The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

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**Board of Allied Health Professions**

**Public Meeting Minutes**

March 23, 2023

**Board Members Present:**

Deborah Slater, Secretary, OT

Stacy Potvin, PTA

Melanie Glynn, OTA (left meeting at 10:44 a.m.)

Diane Smith, OT

Catherine Lane, PT

Randy Jean, PT

Reena Patel, AT

**Staff Members Present:**

Brian Bialas, Executive Director

Sheila York, Board Counsel

Joshua Boeh-Ocansey, Board Counsel

Lauren McShane, Investigator Supervisor

All board members and staff appeared by videoconference.

**Call to Order:** 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: Deborah Slater, Stacy Potvin, Melanie Glynn, Diane Smith, Catherine Lane, Randy Jean, and Reena Patel all present by videoconference.
* **Public Meeting Minutes of February 23, 2023:** After a brief discussion, a motion was made by Mr. Jean, seconded by Ms. Slater, to approve the Public Meeting Minutes of February 23, 2023. The motion passed unanimously by a roll call vote.
* **Executive Session Minutes of February 23, 2023:** After a brief discussion, a motion was made by Ms. Potvin, seconded by Ms. Smith, to approve the Executive Session Minutes of February 23, 2023. The motion passed unanimously by a roll call vote.
* **2022 Federation of State Board of Physical Therapy (FSBPT) Delegate Selections and Model Practice Act Workshop:** The Board considered the election of a Voting Delegate, Alternate Delegate, and Administrator for upcoming FSBPT meetings, including the Model Practice Act Workshop. After a brief discussion, a motion was made by Ms. Potvin, seconded by Ms. Slater, to elect the following people:
  + Catherine Lane: Voting Delegate
  + Reena Patel: Alternate Delegate
  + Brian Bialas: Administrator

The motion passed unanimously by a roll call vote.

**Discussion**

* **Continuing Education (CE) Audits, CE Audits for Complaints, and Delegated Authority to Resolve CE Deficiencies:** The Board considered a draft consent agreement to resolve CE violations by respondents to complaints. Board counsel will review the draft agreement, and the Board will consider the draft again at a future meeting.

**Monitoring**

* **Austin Callahan, 2021-001189-IT-ENF, Approval of Proposed Monitor:** The Board reviewed Ms. Callahan’s submission of a proposed monitor, Anne Whiting. After a brief discussion, a motion was made by Ms. Potvin, seconded by Ms. Glynn, to approve Ms. Whiting as Ms. Callahan’s monitor. The motion passed unanimously by a roll call vote.

**Executive Session CLOSED under G.L. c. 30A, § 21(a)(7) to comply with M.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**

At 9:29 a.m., a motion was made by Ms. Potvin, seconded by Ms. Smith, to exit the public meeting and enter into executive session under G.L. c. 30A, § 21(a)(7) to comply with M.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, to review a petition to reinstate. The motion passed unanimously by a roll call vote.

The Board entered executive session at 9:29 a.m.

**Closed Session under G.L. c. 112, § 65C to Conduct Investigatory Conferences**

The Board entered investigative conference at 9:56 a.m.

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

**Settlement**

2022-000840-IT-ENF (JR): Gave direction to prosecutor

**Case Interview**

2022-000922-IT-ENF (MC): Interviewed respondent; refer to Office of Prosecutions

**Cases**

CASE-2023-0019 (AS): Refer to Office of Prosecutions

Ms. Glynn left the meeting at 10:44 a.m.

CASE-2023-0030 (Orthopedic & Sports Physical Therapy of Cape Cod): Dismiss

**Adjournment**

At 10:49 a.m., a motion was made by Ms. Potvin, seconded by Ms. Smith, to exit closed session and return to open session, then adjourn. The motion passed unanimously by a roll call vote.

The meeting adjourned at 10:49 a.m.

The above minutes were approved at the public meeting held on April 27, 2023.

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Brian Bialas, Executive Director

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

* Agenda for Meeting of March 23, 2023
* Public Meeting Minutes of February 23, 2023
* Executive Session Minutes of February 23, 2023
* 1.31.23 Email from C. Jennings of FSBPT re: Delegate Selection
* 3.9.23 Email from C. Jennings of FSBPT re: Model Practice Act Workshop
* Draft CE Violation Consent Agreement
* Austin Callahan, 2021-001189-IT-ENF, Documents re: Proposed Monitor