

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

Date: February 25, 2016 **Location:** 1D **Time:** 9:05AM

BOARD MEMBERS PRESENT:

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

STAFF MEMBERS PRESENT:

Peter Kelley, Board Counsel
Colleen Cavanaugh, Assoc. Exec Dir.
Sonia Jordan, Board Administrator
Anne Driscoll, Board Investigator

MEMBERS NOT PRESENT:

Chrys Peralta, OTR
Annette Iglarsh, PT

9:05 AM - Housekeeping

- Meeting Called to order by C. Cavanaugh

- Election of Officers:
 - J.Bernasconi and J.Zachazewski Nominated for Chair: By a vote of 5-3, J. Zachazewski elected Chair.
 - Vice Chair: Nominated: J.Bernasconi and J.Musler: By a vote of 5-3 . Musler elected Vice Chair.
 - Secretary: Nominated: J.Bernasconi; By a unanimous vote J. Bernasconi elected Secretary.

- Facility Briefing (fire drill instructions) + Location of Exits and Restrooms

Board Business

- Approval of January Minutes- Tabled

9:14 am TOPIC: Report from Board Counsel, Peter Kelley

DISCUSSION: First, results of appeals for PT exam: Although FSBPT denied appeals initially, did approve applicants' appeals to retake exam based upon state law.

Next, review of Khan administrative proceeding. Khan matter settled. Heath matter dismissed with advisory at January meeting. After review of differences and similarities between Heath and Khan, particularly longer period of holding out for Khan, Board determines by unanimous consent differences in result are appropriate.

Mr. Bernasconi took no part in the discussion or deliberation of this matter.

Finally, counsel advises that at the conclusion of meeting there will be a Board Member training;

ACTION: None Needed

TOPIC: Investigative update: Christopher Carroll

DISCUSSION: Delayed/to be rescheduled

ACTION: Tabled for next month

9:25am TOPIC: PT Application Review-KC

DISCUSSION: Foreign trained in Taiwan: Does not have enough credits:

ACTION: Tabled for next month

9:30AM- L. Ayles motioned 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. seconded by J. Musler; following a roll call vote: J. Zachazewski-“yes”, J. Musler-“yes”, N. Lowenstien-“yes”, L. Ayles-“yes”, J. Bernasconi-“yes”, S. Potvin-“yes”, T. Darisse-“yes”, J. Cahill-“yes”. Motion passed

9: 40 a.m. At the end of the Executive session, the open meeting resumed.

9:41 am Motion to go into closed session pursuant to G.L. c. 112, §65C for the purpose of conducting investigatory and settlement conferences: Moved J. Bernasconi; Seconded by S. Potvin

10:43am: Motion to exit closed session and into open session by J. Bernasconi; seconded by J. Musler. All in favor.

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

- **AH-16-023 -Dismiss w/o prejudice. Ms. Lowenstein took no part in the discussion or deliberation of this matter.**
- **To approve remaining items on Consent Calendar**

TOPIC: Compliance Monitoring:

DISCUSSION:

- AH-15-024 (BJH) Request to come off probation: In compliance with consent decree: No action needed
- AH-15-030 (AD) CE Course Approval: Motion to accept courses made by S. Potvin; seconded by L. Ayles. Approved unanimously.
- AH-19184-PT (CH) CE Course Approval: Motion to accept courses made by L.Ayles; seconded by S. Potvin. Approved unanimously;
- AH-14-023-PT (CWM) Probation Termination: Tabled: information was not received at meeting time. Have not yet received any corrective action statements by the licensee, required by section 4-F of consent agreement.

TOPIC: Correspondence:

DISCUSSION: Email regarding Yoga during OT session. Board determines that in appropriate circumstances, Yoga can be used as an intervention.

ACTION: Board has no opinion as to how to document Yoga, but there is no prohibition on the use of the term 'yoga'..

DISCUSSION: Mullis and Associates; Board reviewed advertisement and objection.

ACTION: Read and filed. No action needed.

DISCUSSION: BayShore PT. There is no PT facility license for address in advertisement.

ACTION: Investigator instructed to visit facility.

DISCUSSION: Review of email re: AOTA Telehealth chart. Licensees need to be licensed in the jurisdiction in which clients reside.

ACTION: Read and filed. No action needed.

TOPIC: New Business:

DISCUSSION: C.Cavanaugh presents compliance monitoring re: AH-15-030 (AD): course reviews; courses were approved; completed courses prior to approval.

ACTION: She can be removed from probation once her year is up.

DISCUSSION: L.Ayles presents re Subcommittee; proposed that subcommittee meets if more than 3 cases or change start time of sub-committee.

ACTION: March Subcommittee meeting will reserve 15 minutes in open session to review sub-committee process.

DISCUSSION: J.Musler inquires as to any requirement to provide NPI numbers. No such requirement in newly proposed regs: Name; professional designation, and license number.

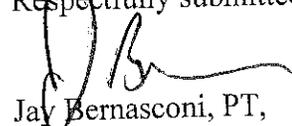
DISCUSSION: Board chair proposes that Board address the statute: M.G.L. c 112 § 23 P ½. Add to future agenda to discuss private practice referral disclosure. Also determine how to advise DPL staff, how to inform licensees and monitor compliance.

ACTION: Staff will place on future agenda.

11:09am

Motion to Adjourn by J. Musler; seconded by S.Potvin. All in Favor.

Respectfully submitted,


Jay Bernasconi, PT,
Secretary