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Public Meeting Minutes
August 25, 2022

Board Members Present:

Jamie Musler, Chair, AT
Andrew Rizza, AT, Vice Chair
Deborah Slater, Secretary, OT
Stacy Potvin, PTA
Randy Jean, PT (left meeting at 11:28 a.m.)
Catherine Lane, PT
Reena Patel, AT

Staff Members Present:

Brian Bialas, Executive Director
Jenna Hentoff, Board Counsel

All board members and staff appeared by videoconference.

Call to Order: The meeting was called to order at 9:03 a.m.

Mr. Bialas announced that Jenna Hentoff will be filling in for Peter Kelley as Board Counsel for this meeting.

Board Business

- **Public Meeting Minutes of June 23, 2022:** After a brief discussion, a motion was made by Ms. Potvin, seconded by Mr. Jean, to approve the Public Meeting Minutes of June 23, 2022 as presented. The motion passed unanimously.

Discussion

- **Board Counsel Report**
 - **Executive Order Protecting Reproductive Health Care Services in the Commonwealth:** Ms. Hentoff reported on a new executive order that, among other things, prohibits the Board from disciplining licensees or denying or restricting licenses for applicants because of crimes or discipline in other states



related to certain reproductive health services if the same conduct is not illegal in Massachusetts. Ms. Hentoff explained that the Board will update its CORI policy at a future meeting to incorporate the executive order.

- **Open Meeting Law Update:** Ms. Hentoff reported that a new law extends the Board's ability to conduct meetings by videoconference through March 31, 2023.

Correspondence

- **6.28.22 Letter from E. Folmar of APTA-MA re: Continuing Competence:** The Board reviewed Mr. Folmar's letter containing several questions on 259 CMR 7.00, Continuing Competence. Mr. Folmar appeared to discuss the letter with the Board.

Specifically, the Board stated that, although it "may approve other organizations sponsoring or endorsing continuing competence programs or activities by way of policy published on the Board's website," 259 CMR 7.03(2), programs may be approved by the entities already mentioned in 259 CMR 7.03, including APTA. Continuing Competence points are calculated as "one point per contact hour or equivalent as awarded by the provider." Id. § 7.02(d). Many courses that licensees already completed before the regulations took effect already qualify. The Board has notified licensees of the new regulations through website postings, communications to stakeholder groups, and an insert in renewal notices. Qualifying APTA-sponsored activities that do not otherwise fall into the categories listed in 259 CMR 7.02(a)-(d) may count for no more than six points per renewal cycle. Id. § 7.02(e).

- **6.17.22 Email from L. Murphy re: Athletic Trainers and Suturing:** The Board deferred consideration of the email until its next meeting.

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 9:52 a.m., a motion was made by Ms. Potvin, seconded by Mr. Rizza, 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 monitoring report and an email regarding monitoring. The motion passed unanimously by a roll call vote.

The Board entered executive session at 9:50 a.m.

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

The Board entered investigative conference at 10:22 a.m.

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

Update on Summary Suspension

2022-000741-IT-ENF (AT):

Board Counsel
provided update

Cases

2022-000368-IT-ENF (WL):

Dismiss

2022-000292-IT-ENF (CC):

Interview respondent

2022-000131-IT-ENF (JR):

Refer to Office of
Prosecutions

2022-000066-IT-ENF (MD):

Refer to Office of
Prosecutions

2022-000470-IT-ENF (NT):

Refer to Office of
Prosecutions

2022-000615-IT-ENF (CH):

Refer to Office of
Prosecutions

2022-000575-IT-ENF (DD):

Refer to Office of
Prosecutions

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

Dismiss

2021-001006-IT-ENF (LA):

Refer to Office of
Prosecutions

2021-000854-IT-ENF (LA):

Dismiss

2022-000350-IT-ENF (VK):

Refer to Office of
Prosecutions

2022-000613-IT-ENF (MD):

Refer to Office of
Prosecutions

Mr. Jean left the meeting at 11:28 a.m.

2022-000614-IT-ENF (GD):

Dismiss

Adjournment

At 11:33 a.m., a motion was made by Ms. Potvin, seconded by Mr. Rizza, to exit closed session, return to open session, and adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 11:33 a.m.

The above minutes were approved at the public meeting held on September 22, 2022.



Brian Bialas, Executive Director

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

- Agenda for Meeting of August 25, 2022
- Public Meeting Minutes of June 23, 2022
- Executive Order Protecting Reproductive Health Care Services in the Commonwealth and 6.24.22 Email from T. MacCormack re: same
- 6.28.22 Letter from E. Folmar of APTA-MA re: Continuing Competence
- 6.17.22 Email from L. Murphy re: Athletic Trainers and Suturing