

MINUTES OF MEETING

BOARD FOR HEARING AID SPECIALISTS

INFORMAL FACT FINDING CONFERENCES

September 29, 2003

The Board for Hearing Aid Specialists convened in Richmond, Virginia, for the purpose of holding Informal Fact-Finding Conferences pursuant to the Administrative Process Act.

Paul D. Moran, Board Member, Presided. No other Board Members were present.

Douglas W. Schroder appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD. and the Summaries or Consent Orders are attached unless no decision was made.

Disc=Disciplinary Case
Lic=Licensing Application

C=Complainant/Claimant
A=Applicant
R=Respondent/Regulant
Invest=Investigator
W=Witness


PARTICIPANTS

Gerald J. DuBrino (Lic)
File Number: 2004-00815

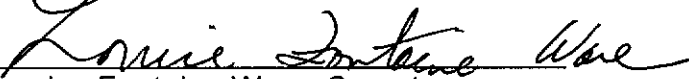
Gerald J. DuBrino – A

The meeting adjourned at 10:00 a.m.

The Board for Hearing Aid Specialists



Paul D. Moran, Presiding Board Member



Louise Fontaine Ware, Secretary

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**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

BOARD FOR HEARING AID SPECIALISTS

**IN RE: GERALD DUBRINO
APPLICATION**

FILE NUMBER: 2004-00815

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on September 29, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Gerald DuBrino on August 26, 2003. The following individuals participated at the conference: Gerald DuBrino, Applicant; Douglas W. Schroder, Staff Member; and Paul D. Moran, Presiding Board Member.

Summation of Facts

1. Gerald DuBrino applied for a Hearing Aid Specialist license on or about August 6, 2003, and disclosed a prior disciplinary action, revocation of his hearing aid specialist license, imposed by the Virginia Board for Hearing Aid Specialists, in file number 2000-01371:

Virginia Board for Hearing Aid Specialists, Count I, Violation of § 54.1-1505 (A), Failure to refund monies paid by purchaser of a hearing aid returned within thirty (30) days of delivery, Consent Order 2002-0031, September 17, 2001.

Virginia Board for Hearing Aid Specialists, Count II, Violation of 18 VAC 80-20-180 (A), Failure to notify the Board, in writing, within thirty (30) days of change of individual address, Consent Order 2002-0031, September 17, 2001.

2. On or about August 11, 2003, the Board's licensing staff provided the Regulatory Programs Division Application Review Informal Fact Finding Conference Referral Memorandum, which states the reasons the license was not issued.

3. During the IFF, DuBrino initially stated that he wanted a temporary permit to service his previous clients, but later, on further questioning, he admitted that he would sell hearing-aids directly to clients. DuBrino stated he currently lives in Glenss, Virginia (Gloucester Area), and his sponsor is located in Roanoke, Virginia. DuBrino did state that he plans to relocate to the Bedford area, and work in Roanoke one week a month and work under the license of Dr. Janson Harrill, Chiropractor.

Conclusion and Recommendation

Based upon the record, including the information received at the IFF, I recommend Gerald DuBrino's application be denied. It is this presiding Board Member's recommendation that the licensing of DuBrino would not best serve the public's interest.

By: _____
Paul D. Moran
Presiding IFF Board Member
Board for Hearing Aid Specialists

Date: September 29, 2003