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State of Wisconsin
Before the Hearing and Speech Examining Board

In the Matter of Disciplinary Proceedings Against

Carole A. Van Straten
Respondent

Final Decision and Order
LS0312014HAD

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

Carole A. Van Straten
Hearing Health Associates
2121 S. Oneida Street
Green Bay WI 54304

Hearing and Speech Examining Board
Department of Regulation and Licensing
P.O. Box 8935
Madison WI 53708

Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison WI 53708

The parties having agreed to the attached stipulation, the Hearing and Speech Examining Board makes the following

Findings of Fact

1. Carole A. Van Straten (“Respondent”) was born on March 31, 1957, and is licensed as a hearing instrument specialist in Wisconsin pursuant to license number 1184, first granted June 26, 2000.
2. On December 3, 2002, Respondent sold two hearing aids to Mae Chappel.

3. Respondent did not obtain a signed medical waiver from Mae Chappel before selling her the hearing aids.
4. Respondent informed the Division of Enforcement that it is her practice to obtain the signed medical waiver at the fitting of the hearing aids.
5. Section 21 CFR 800.421 (Code of Federal Regulations) prohibits any person selling hearing instruments to sell any hearing instrument to any person unless the person either presents a written statement from a licensed physician stating that the person is a candidate for a hearing aid, or presents a signed waiver stating that the person does not wish to have a medical evaluation before purchasing a hearing aid.

Conclusions of Law

1. The Hearing and Speech Examining Board has jurisdiction in this matter pursuant to s. 459.10, Stats.
2. Respondent's practice of selling hearing instruments to persons without first obtaining a signed medical evaluation or waiver is unprofessional conduct as defined in s. 459.10(1)(e), Stats.

Order

Now therefore Carole A. Van Straten is reprimanded.

It is further ordered that Carole A. Van Straten shall pay the costs of this proceeding in the amount of \$350.00 to the Department of Regulation and Licensing within 60 days of the date of this Order.

Dated: 12-1-03

Wisconsin Hearing and Speech Examining Board

Gerard Kupperman

By a Member of the Board