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LAYLA R. D'EMILIA
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PROFESSIONAL LICENSURE

Public Meeting Minutes

March 25, 2021

Board Members Present:

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

Staff Members Present:

Danielle O'Neil, Executive Director
Brian P. Bialas, Executive Director
Peter M. Kelley, Board Counsel

Pursuant to Governor Charles D. Baker's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s. 20, dated March 12, 2020, all board members and staff appeared by videoconference.

Call to Order: The meeting was called to order at 9:07 a.m.

Board Business

- **Introduction of New Executive Director Brian Bialas:** Ms. O'Neil introduced Mr. Bialas as the new Executive Director of the Board. Mr. Musler explained that DPL has moved the Board to Mr. Bialas's Unit at DPL to consolidate health care boards into fewer units.
- **Public Meeting Minutes of January 28, 2021:** After a brief discussion, a motion was made by Ms. Patel, seconded by Mr. Rizza, to approve the Public Meeting Minutes of January 28, 2021 with changes. The motion passed unanimously.



- **Public Meeting Minutes of February 25, 2021:** After a brief discussion, a motion was made by Mr. Jean, seconded by Ms. Potvin, to approve the Public Meeting Minutes of February 25, 2021 with changes. The motion passed unanimously.
- **Board Counsel Report:** Mr. Kelley reported on a FSBPT Webinar he recommended on April 14 titled “An Overview of Trauma’s Impact on Boundary Violation Investigations.” The webinar includes discussion on how the brain reacts when experiencing trauma, the impact this has on memory, emotions, and behavior, and what investigators and boards need to understand to evaluate boundary violation cases.

Correspondence

- **3.10.21 Email from C. Cariello re: PTAs and OTAs Completing Screenings:** The Board considered whether PTAs and OTAs may “screen” patients, that is, preliminarily gather and integrate information to determine the need for further evaluation or intervention. The Board determined that PTAs and OTAs may gather data during the screening process, but the ultimate responsibility to “screen” the patient under the Board’s regulations and Policy on Physical Therapist Assistant and Occupational Therapy Assistant Involvement in Patient Screens and Evaluations lies with PTs and OTs. The Board directed Mr. Kelley to respond to the email.

Discussion

- **Approval of CE Regulations:** After a brief discussion, a motion was made by Mr. Rizza, seconded by Ms. Potvin, to approve the final draft of CE regulations. The motion passed unanimously.

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

Ms. Lane asked whether a PT who is educated in a foreign country must have a foreign education evaluation done as part of an application for a Massachusetts license even if the applicant already is licensed in another state. Mr. Kelley said the answer is yes.

Investigative Conference (Closed under G.L. c. 112, s. 65C)

At 9:35 a.m., a motion was made by Ms. Smith, seconded by Mr. Jean, to exit open session and enter closed session under G.L. c. 112, s. 65C to conduct investigatory conferences. The motion passed unanimously.

The Board entered investigative conference at 9:35 a.m.

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

Cases

2021-000027-IT-ENF (JD):	Refer to Office of Prosecutions
2020-001101-IT-ENF (LP):	Refer to Office of Investigations
2021-000080-IT-ENF (MD):	Dismiss; open complaint against facility
2021-000174-IT-ENF (AV):	Refer to Office of Prosecutions
2020-001300-IT-ENF (Marathon Physical Therapy):	Refer to Office of Prosecutions
2021-000143-IT-ENF (SA):	Refer to Office of Prosecutions
2021-000144-IT-ENF (PP):	Refer to Office of Prosecutions
2021-000142-IT-ENF (EN):	Refer to Office of Prosecutions
2021-000140-IT-ENF (SF):	Refer to Office of Prosecutions

NPDB Notifications

3.2.21 Email from NPDB re: AA:	Open complaint
2.25.21 Email from NPDB re: WM:	No action taken

Executive Session (under G.L. c. 30A, s. 21(a)(7) to comply with G.L. c. 4, s. 7, para. 26(c) and G.L. c. 214, s. 1B to review sensitive medical information)

At 11:08 a.m., a motion was made by Ms. Smith, seconded by Ms. Slater, to enter into executive session under G.L. c. 30A, s. 21(a)(7) to comply with G.L. c. 4, s. 7, para. 26(c) and G.L. c. 214, s. 1B to review sensitive medical information. Following a roll call vote, the motion passed unanimously.

The Board entered executive session at 11:08 a.m.

Adjournment

At 11:35 a.m., a MOTION was made by Ms. Patel, seconded by Ms. Smith, to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 11:35 a.m.

The above minutes were approved at the public meeting held on May 27, 2021.



Brian Bialas, Executive Director

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

- Agenda for Meeting of March 25, 2021
- Draft Public Meeting Minutes of January 28, 2021
- Draft Public Meeting Minutes of February 25, 2021
- 3.10.21 Email from C. Cariello re: PTAs and OTAs Completing Screenings