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STATE OF WISCONSIN
BEFORE THE HEARING AND SPEECH EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST
JEFFREY B. WILLIAMS,
RESPONDENT.

FINAL DECISION AND ORDER
(96 HAD 5)
LS9808191HAS

The parties to this proceeding for purposes of sec. 227.53, Stats., are:

Jeffrey B. Williams
2420 Hamilton St.
Oshkosh, WI 54901

Hearing and Speech Examining Board
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

The Hearing And Speech Examining Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Jeffrey B. Williams, personally and by Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Hearing And Speech Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Jeffrey B. Williams, Respondent herein, 2420 Hamilton Street, Oshkosh, Wisconsin 54901, was born on 2/6/56 and has been licensed as a hearing instrument specialist since 9/10/90, license #877.

COUNT I

2. On 9/19/94, Respondent conducted an evaluation of T.C.'s hearing which included a history, pure tone audiometry and speech audiometry. T.C. was 18 years of age or older at the time of this evaluation. The pure tone audiometry component of the evaluation did not include any pure tone bone conduction testing and pure tone bone conduction test results were not documented in T.C.'s records. The speech audiometry component of the evaluation did not include a determination of the monaural speech reception thresholds for the right or the left ear and monaural speech reception thresholds were not documented in T.C.'s records.

3. Based on the results of the evaluation, Respondent recommended that T.C. purchase hearing instruments for his left and his right ears. On 9/19/94, T.C. entered into a contract for the purchase of hearing instruments for his right and his left ears. The hearing instruments were delivered to T.C. by Respondent on 10/27/94.

4. Respondent's conduct on 9/19/94 violated the standards of professional behavior in the following respects:

a. Respondent failed to perform and document pure tone bone conduction testing

on T.C.'s left and right ears.

b. Respondent failed to determine and document monaural speech reception thresholds for T.C.'s left and right ears.

COUNT III

5. On or about 9/19/94, Respondent conducted an evaluation of T.C.'s hearing. This evaluation did not include pure tone bone conduction testing on T.C.'s left or right ears and no pure tone bone conduction test results were documented in T.C.'s records. T.C. was 18 years of age or older at the time of this evaluation. On 9/19/94, T.C. entered into a contract with Respondent for the purchase of hearing instruments for his right and left ears.

6. On 12/22/94, T.C. returned to Respondent's office. Respondent did not conduct any pure tone bone conduction testing or any further evaluation of T.C.'s hearing on 12/22/94, but Respondent entered into a contract with T.C. for the purchase of new hearing instruments with a different circuit from the hearing instruments purchased by T.C. on 9/19/94. This transaction included the exchange of the hearing instruments previously sold to T.C. on 9/19/94. These new hearing instruments purchased by T.C. on 12/22/94 were delivered to T.C. by mail on 1/5/95.

7. Respondent's conduct on 12/22/94 violated the standards of professional behavior in

that Respondent failed to perform and document pure tone bone conduction testing on T.C.'s left and right ears prior to entering into a contract with T.C. for the purchase of new hearing instruments on 12/22/94.

COUNT V

8. On 9/29/94, Respondent conducted an evaluation of O.F.'s hearing which included a history, pure tone audiometry and speech audiometry. O.F. was 18 years of age or older at the time of this evaluation. The speech audiometry component of the evaluation did not include a determination of the monaural speech reception thresholds for the right or the left ear and monaural speech reception thresholds were not documented in O.F.'s records.

9. Based on the results of the evaluation, Respondent recommended that O.F. purchase hearing instruments for his left and his right ears. On 9/29/94, O.F. entered into a contract for the purchase of hearing instruments for his right and his left ears. The hearing instruments were delivered to O.F. by Respondent on 10/20/94.

10. Respondent's conduct on 9/29/94 violated the standards of professional behavior in that Respondent failed to determine and document monaural speech reception thresholds for O.F.'s left and right ears.

COUNT VI

11. On 11/1/94, Respondent conducted an evaluation of M.G.'s hearing which included a history, pure tone audiometry and speech audiometry. M.G. was 18 years of age or older at the time of this evaluation. The unmasked pure tone audiometric bone conduction testing disclosed unmasked bone conduction thresholds of 20 dB at 250 Hz, 40 dB at 500 Hz, 50 dB at 1000 Hz, 35 dB at 2000 Hz and 40 dB at 4000 Hz. At 250 Hz, there was a 25 dB difference between the unmasked pure tone air conduction threshold in the left ear and the unmasked bone conduction threshold, and a 20 dB difference between the unmasked pure tone air conduction threshold in the right ear and the unmasked bone conduction threshold. At 500 Hz, there was a 15 dB difference between the unmasked pure tone air conduction threshold in the left ear and the bone conduction threshold. At 4000 Hz, there was a 15 dB difference between the unmasked pure tone air conduction threshold in the right ear and the unmasked bone conduction threshold. The speech audiometry component of the evaluation did not include a determination of the monaural speech reception thresholds for the right or the left ear and monaural speech reception thresholds were not documented in M.G.'s records. The speech audiometry component of the evaluation did not include monaural speech discrimination testing of the left or the right ear and speech discrimination test results were not recorded in M.G.'s records.

12. Based on the results of the evaluation, Respondent recommended that M.G. purchase hearing instruments for her left and her right ears. On 11/1/94, M.G. entered into a contract for the purchase of hearing instruments for her right and her left ears. The hearing instruments were delivered to M.G. by Respondent on 11/17/94.

13. Respondent's conduct on 11/1/94 violated the standards of professional behavior in the following respects:

a. Respondent failed to repeat and document the pure tone bone conduction testing with masking at 250 Hz for the left and the right ears, at 500 Hz for the left ear and at 4000 Hz for the right ear when the unmasked pure tone air conduction thresholds differed from the unmasked pure tone bone conduction thresholds at these frequencies by 15 dB or more.

b. Respondent failed to determine and document monaural speech reception thresholds for M.G.'s left and right ears.

c. Respondent failed to perform and document the results of monaural speech discrimination testing for M.G.'s left and right ears.

COUNT VII

14. On 10/17/94, Respondent conducted an evaluation of A.H.'s hearing which included a history, pure tone audiometry and speech audiometry. A.H. was 18 years of age or older at the time of this evaluation. The pure tone audiometry component of the evaluation did not include any pure tone bone conduction testing and pure tone bone conduction test results were not documented in A.H.'s records. The speech audiometry component did not include a determination of the monaural speech reception thresholds for the right or the left ear. Monaural

speech reception thresholds for the right and left ears were not documented in A.H.'s records.

15. Based on the results of the evaluation, Respondent recommended that A.H. purchase a hearing instrument for her right ear. On 10/17/94, A.H. entered into a contract for the purchase of a hearing instrument for her right ear. The hearing instrument were delivered to A.H. by Respondent on 11/3/94.

16. Respondent's conduct on 10/17/94 violated the standards of professional behavior in the following respects:

a. Respondent failed to perform and document pure tone bone conduction testing

on A.H.'s left and right ears.

b. Respondent failed to determine and document monaural speech reception thresholds for A.H.'s left and right ears.

COUNT IX

17. On 10/24/94, Respondent conducted an evaluation of A.J.'s hearing which included a history, pure tone audiometry and speech audiometry. A.J. was 18 years of age or older at the time of this evaluation. The unmasked pure tone audiometric bone conduction testing disclosed unmasked bone conduction thresholds of 20 dB at 250 Hz, 30 dB at 500 Hz, 45 dB at 1000 Hz, 55 dB at 2000 Hz and 45 dB at 4000 Hz. At 1000 Hz, there was a 15 dB difference between the unmasked pure tone air conduction threshold in the left ear and the unmasked bone conduction threshold. At 4000 Hz, there was a 35 dB difference between the unmasked pure tone air conduction threshold in the left ear and the bone conduction threshold. At 4000 Hz, there was a 30 dB difference between the unmasked pure tone air conduction threshold in the right ear and the unmasked bone conduction threshold. The speech audiometry component of the evaluation did not include a determination of the monaural speech reception thresholds for the right or the left ear and monaural speech reception thresholds were not documented in A.J.'s records.

18. Based on the results of the evaluation, Respondent recommended that A.J. purchase hearing instruments for his left and his right ears. On 10/24/94, A.J. entered into a contract for the purchase of hearing instruments for his right and his left ears. The hearing instruments were delivered to A.J. by Respondent on 11/17/94.

19. Respondent's conduct on 10/24/94 violated the standards of professional behavior in the following respects:

a. Respondent failed to repeat and document the pure tone bone conduction testing with masking at 1000 Hz for the left ear and at 4000 Hz for the left and right ears when the unmasked pure tone air conduction thresholds differed from the unmasked pure tone bone conduction thresholds at these frequencies by 15 dB or more.

b. Respondent failed to determine and document monaural speech reception thresholds for A.J.'s left and right ears.

COUNT X

20. On 10/17/94, Respondent conducted an evaluation of M.K.'s hearing which included a history, pure tone audiometry and speech audiometry. M.K. was 18 years of age or older at the time of this evaluation. The unmasked pure tone audiometric bone conduction testing disclosed unmasked bone conduction thresholds of 25 dB at 250 Hz, 40 dB at 500 Hz, 45 dB at 1000 Hz, 50 dB at 2000 Hz and 50 dB at 4000 Hz. At 4000 Hz, there was a 15 dB difference between the unmasked pure tone air conduction threshold in the right ear and the unmasked bone conduction threshold. The speech audiometry component of the evaluation did not include a determination of the monaural speech reception thresholds for the right or the left ear and monaural speech reception thresholds were not documented in M.K.'s records.

21. Based on the results of the evaluation, Respondent recommended that M.K. purchase hearing instruments for her left and her right ears. On 10/17/94, M.K. entered into a contract for the purchase of hearing instruments for her right and her left ears. The hearing instruments were delivered to M.K. by Respondent on 11/1/94.

22. Respondent's conduct on 10/17/94 violated the standards of professional behavior in the following respects:

a. Respondent failed to repeat and document the pure tone bone conduction testing with masking at 4000 Hz for the right ear when the unmasked pure tone air

conduction threshold differed from the unmasked pure tone bone conduction threshold at this frequency by 15 dB or more.

b. Respondent failed to determine and document monaural speech reception thresholds for M.K.'s left and right ears.

COUNT XI

23. On 9/12/94, Respondent conducted an evaluation of C.K.'s hearing which included a history, pure tone audiometry and speech audiometry. C.K. was 18 years of age or older at the time of this evaluation. The speech audiometry component of the evaluation did not include a determination of the monaural speech reception thresholds for the right or the left ear and monaural speech reception thresholds were not documented in C.K.'s records.

24. Based on the results of the evaluation, Respondent recommended that C.K. purchase a hearing instrument for his left ear. On 9/12/94, C.K. entered into a contract for the purchase of a hearing instrument for his left ear. The hearing instrument was delivered to C.K. by Respondent on 9/29/94.

25. Respondent's conduct on 9/12/94 violated the standards of professional behavior in that Respondent failed to determine and document monaural speech reception thresholds for C.K.'s left and right ears.

COUNT XIII

26. On 8/18/94, Respondent conducted an evaluation of P.L.'s hearing which included a history, pure tone audiometry and speech audiometry. P.L. was 18 years of age or older at the time of this evaluation. The speech audiometry component of the evaluation did not include a determination of the monaural speech reception thresholds for the right or the left ear and monaural speech reception thresholds were not documented in P.L.'s records.

27. Based on the results of the evaluation, Respondent recommended that P.L. purchase a hearing instruments for his left ear and his right ear. On 8/18/94, P.L. agreed to purchase hearing instruments for his left and right ears. The hearing instruments were delivered to P.L. by Respondent on 9/8/94.

28. Respondent's conduct on 8/18/94 violated the standards of professional behavior in that Respondent failed to determine and document monaural speech reception thresholds for P.L.'s left and right ears.

COUNT XV

29. On 9/26/94, Respondent conducted an evaluation of F.T.'s hearing which included a history, pure tone audiometry and speech audiometry. F.T. was 18 years of age or older at the time of this evaluation. The speech audiometry component of the evaluation did not include a determination of the monaural speech reception thresholds for the right or the left ear and monaural speech reception thresholds were not documented in F.T.'s records. Respondent performed pure tone bone conduction testing of F.T.'s right ear with masking but he did not perform or document in F.T.'s records any pure tone bone conduction testing, masked or unmasked, which would permit evaluation of the bone conduction for F.T.'s left ear.

30. Based on the results of the evaluation, Respondent recommended that F.T. purchase a hearing instrument for her right ear. On 9/26/94, F.T. entered into a contract for the purchase of a hearing instrument for her right ear. The hearing instrument was delivered to F.T. by Respondent on 10/10/94.

31. Respondent's conduct on 9/26/94 violated the standards of professional behavior in the following respects:

a. Respondent failed to determine and document monaural speech reception thresholds for F.T.'s left and right ears.

b. Respondent failed to conduct and document the results of any pure tone bone conduction testing of F.T.'s left ear.

COUNT XVI

32. On 10/20/94, Respondent conducted an evaluation of E.Z.'s hearing which included a history, pure tone audiometry and speech audiometry. E.Z. was 18 years of age or older at the time of this evaluation. The speech audiometry component of the evaluation did not include a determination of the monaural speech reception thresholds for the right or the left ear and monaural speech reception thresholds were not documented in E.Z.'s records.

33. Based on the results of the evaluation, Respondent recommended that E.Z. purchase a hearing instrument for his left ear. On 10/20/94, E.Z. entered into a contract for the purchase of a hearing instrument for his left ear. The hearing instrument were delivered to E.Z. by Respondent on 11/28/94.

34. Respondent's conduct on 10/20/94 violated the standards of professional behavior in that Respondent failed to determine and document monaural speech reception thresholds for E.Z.'s left and right ears.

CONCLUSIONS OF LAW

1. The Hearing And Speech Examining Board has jurisdiction in this proceeding pursuant to sec. 459.10, Stats.
2. The Hearing And Speech Examining Board has the authority to resolve this disciplinary proceeding by

Stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Stats.

3. Respondent's conduct as described in paragraphs 2 through 4 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(1), 4.01(2), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

4. Respondent's conduct as described in paragraphs 5 through 7 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(1), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

5. Respondent's conduct as described in paragraphs 8 through 10 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(2), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

6. Respondent's conduct as described in paragraphs 11 through 13 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(2), 4.01(3), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

7. Respondent's conduct as described in paragraphs 14 through 16 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(1), 4.01(2), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

8. Respondent's conduct as described in paragraphs 17 through 19 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(2), 4.01(3), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

9. Respondent's conduct as described in paragraphs 20 through 22 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(2), 4.01(3), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

10. Respondent's conduct as described in paragraphs 23 through 25 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(2), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

11. Respondent's conduct as described in paragraphs 26 through 28 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(2), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

12. Respondent's conduct as described in paragraphs 29 through 31 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(1), 4.01(2), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing

in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

13. Respondent's conduct as described in paragraphs 32 through 34 of the Findings of Fact was unprofessional conduct contrary to secs. 459.10(1)(k) and 459.10(1)(p), Stats., and Wis. Admin. Code secs. HAS 4.01(2), 4.01(4), 4.04 and 5.02(2)(e) in that he violated standards of professional behavior which through experience, state statutes and administrative rules have become established in the practice of fitting and dealing in hearing instruments and thereby practiced in a manner which substantially departed from the standard of care ordinarily exercised by a hearing instrument specialist.

14. The Hearing And Speech Examining Board has the authority pursuant to sec. 440.22, Stats., to assess the costs of this proceeding against Jeffrey B. Williams.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that Jeffrey B. Williams, license #877, is REPRIMANDED.

IT IS FURTHER ORDERED that Jeffrey B. Williams' license to practice as a hearing instrument specialist is SUSPENDED for a period of 5 days commencing on the first Monday following the date of this Final Decision and Order and continuing through the following Friday.

IT IS FURTHER ORDERED that Jeffrey B. Williams' license is limited as follows:

1. Educational Component

a. Jeffrey B. Williams will participate in an educational program under the instruction of Edward W. Korabic, Associate Professor and Chairman of the Department of Speech and Hearing at Marquette University in Milwaukee, Wisconsin. This educational program will consist of 15 hours of instruction in audiometric testing followed by 5 hours of review and critique of at least 15 client cases. These client cases will be chosen from the clients tested and fitted with hearing instruments by Mr. Williams in the 3-months preceding the date on which the educational program commences. The review and critique of these cases will focus on the audiometric testing performed and the selection of hearing instruments made based on the results of the audiometric testing. To facilitate the selection of cases for review and critique, Mr. Williams will maintain a list of all clients tested by him and for whom he dispensed hearing instruments in the 3 months preceding commencement of this educational program. For each client listed, Mr. Williams will record the type and degree of hearing loss. Dr. Korabic will select the 15 cases for review and critique from this list. Mr. Williams will deliver the client files for the selected clients to Dr. Korabic for the review and critique. Mr. Williams will participate in the review and critique of these client files.

b. The educational program will be completed within 60 days of the date of this Final Decision And Order.

c. Upon completion of this educational program, Dr. Korabic will certify in writing to the Hearing And Speech Examining Board that Jeffrey B. Williams has completed the educational program in conformity with the requirements of this Final Decision And Order. This certification will be mailed or faxed to Michelle Neverman, Department Monitor, Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935, fax (608) 266-2264, within 10 days of completion of the educational program.

d. Jeffrey B. Williams has the ultimate responsibility for compliance with all requirements of this educational component of his limited license.

e. Jeffrey B. Williams will pay Dr. Korabic's professional fees and expenses incurred while providing the educational program within 30 days of the date on which the statement for professional fees and expenses is submitted to him.

f. If at any time for any reason, Dr. Korabic is unable or unwilling to provide the instructional program described, the Wisconsin Hearing And Speech Examining Board will designate a successor to conduct the educational program.

2. Examination Component

a. Jeffrey B. Williams will take and pass the clinical audiometric portion of the Hearing And Speech Examining Board's examination for licensure conducted on 3/1/99 by achieving a passing score of 70% or greater.

b. If Jeffrey B. Williams fails to achieve a passing score on this examination as reported to the Hearing And Speech Examining Board on 3/1/99, or fails to take the examination on this date, the Hearing And Speech Examining Board may enter an order suspending his license without further notice or hearing. The license will remain suspended until Mr. Williams takes and passes the clinical audiometric portion of the Hearing And Speech Examining Board's examination for licensure. Mr. Williams will be permitted to take the clinical audiometric portion of the examination only on the dates on which the examination is regularly scheduled.

c. Jeffrey B. Williams will be responsible for all costs associated with taking the clinical audiometric portion of the Hearing And Speech Examining Board's examination for licensure.

3. Monitor Component

a. Jeffrey B. Williams' practice as a hearing instrument specialist will be monitored for a period of one year commencing on the date on which Mr. Williams achieves a passing score on the audiometric portion of the Hearing And Speech Examining Board's examination for licensure. The monitoring will be accomplished by a quarterly review of at least 10 client files where Mr. Williams administered audiometric testing and made recommendations regarding a hearing instrument or instruments to address the hearing deficiency within 100 days preceding the date on which the quarterly review is conducted.

b. Gregory N. Wiersema is designated by the Wisconsin Hearing And Speech Examining Board to perform this monitor function.

c. Jeffrey B. Williams will maintain a list of all clients for whom he has administered audiometric testing and made recommendations regarding a hearing instrument or instruments to address the hearing deficiency within 100 day preceding the date on which the quarterly review is conducted. The list will identify each client and the type and degree of hearing loss the client presented with. Mr. Williams will deliver the list to the person designated to review the client files 10 days prior to the date scheduled for the file review. The person designated to review the client files will select the client files from this list and will advise Mr. Williams at least 2 days prior to the date scheduled for the file review of the client files selected for review. Mr. Williams will deliver the client files selected for review to the person designated to review the files on the date scheduled for the review.

d. Jeffrey B. Williams will be present during the file review to discuss audiometric testing procedures utilized, the results of the audiometric testing and his recommendations to the client regarding hearing instruments to address the hearing deficiency.

e. The first review of client files will be conducted within 90 days of the date on which Mr. Williams achieves a passing score on the audiometric portion of the Hearing And Speech Examining Board's examination for licensure. Subsequent reviews of client files will be conducted quarterly thereafter.

f. The review of client files will be conducted at a location mutually agreeable to Mr. Williams and the person designated to review the client files. If a mutually agreeable location cannot be identified, then the review will be conducted at the place of business of the person designated to review the client files.

g. The person designated to review the client files will submit a written report to the Hearing And Speech Examining Board within 14 days of completion of each quarterly review by mailing or faxing the report to Michelle Neverman, Department Monitor, Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935, fax (608) 266-2264. The report will summarize the types and degrees of hearing losses reviewed and will critique the audiometric testing procedures utilized, the results of the audiometric testing and Mr. Williams recommendations to the clients regarding hearing instruments to address the hearing deficiencies.

h. Jeffrey B. Williams will pay the professional fees and expenses of the person

designated to review the client files within 30 days of the date on which the statement for professional services and expenses is submitted to him.

i. If at any time for any reason, the person designated to perform the monitor function is unable or unwilling to perform the function, the Wisconsin Hearing And Speech Examining Board will designate a successor to perform the monitor function.

IT IS FURTHER ORDERED that Jeffrey B. Williams will pay the costs of this proceeding in the amount of \$800.00 to the Department of Regulation and Licensing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708-8935 within 90 days of the date of this Final Decision And Order.

IT IS FURTHER ORDERED that Jeffrey B. Williams will appear before the Hearing And Speech Examining Board to demonstrate compliance with all of the terms of this Final Decision And Order. Upon demonstration of compliance with this Final Decision And Order, Jeffrey B. Williams' full and unrestricted license to practice as a hearing instrument specialist will be restored.

IT IS FURTHER ORDERED that any failure of Jeffrey B. Williams to comply with the terms of this Final Decision And Order may constitute a violation of sec. 459.10(1)(m), Stats., and may subject Jeffrey B. Williams to further disciplinary action.

IT IS FURTHER ORDERED that Counts II, IV, VIII, XII and XIV of the Complaint are dismissed.

The rights of a party aggrieved by this Final Decision And Order to petition the Hearing And Speech Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Rights of Appeal".

Dated at Madison, Wisconsin, this 7th day of December, 1998.

HEARING AND SPEECH EXAMINING BOARD

James Ogurek

Member of the Board

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