

Board of Registration of Allied Health Professionals
1000 Washington Street, Boston MA 02118
PUBLIC MINUTES

Date: January 28, 2016

Location: Room 1D

Time: 9:15am

BOARD MEMBERS PRESENT:

James "Zack" Zachazewski, AT, Chair
Jay Bernasconi, PT, Vice Chair
Nancy Lowenstein, OTR Secretary
Lisa M. Ayles, AT
Thomas Darisse, OTA
Stacy Potvin, PTA
Jamie L. Musler, AT
Chrys Peralta, OTR
Julie Cahill-O'Shea, Public Member

STAFF MEMBERS PRESENT:

Peter Kelley, Board Counsel
Ana Garcia, Executive Director
Sonia Jordan, Board Administrator
Colleen Cavanaugh, Assoc. Exec Dir.

MEMBERS NOT PRESENT:

Annette Iglarsh, PT

9:15 AM - Housekeeping

- Meeting Called to order 9:16am
- Facility Briefing (fire drill instructions) + Location of Exits and Restrooms

9:20 AM-Board Business

- Motion to approve Public and Executive Session Minutes for October 2015 as amended, by Stacy Potvin, seconded by Thomas Darisse; All in favor.
- Motion to approve Public Session Minutes for December 2015, by Thomas Darisse, seconded by Stacy Potvin; All in favor.

TOPIC: Report from Board Counsel, Peter Kelley

DISCUSSION: Regulations for all professions are under review and waiting for word from the Division to go forward by March 30, 2016 deadline. Election of Officers will take place next month.

ACTION: None needed

TOPIC: Discussion of NPTE Exam Appeal

DISCUSSION: Most PT applicants are approved to sit for examination through PCS. Due to fraud concerns, FSBPT has unilaterally limited the number of times someone can take the exam, either based upon number of exams administered or by a "knockout" low score that prevents them from retaking the exam. State and Applicant can appeal to allow administration of the exam additional times over that proscribed by FSBPT. As FSBPT reviews and decides all state/applicant appeals, can still deny the applicant from taking the exam. FSBPT appeal has 1) candidate attending PT/PTA school during the relevant period (October, 2104-December 2015); 2) candidate was not an active test taker after January 2011 (i.e. was not notified); 3) state law allows for additional attempts; or 4) Other.

If Board considers a limit on number of times candidate can take PT examination, should apply to all professions overseen by the AH Board. Statues place no such limitations on the number of times someone can take the exam. Options for Board are developing a cutoff or requiring remediation. For today's FSBPT candidate/board appeals, current discussion is to continue to follow Statute and Board staff will submit FSBPT

forms on behalf of candidates. Defer discussion of whether, or if, any such policy for all AH licensees should be developed to a future meeting.

ACTION: None needed

10:15 AM Motion to go into Executive Session pursuant to G.L. c. 30A, §21(a)(7) to comply with the public record law, G.L. c. 66, § 10. G.L. c. 4, §7. ¶ (c) (medical record information) by Jay Bernasconi; seconded by Lisa Ayles; Roll call vote: N.Lowenstein "yes", J.Bernasconi "yes", J.Musler "yes", J.Cahill-O'Shea "yes", C.Peralta "yes", J.Zachazewski "yes", S.Potvin "yes". Motion passed unanimously.

10:30 AM Moved to go into Executive Session pursuant to G.L. 30A, §21(a)(7) to comply with the public record law, G. L. c. 66, § 10, G. L. c. 4, § 7, ¶ 26(a), and the student record law, G. L. c. 71, §§ 34D, 34E, for the purpose of reviewing applications. Moved: L.Ayles; Second: J.Musler; Roll Call: N.Lowenstein "yes", J.Bernasconi "yes", J.Musler "yes", J.Cahill-O'Shea "yes", C.Peralta "yes", J.Zachazewski "yes", S.Potvin "yes". Motion passed unanimously

10:41 a.m. At the end of the Executive session, the open meeting resumed.

10:41 AM New Cases [Closed Session pursuant to G.L. c. 112, 65C]:
S.Potvin moved to go into closed session, pursuant to G.L. c. 112, 65C, for the purpose of conducting investigatory and settlement conferences.. Motion seconded by J. Musler. Motion passed unanimously.

During the closed session, the Board voted to take the following actions:

Facility Inspection (ITI): Open complaint
AH-15-013 dismiss with advisory
AH-15-020 dismiss

Motion to go into open by J. Musler. Seconded by J. Zachazewski. Motion passed unanimously.

10:55 AM COMPLIANCE MONITORING

TOPIC: AH-13375-PT: CWM

DISCUSSION: Quarterly report submitted and read

ACTION: Accept report as written: Moved: J.Musler; Second S.Potvin; All in favor.

TOPIC: New Business: Is it considered PT to do ergonomic evals in a different State

DISCUSSION: Telehealth: Treatment and License should occur in place where license is. Ergonomics is an area of PT, OT and AT.

ACTION: none needed

DISCUSSION: Farrokh Najafi

ACTION: follow up next month

11:01 AM: Settlement Offer [Closed Session under G.L.c 112. 65c]:

11:05 am- Moved to go into Closed Session to G.L.c. 112, 65c for settlement offer; Julie Brady; Jenna Hentoff. Moved by J. Zachazewski ; seconded by S. Potvin; unanimous

At the end of the closed session, the open session resumed.

12:10 AM Investigative Unit Update:

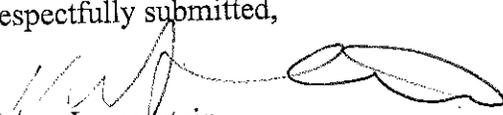
TOPIC: Update from Chief Investigator-Christopher Carroll

DISCUSSION: Board suggests hippotherapy practices as a new trend to investigate.

ACTION: None needed

12:17 PM Motion to adjourn: Zack Zachazewski, seconded by Stacy Potvin; All in favor.

Respectfully submitted,


Nancy Lowenstein
Secretary