

Board of Hearing Instrument Dealers

Functional Analysis & Records Disposition Authority

**Revision
Presented to the
State Records Commission
January 25, 2001**

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Functional and Organizational Analysis of the Board of Hearing Instrument Dealers

Sources of Information

Representatives of the Board of Hearing Instrument Dealers

Jeanne Stanfield, Executive Secretary

Jane Brannon, Legal Counsel

Code of Alabama 1975, Sections 34-14-1 through 34-14-33

Alabama Administrative Code, Chapters 445-X-1.01 to 445-X-1.10

Alabama Government Manual (1994)

General Disposition Authority (GDA)

Government Records Division, Board of Hearing Instrument Dealers records retention schedules

Government Records Division, State Agency Files (1985-ongoing)

Agency Organization

The Board of Hearing Instrument Dealers was created in 1971 as the Alabama Board of Hearing Aid Dealers. The board operated in its early years under the aegis of the State Department of Public Health. The board became a separate agency and took its current name in 1994. The board is composed of eight members: five licensees with no less than three years experience, one physician who specializes in diseases of the ear, one audiologist, and one consumer member. The governor appoints members from lists of nominees submitted by the Alabama Hearing Aid Association, Inc. Appointees serve staggered four-year terms. Members of the board are eligible to be reappointed but may serve only two full terms without waiting one year after the expiration of the most recent full term of office. The board must meet at least three times each year. The board has an Intra-Agency agreement with the State Board of Examiners for Dietetics/Nutrition Practice for office space and employee services (see attached organizational chart for reference).

Agency Function and Subfunctions

The mandated function of the board is to license and monitor persons who are dispensers or fitters of hearing instruments. It is one of the agencies primarily involved in carrying out the Regulatory function of Alabama government. In the performance of its mandated functions, the board may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** The board is obligated, under Code of Alabama 1975, Section 34-14-11(4), to promulgate rules and regulations necessary to administer, coordinate, and enforce all provisions relating to the Board of Hearing Instrument Dealers. This subfunction encompasses the board's efforts in developing, implementing, and managing the licensing and regulatory system for persons engaged in the fitting and sale

of hearing instruments.

- **Administering.** Each individual applying for a license must first obtain an apprentice permit which is issued to a trainee who has met basic requirements regarding age, character, education, and health as specified in Code of Alabama, Section 34-14-4(a) and has provided a proof of sponsorship by an active licensee. The trainee may engage, under direct supervision of the sponsor, in the fitting and sale of hearing instruments for nine months. The permit is not renewable. In order to be licensed, the trainee must pass a national written examination administered by the National Hearing Institution Society and a practical examination designed and given by the board.
- **Issuing/Renewing.** This subfunction encompasses the staff's efforts in issuing/renewing licenses. Two types of licenses are issued: (1) A fitter's license is issued to an applicant who has passed both the national written examination and the board's practical examination. (The person with a fitter's license may engage in the practice of fitting and dealing in hearing instruments only under the direct supervision of a licensed hearing instrument dispenser.) (2) A dispenser license is issued to any fitter's license holder who has passed an advanced test designed by the National Hearing Institution Society and met all requirements of certification as a National Board Certified Hearing Instrument Specialist. A licensed dispenser may engage in the practice of fitting and dealing in hearing instruments without the direct supervision of any person. Both fitter and dispenser licenses are renewable on an annual basis if licensees have fulfilled established continuing education requirements.
- **Investigating.** The board is authorized to investigate alleged unethical and prohibited conduct; fraudulent, deceptive, and misleading activities; and any irregularities violating any portion of Code of Alabama 1975, Sections 34-14, et seq. If a charge is substantiated, the board may conduct disciplinary hearings and take appropriate disciplinary action or designate an administrative penalty.
- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support its programmatic areas including:

Managing the agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, tracking), publicizing and providing information, managing records, and managing information systems and technology.

Managing finances: Activities include budgeting (preparing and reviewing budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting;

authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

Managing human resources: Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; and disciplining.

Managing properties, facilities, and resources: Activities include inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; leasing and/or renting offices or facilities; providing security for property managed by the agency; insuring property; and assigning, inspecting and maintaining agency property, including vehicles.

Attachment: Organizational Chart

Analysis of Record Keeping System and Records Appraisal of the Board of Hearing Instrument Dealers

Agency Record Keeping System

The Board of Hearing Instrument Dealers currently operates a hybrid record keeping system composed of paper and electronic records.

Paper-based System: Most of the board's records are maintained in paper form and stored on-site.

Computer Systems: The board utilizes one personal computer to perform work associated with routine office operations and the maintenance of a licensee database. Software utilized includes Professional File and Professional Write. Computer files are backed up daily on floppy disks that are maintained in the board's office.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the board: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the board are discussed below:

- **Hearing Instrument Dealers Licensure Examination Files.** This series contains results of written examinations designed by the National Hearing Institution Society and practical examinations developed by the board to ascertain applicants' qualifications for licensure as either hearing instrument fitters or dispensers. When an applicant has passed the national written examination, a copy of the score sheets is forwarded to the board for reference. The practical examination, designed by the board, consists of two parts. The applicant is required first to take a written test which is composed of 100 multiple-choice types of questions on techniques pertaining to the fitting of hearing instruments. Immediately after completion of the written examination, the applicant is required to perform a practical test of proficiency which may include pure tone audiometry, recording and evaluating audio grams, and taking airtailed impressions. The retention of the earmolds is based on the fact that applicants may request a review of their examinations (both written and practical) within 30 days after the date of examination (Alabama Administrative Code, Chapter 445-X-1.04[10]) and that the earmold, made of melting material such as wax, is difficult to maintain physically beyond 30 days. All results of national written examinations and the written part of the practical examinations are maintained for 3 years for possible reference needs.

- **Business Statements of Compliance.** Alabama Administrative Code, Chapter 445-X-1.06 (2) requires each business entity involved in fitting or selling hearing instruments to submit in January, of each year, a completed Statement of Compliance with listings of employed dispensers, fitters, and apprentices to the board. An additional written statement must also be supplied to the board within 30 days indicating information on any changes in the licensee employed by the business. Those statements should be maintained for one audit review period.
- **Hearing Instrument Dealers Licensure Files.** The board creates these records to document the licensing process for various permits/licensees (apprentice, fitter, and dispenser) and includes ongoing information relative to licensees. All licensees except apprentice permit holders are required to renew their registrations with the board annually. A licensee may have up to two (2) years after the expiration of license to renew his/her license upon payment of a special fee plus the regular renewal fee and evidence of continuing professional education. These files are maintained for administrative reference for 5 years after registration has lapsed.
- **Complaint/Investigation Case Files.** These files contain information concerning complaints filed by consumers against licensed hearing instrument fitters/dispensers and other follow-up actions by the board staff to investigate the alleged violations, conduct disciplinary hearings, and impose penalties.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations:

- **Meeting Minutes of the Board.** The board members hold three regular meetings each year. Items discussed and acted upon at these meetings may include the determination of new licensees, verification of complaints, review of financial statements, establishment of new standards or guidelines for licensure and continuing education, development of practical examination questions, staff appointments, approval of travel requests or lease contracts, and determination of sunset review status. An updated roster of all licensees is always provided to the board at its meetings and attached to the meeting minutes for reference. Information on the roster includes each licensee's name, home address, telephone number, work place, type of license, license number, and expiration date. The meeting minutes are considered the core documentation of the board's major functions with regard to administration and enforcement of its rules and regulations. (RDA page 3-2) (**Bibliographic Title: Meeting Minutes**)

Administering:

- **Obsolete Practical Examination Questions.** There are several different versions of practical examination tests developed by the board to test applicants on their technical qualifications. Each test consists of 100 multiple-choice questions. Because of their ongoing

administrative value to the board staff, all test questions are closed to public inspection until they become obsolete. The tests are subject to changes and information on changes is always documented in the meeting minutes. The tests provide the board with a mechanism to evaluate the applicant's technical qualifications and should be kept as documentation of the board's function. (RDA page3-2)(**Bibliographic Title: Obsolete Practical Examination Questions**)

Issuing/Renewing:

Permanent records documenting this subfunction are found in the Meeting Minutes of the board as described in the Promulgating Rules and Regulations subfunction.

Investigating:

Permanent records documenting this subfunction are found in the Meeting Minutes of the board as described in the Promulgating Rules and Regulations subfunction.

Administering Internal Operations:

- **Administrative Correspondence.** These records include correspondence with state officials, legal/advisory opinion correspondence, correspondence documenting activities between the advisory board and the director, correspondence from manager's meetings, and correspondence between the board and other state agencies. Because the records document the policies and procedures of the agency and how it interacts with other agencies/ boards, the records are deemed permanent. (RDA page 3-3)(**Bibliographic Title: Administrative Correspondence**)

Permanent Records List Board of Hearing Instrument Dealers

Promulgating Rules and Regulations:

1. Meeting Minutes of the Board

Administering:

1. Obsolete Practical Examination Questions

Administering Internal Operations:

1. Administrative Correspondence

Board of Hearing Instrument Dealers Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Board of Hearing Instrument Dealers. The RDA lists records created and maintained by the Board of Hearing Instrument Dealers in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the agency to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Under Code of Alabama 1975, Section 36-12-40, "every citizen has a right to inspect and take a copy of any public writing in this state, except as otherwise expressly provided by statute." Records must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Section 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Board of Hearing Instrument Dealers records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records regardless of the medium on which those records may be kept.
- Electronic mail is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain other record-related materials need not be retained as records under the disposition requirements in this RDA. They may be disposed of in whatever way the agency determines best. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not

document government activities; (3) stocks of blank stationary, blank forms, or other surplus materials that are not subject to audit and have become obsolete, (4) transitory records, which are temporary records created for short-term internal purposes that may include, but are not limited to, telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about department social activities, such as a note to a group going to lunch.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Board of Hearing Instrument Dealers and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Promulgating Rules and Regulations

MEETING MINUTES OF THE BOARD

Disposition: PERMANENT RECORD.

Register of Administrative Rules

Disposition: Retain in office (Code of Alabama 1975, Section 41-22-6)

Administrative Procedures Rule Filings

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Appointments to the Board

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report after the end of the fiscal year in which the member's term expires.

Administering

OBSOLETE PRACTICAL EXAMINATION QUESTIONS

Disposition: PERMANENT RECORD.

Hearing Instrument Dealers Licensure Examination Files

Disposition: Temporary Record. Written and Practical Examination Results: Retain 3 years after the date of examination. Earmolds: Retain 30 days after the date of examination.

Issuing/Renewing

Hearing Instrument Dealers Licensure Files

Disposition: Temporary Record. Retain 5 years after the end of the year in which the license becomes inactive or the file is closed.

Annual Renewal Applications and Continuing Education Records

Disposition: Temporary Record. Retain 4 years after the end of the year in which the license is renewed.

Business Statements of Compliance

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report.

Investigating

Complaint/Investigation Case Files

Disposition: Temporary Record. Retain 5 years after the end of the year in which the case was closed.

Administering Internal Operations

General Administrative:

ADMINISTRATIVE CORRESPONDENCE

Disposition: PERMANENT RECORD.

Quarterly Program Performance Report Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's RDA (copies of transmittals forms to Archives or State Records Center, destruction notices, annual reports to State Records Commission)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Copies of Approved RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA is superseded.

Computer systems documentation (hardware/software manuals and diskettes, warranties, records of access/authorities, file naming conventions, Y2K records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency.

Managing Finances:

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions, such as journals, registers, and ledgers, and records of funds deposited outside the State Treasury

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

Disposition: Retain in office (Code of Alabama 1975, Section 41-16-24).

Audit Reports

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

Managing Human Resources:

Position Classification Files

Disposition: Temporary Record. Retain 4 years after position is reclassified.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history, generally maintained as a case file

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting sick leave donations

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of final leave status (cumulative leave)

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Employee Flexible Benefits Plan Files

Disposition: Temporary Record. General information -- Retain until superseded.

Other (applications, correspondence) -- Retain 6 years after termination of participation in program.

Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Equal Employment Opportunity Commission Case Files

Disposition: Temporary Record. Retain 3 years.

Managing Properties, Facilities, and Resources:

Semiannual Inventory Lists

Disposition: Retain in office. (Code of Alabama 1975, Section 36-16-8 [1]).

Transfer of State Property Forms (SD-1) (Agency copies)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the items were removed from inventory.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Real Property Leasing/Renting Records

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Facilities/Building Security Records (including visitor logs)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Motor Pool Vehicle Use Records

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Insurance Policies/Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

Building Maintenance Work Orders

Disposition: Temporary Record. Retain 1 year.

Approval of Records Disposition Authority

By signing this agreement the Board of Hearing Instrument Dealers acknowledges its responsibilities for the proper management of its records and agrees to abide by the implementation guidelines listed below:

- The Board of Hearing Instrument Dealers will designate a managerial position as the agency records officer. This position is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, submitting an annual report on records management activities to the State Records Commission in January of each year, and ensuring the regular implementation of the agency's approved RDA.
- Permanent records in the Board of Hearing Instrument Dealers' custody will be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis--for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The Board of Hearing Instrument Dealers should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- The Board of Hearing Instrument Dealers agrees to allow the staff of the State Records Commission or the Examiners of Public Accounts to examine the condition of the permanent records maintained in the custody of the agency and to inspect records destruction documentation. Government Records Division archivists are available to train the agency's staff in RDA implementation and otherwise assist the agency in implementing its records management program.

This records disposition authority is hereby adopted.

By: _____ Date: _____
Jeanne Stanfield, Executive Secretary
Board of Hearing Instrument Dealers

By: _____ Date: _____
Edwin C. Bridges, Chairman
State Records Commission