

# MAURA T. HEALEY Governor KIMBERLEY DRISCOLL Lieutenant Governor

### The Commonwealth of Massachusetts

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## **Board of Allied Health Professions Public Meeting Minutes**

December 19, 2024

#### **Board Members Present:**

Jamie Musler, Chair, AT
Deborah Slater, Vice Chair, OT
Stacy Potvin, Secretary, PTA
Diane Smith, OT
Melanie Glynn, OTA
Luke Brisbin, PT
Jane Baldwin, PT (left the meeting at 11:03 a.m.)
David Young, Public Member (arrived at 9:26 a.m.)
Andrew Rizza, AT

#### **Staff Members Present:**

Brian Bialas, Executive Director Michael Egan, Board Counsel Lauren McShane, Investigative Supervisor Doris Lugo, Investigator Ellen D'Agostino, Investigator

All board members and staff appeared by videoconference.

<u>Call to Order</u>: The meeting was called to order at 9:02 a.m.

#### **Board Business**

• Roll Call Vote for Attendance: Mr. Bialas called the roll of board members: Jamie Musler, Andrew Rizza, Deborah Slater, Diane Smith, Melanie Glynn, Stacy Potvin, Luke Brisbin, and Jane Baldwin all present by videoconference.

- Public Meeting Minutes and Executive Session Minutes of September 26, 2024: After a brief discussion, a motion was made by Ms. Glynn, seconded by Ms. Slater, to approve the Public Meeting Minutes and Executive Session Minutes of September 26, 2024. The motion passed unanimously by a roll call vote.
- Public Meeting Minutes of December 6, 2024: After a brief discussion, a motion was made by Ms. Smith, seconded by Ms. Baldwin, to approve the Public Meeting Minutes of December 6, 2024 with changes. The motion passed unanimously by a roll call vote.
- Harm Reduction Services in Healthcare Settings for People Who Use Drugs (PWUD): The Board read and reviewed a memorandum from DPH explaining the agency's position that licensees should not be disciplined solely for the provision of harm reduction supplies or services to people who use drugs.

#### **Discussion**

 Manual Cervical Traction and Physical Therapist Assistant Scope of Practice and Spinal Mobilizations, Peripheral Joint Mobilizations, and Physical Therapist Assistant Scope of Practice: The Board discussed whether certain practices are within the scope of practice of a physical therapist assistant.

Mr. Young arrived at 9:26 a.m.

After a brief discussion, the Board directed Mr. Bialas to refer the inquirer to the APTA statement of August 30, 2018 entitled "Interventions Performed Exclusively by Physical Therapists" for further guidance.

• Nutrition, Supplements, Relationships with Supplement Companies, and Physical Therapist Scope of Practice: The Board discussed whether physical therapists may offer advice on nutrition and dietary supplements and partner with supplement companies. After a brief discussion, the Board directed Mr. Bialas to refer the inquirer to the APTA statement of August 30, 2018 entitled "Interventions Performed Exclusively by Physical Therapists" and APTA Code of Ethics 7(D) on conflict issues and to encourage the inquirer to consider whether specific supplement advice is evidence-based or could cause harm to patients.

#### **Application Review – Prior Discipline**

- GNB Physical Therapy and Sports Rehabilitation, Physical Therapy Facility License
  - Sergey Wortman, Principal: The Board reviewed a proposed owner's prior discipline with the Board of Medicine. After a brief discussion, a motion was made by Ms. Potvin, seconded by Mr. Young, to allow Dr. Wortman to continue with the licensing process. The motion passed unanimously by a roll call vote.

#### **Monitoring**

• Austin Callahan, 2021-001189-IT-ENF, 4th Quarterly Monitoring Report and Petition to Terminate Probation: The Board reviewed Ms. Callahan's report and petition. After a brief discussion, a motion was made by Mr. Rizza, seconded by Ms. Smith, to accept the report and petition. The motion passed unanimously by a roll call vote.

#### **Comments from Professional Associations**

Mary Kate Miller from APTA-MA discussed the challenge of searching for the Board's past decisions on scope of practice issues.

Anne Whiting, Ms. Callahan's supervisor, thanked the Board for terminating her probation.

Ms. Potvin discussed a PTA title-usage issue.

Executive Session (closed under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, ¶ 26(c) and G.L. c. 214, § 1B – adhering to the public records law and to preserve the confidentiality of medical record information; specifically, the Board will discuss and evaluate the physical condition or mental health of a licensee as it relates to a licensee's monitoring reports)

At 10:11 a.m., a motion was made by Mr. Rizza, seconded by Ms. Potvin, to exit the public meeting and (1) enter into a closed executive session under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, ¶ 26(c) and G.L. c. 214, § 1B; specifically, the Board will discuss and evaluate the physical condition or mental health of a licensee as it relates to a licensee's monitoring reports; then (2) enter into investigative conference under G.L. c. 112, § 65C to review new cases; and then, after the conclusion of investigative conference, (3) not return to the public meeting and adjourn. The motion passed unanimously by a roll call vote.

The Board entered executive session at 10:11 a.m.

Board maintains separate minutes of executive session.

<u>Investigative Conference</u> (closed session under G.L. c. 112, § 65C)

The Board entered investigative conference at 10:42 a.m.

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

#### Cases

FINV7275 (Caddoo Rehabilitation Associates):	Dismiss
AHP-2023-0026 (AZ):	Dismiss

AHP-2023-0032 (DK): Dismiss
FAHP-2023-0003 (Revere Physical Therapy Rehabilitation): Dismiss
Ms. Baldwin recused herself from the following matter and left the meeting at 11:03 a.m.

FAHP-2023-0004 (BG): Dismiss

#### **Adjournment**

At 11:06 a.m., a motion was made by Mr. Rizza, seconded by Mr. Young, to adjourn the meeting. The motion passed unanimously by a roll call vote.

The meeting adjourned at 11:06 a.m.

#### **Approval**

The above minutes were approved at the public meeting held on February 27, 2025.

Brian Bialas, Executive Director

Brian P. Biel

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

- Agenda for Meeting of December 19, 2024
- Public Meeting Minutes of September 26, 2024
- Executive Session Minutes of September 26, 2024
- Public Meeting Minutes of December 6, 2024
- 9.24.24 Memorandum from DPH re: Harm Reduction Services in Healthcare Settings for People Who Use Drugs (PWUD)
- 11.1.24 Email from J. Bianco re: Manual Cervical Traction and PTA Scope of Practice
- 9.25.24 Email from M. Miller re: Joint Mobilizations and PTA Scope of Practice
- 10.14.24 Email from M. Haley re: Spinal and Peripheral Joint Mobilizations and PTA Scope of Practice
- 11.21.24 Email from A. Almeida re: Nutrition, Supplements, Relationships with Supplement Companies, and PT Scope of Practice
- Documents from PT Facility License Application of GNB Physical Therapy and Sports Rehabilitation
- Austin Callahan, 2021-001189-IT-ENF, 4th Quarterly Monitoring Report and Petition to Terminate Probation