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**Board of Allied Health Professions
Public Meeting Minutes
September 28, 2023**

Board Members Present:

Jamie Musler, Chair, AT
Andrew Rizza, Vice Chair, AT
Deborah Slater, Secretary, OT (left the meeting at 11:01 a.m.)
Stacy Potvin, PTA
Catherine Lane, PT (arrived at 9:11 a.m., left the meeting at 10:32 a.m.)
Reena Patel, AT
Diane Smith, OT
Melanie Glynn, OTA

Staff Members Present:

Brian Bialas, Executive Director
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 9:07 a.m.

Board Business

- **Roll Call Vote for Attendance:** Mr. Bialas called the roll of board members: Jamie Musler, Andrew Rizza, Deborah Slater, Stacy Potvin, Catherine Lane, Reena Patel, Diane Smith, and Melanie Glynn all present by videoconference.
- **Public Meeting Minutes of July 27, 2023:** After a brief discussion, a motion was made by Ms. Slater, seconded by Ms. Glynn, to approve the Public Meeting Minutes of July 27, 2023. The motion passed unanimously by a roll call vote.

Ms. Lane arrived at 9:11 a.m.

- **Board Meeting Dates for 2024:** The Board considered proposed Board meeting dates for 2024. After a brief discussion, a motion was made by Ms. Smith, seconded by Ms. Slater, to approve the proposed meeting dates for 2024. The motion passed unanimously by a roll call vote.

Monitoring Interview

- **Austin Callahan, 2021-001189-IT-ENF, Revised 1st Quarterly Monitoring Report**
 - **Interview of Monitor Anne Whiting:** Ms. Whiting appeared to discuss her revised report for Ms. Callahan. Mr. Musler began by explaining that monitors are the “eyes and ears” of the Board and ensure licensees are practicing safely and complying with laws and regulations. Specifically in Ms. Callahan’s case, Ms. Whiting has been asked to focus on Ms. Callahan’s billing practices.

Ms. Whiting noted that, because she does not work at the same facility as Ms. Callahan, she only reviews the records Ms. Callahan provides to her. The Board suggested that ideally Ms. Whiting would visit Ms. Callahan where she works and would review randomly selected records and then meet with Ms. Callahan after reviewing the records. Ms. Whiting explained that she is unable to assess Ms. Callahan’s billing system because she is unfamiliar with the system she uses and does not have access to it.

After a brief discussion, a motion was made by Ms. Glynn, seconded by Mr. Rizza, to reject the report because Ms. Whiting only reviewed eight records and not ten as required by the consent agreement. The motion passed unanimously by a roll call vote.

Approval of Proposed Physical Therapy Compliance Officer – More Than Three Facilities

- **Michelle Kofler for Valley Medical Group:** The Board reviewed Valley Medical Group’s request for Michelle Kofler to be Physical Therapy Compliance Officer (PTCO) for four facilities. After a brief discussion, a motion was made by Ms. Potvin, seconded by Ms. Glynn, to approve Ms. Kofler as the PTCO for the facilities. The motion passed unanimously by a roll call vote.

Correspondence

- **9.8.23 Email from A. Steacy re: Extracorporeal Shockwave Therapy and Physical Therapist Scope of Practice:** The Board reviewed an email asking whether extracorporeal shockwave therapy is within a physical therapist’s scope of practice and, if so, what the proper Current Procedural Terminology (CPT) code is for the procedure. After a brief discussion, the Board directed Mr. Bialas to respond that extracorporeal shockwave therapy can be within a physical therapist’s scope of practice as an advanced modality if that physical therapist has appropriate training and experience, and the Board

cannot answer the question about the proper billing code because that is a question for the paying insurance company to answer.

Monitoring

- **Austin Callahan, 2021-001189-IT-ENF, Submission of Proposed Continuing Competence:** The Board reviewed Ms. Callahan’s submission of proposed continuing competence courses to meet the requirements of her consent agreement. After a brief discussion, the Board directed Mr. Bialas to ask Ms. Callahan to specify the qualifying authority under the regulations that approved each course or the provider of each course.
- **Michael Doucette, 2022-000066-IT-ENF, Submission of Proposed Continuing Competence:** The Board reviewed Mr. Doucette’s submission of proof of continuing competence courses he completed for his consent agreement. After a brief discussion, a motion was made by Mr. Rizza, seconded by Ms. Slater, to accept the course titled “Long-Term Care Nursing: Admission and Medicare Documentation” for the documentation requirement in his consent agreement and the course titled “Advanced Financial Concepts in Healthcare: Medicare and Medicaid” for the billing requirement, but to ask Mr. Doucette to specify the qualifying authority under the regulations that approved the course titled “Ethical Considerations in the Practice of Physical Therapy” for the ethics requirement. The motion passed unanimously by a roll call vote.

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, to review sensitive medical information)

At 10:32 a.m., a MOTION was made by Ms. Smith, seconded by Ms. Glynn, 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, to discuss and evaluate a monitoring request and requests for continuing competence waivers that involve medical records and information of patients; 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.

Board maintains separate minutes of executive session.

Ms. Lane left the meeting at 10:32 a.m.

Ms. Slater left the meeting at 11:01 a.m.

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

The Board entered investigative conference at 11:07 a.m.

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

Cases

AHP-2023-0014 (JE):	Refer to the office of prosecutions
AHP-2023-0015 (SS):	Refer to the office of prosecutions
AHP-2023-0018 (NH):	Refer to the office of prosecutions

Adjournment

At 11:26 a.m., a motion was made by Ms. Potvin, seconded by Ms. Patel, to exit closed session and return to open session, then adjourn. The motion passed unanimously by a roll call vote.

The meeting adjourned at 11:26 a.m.

The above minutes were approved at the public meeting held on October 26, 2023.



Brian Bialas, Executive Director

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

- Agenda for Meeting of September 28, 2023
- Public Meeting Minutes of July 27, 2023
- Proposed Board Meeting Dates for 2024
- Austin Callahan, 2021-001189-IT-ENF, 1st Quarterly Monitoring Report, Revised 1st Quarterly Monitoring Report, 7.1.23 Email from B. Bialas to A. Callahan re: Monitoring Report, and 7.25.23 Email from A. Whiting to B. Bialas re: Monitoring Report
- Valley Medical Group Compliance Plans, Valley Medical Group Proposed PTCO Acknowledgment Forms, Resume of M. Kofler
- 9.8.23 Email from A. Steacy re: Extracorporeal Shockwave Therapy and Physical Therapist Scope of Practice
- Austin Callahan, 2021-001189-IT-ENF, Submission of Proposed Continuing Competence
- Michael Doucette, 2022-000066-IT-ENF, Submission of Proposed Continuing Competence