

Colorado Audiologists & Hearing Aid Providers

Registration News 2002

*State of Colorado
Department of Regulatory Agencies
Bill Owens, Governor
M. Michael Cooke, Executive Director
Rosemary McCool, Division Director*

Since the last renewal, the Division of Registrations has seen a number of personnel changes. Bruce Douglas retired in August and Rosemary McCool became the new Director of Registrations. Linda Fleming, the former Program Administrator for the Audiologists and Hearing Aid Providers Registration, took a promotion within the Department of Regulatory Agencies. In November, Kevin Heupel left the Attorney General's Office and became the new Program Administrator. The Division of Registrations is currently reorganizing, and as a result, more changes are in store. In August, this office will change its physical location but will not affect you during this year's renewal.

Some of you met the new Program Administrator recently at a meeting of the Colorado Hearing Society in Colorado Springs on April 13, 2002. Before joining Audiologists and Hearing Aid Providers Registrations, Mr. Heupel spent five years at the Colorado Office of the Attorney General and served as an Assistant Attorney General. Mr. Heupel was the General Counsel to Audiologists and Hearing Aid Providers Registration and handled all of the disciplinary actions against audiologists and hearing aid providers. At the Society's meeting, Mr. Heupel spoke about the complaint process and stressed the importance of having sales contracts that comply with the Colorado Consumer Protection Act at § 6-1-701, C.R.S.

Rosemary McCool is the new Director of the Colorado Division of Registrations and is responsible for the enforcement of the Audiologists and Hearing Aid Providers Act. Ms. McCool joined the Division of Registrations in 1992 and has served in several capacities. During her tenure, she managed the Division's centralized investigation section and served as the program administrator for the Colorado State Boards of Dental Examiners, Chiropractic Examiners, and Nursing Home Administrators. She was promoted to the position of Director in August 2001.

Renewal

There have been some changes with renewal fees this year. In the past, renewal fees for audiologists and hearing aid providers were the same. The renewal fee covers the costs of regulating the professions. However, the expenses between the two professions have not been equal. Enforcement costs regarding hearing aid providers have been substantially higher than those pertaining to audiologists. As such, the renewal fees have been adjusted to correct this disparity.

This year, the renewal fee for audiologists will remain the same at \$145. The renewal fee for hearing aid providers will be \$195. There is a grace period of one month after the expiration date of June 30, 2002, until the end of July. After July 31, there will be a \$15 late fee imposed, and you must reinstate rather than renew your registration. The reinstatement fee for audiologists is \$160 (\$145 plus a late fee of \$15), and \$210 for hearing aid providers. Also, after July 31, you must send your reinstatement directly to our office at 1560 Broadway, Suite 1545, Denver, Colorado, 80202.

During the 2001 renewal period, 86 renewals were mailed to hearing aid providers and 70 renewed (about 81%). This was a drop from almost 89 percent in 2000. There were 196 renewals sent last year to audiologists and 176 renewing (90%), up from 85 percent in 2000. For 2002, we have mailed 218 renewals to audiologists and 82 to hearing aid providers.

Licensing

Colorado now has 213 active audiologists and 82 active hearing aid providers. We have registered 30 new audiologists and 7 new hearing aid providers since May 1, 2001. This compares with 28 new audiologists and 9 new hearing aid providers registered between May 1, 2000 and May 1, 2001.

New Roster

A copy of the updated roster of Colorado audiologists and hearing aid providers, clinical fellows and hearing aid trainees is enclosed. Please check your own name to be sure the information we have on file is correct, and contact us if it's not! Also, please notify our office of any hearing aid provider trainees or CFYs who are no longer employed in the positions listed.

CFY and HAT "Grads"

Since May 1, 2001, the following individuals have finished their Clinical Fellowship Year and become registered audiologists:

Anna Soennecken
Tracey Lanham
Renee Hadad
Mandi Solat
Ronald Olson

Kristen Washburn
Jill Peplinski
Katherine Breithart
Josephine Harvey
Kathryn Houtchens

Former hearing aid provider trainees who have become registered hearing aid providers since last year's newsletter are:

Brenda Garcia
James Popa
Michelle Foss

Paul Dekker
Cynthia Vigil

Congratulations to all!

Complaints

Last year's newsletter noted a considerable drop in the number of complaints filed, but unfortunately the trend did not continue into this year. Since May 1, 2001, there were 28 complaints filed, compared with 20 in the same time period in 2001. These 28 complaints involved a total of 38 charges, meaning some individuals were charged with more than one violation of the practice act. When broken down by license type, four new charges were brought against audiologists, none against CFYs, 32 against hearing aid providers, and one against a hearing aid provider trainee.

Last year's statistics demonstrated that contract violations were the leading cause of complaints. This year, substandard care and failure to provide refunds within 30 days were at the top of the list. The following is a breakdown of this year's complaints:

Type of Complaint	Number of Complaints
Fee Dispute	2
CPA* Violation – Contract	2
CPA* Violation - Advertising	2
CPA* Violation – Refunds	12
False Information	2
Unlicensed Practice	2
Substandard Care	13
Improper Supervision	1
Stipulation/Order Violation	2

* CPA is the Colorado Consumer Protection Act, § 6-1-701, and pertains to the contractual obligations required of audiologists and hearing aid providers.

Areas of Concern

Consumers file complaints for many reasons, but failure to provide refunds and poor treatment of customers produce the most complaints. To avoid a complaint, it is imperative that customers are aware of the 30-day period in which to cancel the contract and request a refund. Also, good customer service goes a long way in avoiding complaints.

Recently, some hearing aid providers have been unduly delaying a customer's cancellation request with an assortment of stalling tactics such as missing appointments, promising to correct the problem, and simply refusing to accept the hearing aids and insisting that the customer "keep trying" the new aids. Refusing a buyer's request to cancel a contract and engaging in delay tactics will result in a disciplinary action against your registration.

False and misleading advertising is another area of concern. We have seen some advertising that promotes a discount on all hearing aids, when in reality, the discount only applies to certain hearing aids. Such "bait and switch" tactics are subject to disciplinary sanctions.

Finally, many hearing aid contracts remain out of compliance. The Colorado Consumer Protection Act at § 6-1-701 lists all the contract requirements. It is important that your contracts contain every clause required. A sample contract is available on our web site. We strongly suggest that you review the contract and make sure you have all the required clauses. Our office is taking a strong enforcement position with contracts out of compliance regardless of the initial complaint. We believe that providing consumers with notice of all their rights will help you avoid complaints.

Disciplinary Sanctions

The following chart provides a breakdown of the discipline that was imposed between May 1, 2001 and April 30, 2002. The conduct that resulted in this discipline may or may not have actually taken place during the past year; in some cases the complaints were filed a year or more previously.

The number of disciplinary actions is similar to past years. The following chart breaks them down by type of charge and action taken:

Disciplinary Sanction	Number of Sanctions
Dismissed	12
Injunctions	0
Contempt Actions	0
Letter of Admonition	2
Cease & Desist Order	1
Probation	3
Suspension	0
Revocation	2
Relinquishment	2

Disciplinary Actions Against Licensees

The following licensees were disciplined during the past year:

REVOCATION: Vance Smith (June 15, 2001)
Lamont (Monte) Goforth (October 16, 2001)

RELINQUISHMENT: Monte Bruns (December 28, 2001)
Don Davis (January 17, 2002)

PROBATION: Robert Wall (December 26, 2001)
Ron King (February 13, 2002)
Daniel Wiebe (February 13, 2002)
Robert Shaffer (April 3, 2002)

LETTERS OF ADMONITION: Harry (Warner) Glassford (December 28, 2001)
Jim Boggess (March 14, 2002)

CEASE & DESIST ORDERS: Greg L. Hall (March 15, 2002)

Virtual Regulating

All web pages for the Department of Regulatory Agencies have a new, uniform look as of January 2002. Our web site address remains the same and can be accessed at www.dora.state.co.us/audiologists. The Registration's web page lists individuals prohibited by court order or voluntary agreement from selling hearing aids in Colorado. You may review your own or someone else's record in the database. Scroll

down near the bottom of our home page, to "Search the Automated Licensure Information System Online – ALISON," click and follow the directions. You may access discipline by clicking on the line just below entitled "View Registrations Online Disciplinary Documents – RODD."

Feedback on Newsletter

Last year a survey form was mailed to some of you requesting your opinion of the usefulness of this newsletter. We received eight responses; of these eight, six felt that it was "very important" to know about disciplinary actions, one said it was "somewhat important" and one "not important." Being informed of the names of newly registered persons was "very important" to 3, "somewhat important" to 3 and "not important" to 2. Updates on rules, regulations and policies are "very important" to all 8 respondents. The positions of this office on various practice issues are "very important" to 5 and "somewhat important" to 3.

Five people "agreed" that the newsletter is well organized, about the right length, clearly written and readable, relevant, and published often enough. Two others "strongly agreed" with these ratings, and one person was clearly unhappy with this publication. That individual also felt that these professions should be licensed rather than registered, with a real board that includes audiologists overseeing the program rather than "government workers." The only other comment received was positive.

You also like a printed copy of the newsletter. If it were only available on the website, 6 of the respondents felt they were "less likely" to read it, and two felt it did not matter either way. One was more likely to read it if it were only available online.

We appreciate this feedback, but eight individuals are not truly representative of 300. Please contact this office if there is an issue you wish to discuss because your ideas are always welcome.