMITTEE AND DEPARTMENT REPORTS

- A. Enforcement Report – E. Gantt provided an Enforcement Unit report. She stated that her report covers the period from January 1, 2021, to present. She reported that the Enforcement Unit received two complaints during this period and provided information on the nature of the complaints (false and misleading advertisement of staff credentials for one and the other was a request for a full refund for the purchase of hearing aids that were not properly fitted). She added that both complaints have

been closed, with the first complaint being resolved and other being withdrawn. E. Gantt further reported that the total number of cases currently opened and pending investigation is 7; these allegations include: false/ misleading advertising of medical services (1), dispenser providing services without a license (1), customer requesting refund after being dissatisfied with service (4), and a dispenser offering online hearing aids (1). She stated that the total number of complaints received over the past 12 months is 2 and reported the total number of complaints by category: audiologists = 0 complaints, hearing aid dispensers = 9, and hearing aid vendors = 1.

E. Gantt also provided a report on the complaint process. She stated that consumers may go to the Department of State's website for information on how to file a complaint and to obtain a complaint form. She mentioned that the complaints may be filed in different languages (a list of these languages is posted on the website). She added that complaints are received from different sources including email, airmail, and referrals from government agencies; she provided the email address (complaints@dos.ny.gov) and the airmail address (Department of State, Division of Licensing Services Complaint Review Office, P.O. Box 22001, Albany, NY 12201-2001). *Note: Detailed information on the complaint process was provided by E. Gantt; this information, as well as the Enforcement report, is included in the meeting documents posted on the Department's website with the public meeting advisory for the 3/22/21 Hearing Aid Dispensing Advisory Board meeting.*

- B. Processing Report – E. Lupe reported on the provided March 2020 and March 2021 statistical reports. She explained that the total number of businesses and licensees are listed by county, class code, and license type and that the 2021 figures only include active licensees and may not cover expired licenses covered by EO 202.11 which allows licensed individuals to extend their license term during the current State of Emergency.
- C. Education Report – A. Lacy reported that the Bureau of Educational Standards continues to audit hearing aid dispensing renewal applications. She mentioned that those renewals that do not indicate approval code numbers or do not appear to include telecoil, infection control, and NYS and federal law, in addition to the balance of required hours, are not processed; they are sent to the Bureau for an educational compliance audit. A. Lacy stated that a renewal license will only be granted when satisfactory proof of education is provided. She reported that in 2021, ten (10) licensees have been audited and five (5) have complied; of the five (5) noncompliant, most are within the timeframe to respond. A. Lacy stated that course availability appears to be adequate and has not been an issue raised by any of our licensees.
- D. Examination Report- S. Maguire reported the examination statistics for January through February 2021. She stated that the Hearing Aid Dispensing written exam was administered to 13 applicants with a pass rate of 61 percent and that the practical exam was administered to 10 applicants with a 70 percent pass rate. S. Maguire mentioned that hearing aid dispensing practical examination information was recently posted to the Department's website, providing potential candidates with the opportunity to review the exam requirements before they are scheduled for an exam; prior to making it available on the website, it was sent out to candidates with their exam date (admission notice).

III. NEW BUSINESS

- A. Executive Order Update – D. Mossberg provided an update on the COVID-19 Executive Orders. He stated that there are several executive orders relating to the hearing aid business that are currently in effect. He reported that the Governor signed a new Executive Order continuing the licensing extensions through April 20, 2021. He added that this Executive Order allows any licensee whose license has expired during the pandemic to continue.

IV. 2021 ADVISORY BOARD MEETINGS

- A. Next Meeting – D. Tidings announced that the next meeting of the NYS Hearing Aid Dispensing Advisory Board is scheduled for Monday, June 7, 2021, at 1 p.m. She mentioned that Board members should submit agenda items for consideration.

Board members closed with some discussion regarding Board vacancies and requested that Licensing staff follow-up on these vacancies and report back at the next meeting. J. DeLollo encouraged Board members to send information from interested parties to the D. Tidings (Board Coordinator).

V. ADJOURNMENT

- J. DeLollo invited a motion to adjourn the meeting; E. Freeman made a motion to adjourn and all were in favor. The meeting was adjourned at 1:42 p.m.