

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE HEARING AND SPEECH EXAMINING BOARD

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
: LS # 0607173HAD  
RICHARD D. AMANS, :  
RESPONDENT. :

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Division of Enforcement Case  
03HAD005

The parties to this action for the purposes of Wis. Stats. Sec. 227.53 are:

Richard D. Amans  
69 North 28<sup>th</sup> Street  
Suite 21A  
Superior, WI 54880

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

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

The parties in this matter, Richard D. Amans, Respondent, personally and through his attorney, Michael R. Inglimo, and Pamela M. Stach, attorney for the Department of Regulation and Licensing, agree to the terms and conditions of the attached Stipulations the final disposition of this matter, subject to the approval of the Wisconsin Hearing and Speech Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Richard D. Amans, Respondent herein, 69 North 28<sup>th</sup> Street, Suite 21A, Superior, Wisconsin 54880, is licensed to practice as a hearing instrument specialist in the state of Wisconsin, license #1071, said license having been granted on March 4, 1996
2. Respondent was required, pursuant to Wis. Admin. Code § HAS 8.03, to obtain 20 hours of Board approved continuing education programs in courses of study which pertain to the practice of fitting and dealing in hearing instruments in the biennial renewal period from 2/1/01 to 1/31/03.
3. Respondent submitted an application signed and dated by him on 1/30/03 for renewal of his license to practice as a hearing instrument specialist for the biennium from 2/1/03 to 1/31/05. In his application for renewal of his license to practice as a hearing instrument specialist, Respondent stated, "I will have completed 20 hours of board-approved continuing education appropriate to my area of practice between February 1, 2001 and January 31, 2003, and I have or will have

evidence of this which I will furnish to the Hearing and Speech Board upon request.”

4. As of the date of the attached stipulation Respondent has provided evidence of completion of 5 credits of continuing education for the time period of February 1, 2001 through January 31, 2003.

5. As of the date of the attached Stipulation, Respondent has been unable to provide evidence of completion of 20 hours of board-approved continuing education appropriate to his area of practice between February 1, 2001 and January 31, 2003.

6. Respondent was required, pursuant to Wis. Admin. Code § HAS 8.03, to obtain 20 hours of Board approved continuing education programs in courses of study which pertain to the practice of fitting and dealing in hearing instruments in the biennial renewal period from 2/1/03 to 1/31/05, except that if Respondent failed to renew his license by the renewal date of 2/1/05, Respondent was required, pursuant to Wis. Admin. Code § HAS 7.05(1)(a)(4), to obtain 20 hours of continuing education programs or courses of study approved by the Board in the 2 years preceding the date of his application.

7. Respondent resubmitted an application signed and dated by him on 3/30/05 for renewal of his license to practice as a hearing instrument specialist for the biennium from 2/1/05 to 1/31/07. In his application for renewal of his license to practice as a hearing instrument specialist, Respondent stated, “I will have completed 20 hours of board-approved continuing education appropriate to my area of practice between February 1, 2003 and January 31, 2005, and I have or will have evidence of this which I will furnish to the Hearing and Speech Board upon request.”

8. As of the date of the attached Stipulation, Respondent has provided evidence of completion of 18 hours of continuing education for the time period March 30, 2003 through March 29, 2005.

9. As of the date of the attached Stipulation, Respondent has been unable to provide evidence of completion of 20 hours of board-approved continuing education appropriate to his area of practice between February 1, 2003 and January 31, 2005.

10. Respondent was also unable to provide evidence of completion of 20 hours of board-approved continuing education appropriate to his area of practice between February 1, 2005 and March 29, 2005 pursuant to Wis. Admin. Code § HAS 7.05(1)(a)(4).

11. Respondent’s knowingly provided false information to the Board as set forth in paragraphs 3 and 7 in that Respondent has been unable to provide evidence of completion of the required continuing education.

#### CONCLUSIONS OF LAW

1. The Wisconsin Hearing and Speech Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. § 459.10 and is authorized to resolve this proceeding by Stipulation without an evidentiary hearing pursuant to Wis. Stats. § 227.44 (5).

2. Respondent’s conduct as herein described was in violation of Wis. Stat. §§ 459.10(1)(a) and 459.10(1)(k); and Wis. Admin. Code § HAS 5.02(2)(b) in that he provided false information to the Hearing and Speech Examining Board in connection with his application for renewal of his license to practice as a hearing instrument specialist.

3. Pursuant to Wis. Stats. § 459.13, Respondent is subject to a fine of not more Five Hundred (\$500.00) Dollars for violation of Wis. Stat. sec. 459.10(1)(a) and 459.10(1)(k) and Wis. Admin. Code § HAS 5.02(2)(b).

#### ORDER

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

IT IS FURTHER ORDERED, that Richard D. Amans, Respondent is REPRIMANDED.

IT IS FURTHER ORDERED that pursuant to Wis. Stats. § 459.12, Respondent shall pay a forfeiture of Five Hundred (\$500.00) Dollars to be paid within sixty days of the date of this Order. Payment shall be made to the Department Monitor at the address set forth below.

IT IS FURTHER ORDERED that Respondent shall obtain 17 hours of board-approved continuing education appropriate to his area of practice by no later than July 1, 2007. The 17 hours of board approved continuing education shall be in addition to the board- approved continuing education required for licensure for the 2005-2007 biennium pursuant to Wis. Admin Code § HAS 8.03. In the event Respondent locates evidence of completion of board-approved continuing education for the biennium 2001-2003 and the biennium 2003-2005, Respondent may submit that evidence in satisfaction, or partial satisfaction, of the requirements of this paragraph.

Evidence of completion of the 17 hours of board-approved continuing education shall be submitted no later than July 21, 2007 to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264

IT IS FURTHER ORDERED that Respondent shall pay costs in this matter of Two Thousand One Hundred and Twelve (\$2112.00) Dollars no later than Ninety (90) days from the date of this Order to the Department Monitor at the address set forth above.

Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails obtain the education as required or to timely submit any payment of the forfeiture as set forth above, or fails to pay costs as ordered, the Respondent's license (#1071) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

This Order is effective on the date of its signing.

HEARING AND SPEECH EXAMINING BOARD

By: Alma Peters  
A Member of the Board

2/19/07  
Date