

**COMMITTEE OF HEARING AID DEALER EXAMINERS
Indiana Government Center South
302 West Washington Street
Conference Center Room 5
Indianapolis, IN 46204**

MINUTES OF OCTOBER 23, 2019

Vicki Fisher, Chair, called the meeting to order at 9:30 A.m. and declared a quorum in accordance with IC 25-20-1-1.5(b), pursuant to public notice posted at the principal office of the committee at least forty-eight (48) hours before the time of the meeting.

Members Present: Vicki Fisher, HAD, Chair
Anthony Gigli, Consumer Member
Dani Land, HAD, Vice Chair

Staff Present: Darren Covington, J.D., Board Director
Professional Licensing Agency
Jody Edens, Assistant Board Director
Professional Licensing Agency
Donna Sembroski, Deputy Attorney General
Attorney General's Office

The Committee voted to adopt the agenda.

Gigli/Fisher, 3/0/0
Motion carries

The following committee members voted aye by roll call:

Dani Land, Anthony Gigli, Vicki Fisher

The following committee members voted nay: none

The following committee members abstained: none

The Committee voted to adopt the July 17, 2019 minutes as written.

Land/Fisher, 3/0/0
Motion carries

The following committee members voted aye:

Dani Land, Anthony Gigli, Vicki Fisher

The following committee members voted nay: none

The following committee members abstained: none

PERSONAL APPEARANCES

Amber Keck – Repeat Exam Application:

Ms. Keck appeared for her scheduled personal appearance along with her supervisor, Doug McMillian and was not represented by counsel.

Ms. Keck and Mr. McMillian discussed training and studying habits with the Committee.

After discussion, the Committee moved to APPROVE Ms. Keck to retake the written examination.

Gigli/Land, 3/0/0
Motion carries

The following committee members voted aye:
Vicki Fisher, Dani Land, Anthony Gigli
The following committee members voted nay: none
The following committee members abstained: none

ADMINISTRATIVE HEARINGS

Jonathan Hersey, H.A.D., License No. 17001260A, Cause No. 2019 HAD 0002

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Committee. The State of Indiana was represented by Melinda Pickett, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer with Accurate Reporting Services.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Committee moved to hold the Respondent in DEFAULT.

Fisher/Land, 3/0/0
Motion carries

The following committee members voted aye:
Vicki Fisher, Dani Land, Anthony Gigli
The following committee members voted nay: none
The following committee members abstained: none

Mr. Hersey was issued a hearing aid dealers license back in 2006. In 2016, he was chosen in a random continuing education audit and he did not comply with the audit and therefore his license was suspended.

It has been suspended since 9/29/16. In 2017 Mr. Hersey sold hearing aids to client BB without having an active license to do so.

State's Exhibits:

- A – Committee Orders
- B – Records of BB showing he sold hearing aids in 2017
- C – Copy of license
- D – Better Hearing Centers homepage on website
- E – Website screenshot
- F – Linked in profile

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Committee moved to ISSUE a CEASE & DESIST order.

Fisher/Gigli, 3/0/0
Motion carries

The following committee members voted aye:
Vicki Fisher, Dani Land, Anthony Gigli
The following committee members voted nay: none
The following committee members abstained: none

DISCUSSION

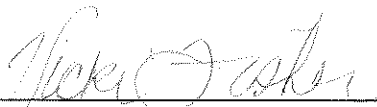
Participating members: Dani Land, Vicki Fisher, Anthony Gigli

AG Report:

Melinda Pickett reviewed the report with the Committee.

The Committee thanked Ms. Pickett for the information.

There being no further business the Committee adjourned at 9:55 a.m.



Vicki Fisher, HAD, Chair

