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LIEUTENANT GOVERNOR

MIKE KENNEALY  
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Division of Occupational Licensure  
Board of Registration of  
Allied Health Professions  
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AFFAIRS AND BUSINESS  
REGULATION

LAYLA R. D'EMILIA  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

Public Meeting Minutes  
November 18, 2021

**Board Members Present:**

Jamie Musler, Chair, AT  
Stacy Potvin, Vice Chair, PTA  
Andrew Rizza, AT  
Deborah Slater, OT  
Randy Jean, PT  
Melanie Glynn, OTA  
Reena Patel, AT  
Stephanie Smith, OT

**Staff Members Present:**

Erin Murphy, Associate Executive Director  
Peter Kelley, Board Counsel

All board members and staff appeared by videoconference.

**Call to Order:** The meeting was called to order at 9:05 a.m.

**Board Business**

- **Public Meeting Minutes of August 26, 2021, Executive Session Minutes of August 26, 2021, and Subcommittee Meeting Minutes of August 26, 2021:** After a brief discussion, a motion was made by Mr. Jean, seconded by Ms. Glynn, to approve the Public Meeting Minutes of August 26, 2021, Executive Session Minutes of August 26, 2021, and Subcommittee Meeting Minutes of August 26, 2021. The motion passed unanimously.
- **Public Meeting Minutes of September 23, 2021, Executive Session Minutes of September 23, 2021, and Subcommittee Meeting Minutes of September 23, 2021:** After a brief discussion, a motion was made by Ms. Potvin, seconded by Mr. Rizza, to approve the Public Meeting Minutes of September 23, 2021, Executive Session Minutes of September 23, 2021, and Subcommittee Meeting Minutes of September 23, 2021, with changes to the Executive Session Minutes of September 23, 2021. The motion passed unanimously.



- **In Person Meetings:** The Board discussed whether to meet by videoconference next month and agreed to continue meeting by videoconference for now.

### **Discussion**

- **Board Counsel Report:** Mr. Kelley reported that the draft Continuing Competency regulations are still pending final approval by the Executive Office of Housing and Economic Development, and that he is hoping for an implementation date of January 1, 2022.
- **Application Processing Update:** Ms. Murphy stated that Mr. Bialas will update the Board on this item next month.
- **CE Regulations Implementation:** The Board reviewed the draft Continuing Competency Compliance schedule and suggested changes. Mr. Kelley will present a revised draft next month.

### **Open Session for Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of Meeting**

Ms. Smith announced that she has resigned from the Board effective May 1, 2022 and will serve on the Board until then.

**Executive Session** (Closed under G.L. ch. 30A, § 21(a)(7) to comply with G.L. ch. 4, § 7, ¶ 26(c) and G.L. ch. 214, § 1B – adhering to the public records law and to preserve the confidentiality of medical record information)

At 9:35 a.m., a motion was made by Ms. Smith, seconded by Ms. Potvin, to exit open session and enter into executive session under G.L. ch. 30A, § 21(a)(7) to comply with G.L. ch. 4, § 7, ¶ 26(c) and G.L. ch. 214, § 1B – adhering to the public records law and to preserve the confidentiality of medical record information, to review a letter regarding monitoring. The motion passed unanimously by a roll call vote.

The Board entered executive session at 9:35 a.m.

**Investigative Conference** (Closed under G.L. ch. 112, § 65C)

At 10:03 a.m., a motion was made by Ms. Potvin, seconded by Ms. Patel, to exit executive session, return to open session, and enter into a closed session under G.L. ch. 112, § 65C to conduct investigatory conferences. The motion passed unanimously by a roll call vote.

The Board returned to open session and entered closed session at 10:03 a.m.

During the investigative conference, the Board took the following actions:

### **Monitoring Interview**

Jessica Richard, 20070821AH028-IT-ENF and  
20080215AH062-IT-ENF:

Interviewed Supervisor

## National Practitioner Data Bank Medical Malpractice Payment Report

John Henesey:

No action taken

### Cases

2021-000443-IT-ENF (Health and Sports Rehab, Inc.):

Refer to Office of Investigations

2021-000558-IT-ENF (Orthopedic & Sports Physical Therapy of Cape Cod):

Dismiss. Mr. Rizza recused himself from the discussion of, and vote on, the case.

2021-000605-IT-ENF (Pure Performance Training, LLC):

Refer to Office of Investigations

### Adjournment

At 11:20 a.m., a motion was made by Ms. Potvin, seconded by Mr. Jean, to adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 11:20 a.m.

The above minutes were approved at the public meeting held on February 24, 2022.



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Brian Bialas, Executive Director

### **List of Documents Used by the Board at the Public Meeting:**

- Agenda for Meeting of November 18, 2021
- Public Meeting Minutes of August 26, 2021
- Executive Session Minutes of August 26, 2021
- Subcommittee Meeting Minutes of August 26, 2021
- Public Meeting Minutes of September 23, 2021
- Executive Session Minutes of September 23, 2021
- Subcommittee Meeting Minutes of September 23, 2021
- Draft Continuing Competency Compliance Schedule
- S.2542: "An Act to Support Military Families"