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Division of Occupational Licensure
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AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Public Meeting Minutes
September 22, 2022

Board Members Present:

Jamie Musler, Chair, AT
Deborah Slater, Secretary, OT
Stacy Potvin, PTA
Randy Jean, PT
Catherine Lane, PT
Reena Patel, AT
Melanie Glynn, OTA

Staff Members Present:

Brian Bialas, Executive Director
Peter Kelley, Board Counsel

All board members and staff appeared by videoconference.

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

Board Business

- **Public Meeting Minutes of August 25, 2022 and Executive Session Minutes of August 25, 2022:** After a brief discussion, a motion was made by Mr. Jean, seconded by Ms. Patel, to approve the Public Meeting Minutes of August 25, 2022 and Executive Session Minutes of August 25, 2022 as presented. The motion passed unanimously.

Discussion

- **Board Counsel Report:** None.

Correspondence

- **8.27.22 Email from R. Carpenter re: Occupational Therapists and Modified Barium Swallow Studies:** The Board reviewed Ms. Carpenter's email asking whether she, as an occupational therapist, may assist at a hospital in modified barium swallow studies as part of an assessment to determine aspiration in infants. After a brief discussion, the Board



directed Mr. Kelley to respond that such assistance is permissible as an advanced modality if she has supervision and proper formal, evidence-based advanced training, but that her institution's policies, practices and procedures as to whether to allow that assistance take precedence.

- **6.17.22 Email from L. Murphy re: Athletic Trainers and Suturing:** The Board reviewed Ms. Murphy's email asking whether suturing is within the scope of her practice as an athletic trainer if she has training and physician approval. Mr. Kelley advised the Board to withhold a determination on the question until the Board is part of the Department of Public Health (DPH) and can consult with that agency. After a brief discussion, a motion was made by Ms. Glynn, seconded by Ms. Slater, to table further consideration of the email until the Board consults with DPH. The motion passed unanimously.

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

Mr. Bialas updated the Board on the upcoming transition to the DPH.

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

At 9:29 a.m., a motion was made by Ms. Potvin, seconded by Ms. Patel, to exit the public meeting and enter into closed session under G.L. ch. 112, § 65C to conduct investigatory conferences. The motion passed unanimously by a roll call vote.

The Board entered investigative conference at 9:29 a.m.

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

Settlement

2022-000263-IT-ENF (FK): Gave direction to prosecutor

Case Interview

2022-000292-IT-ENF (CC): Interviewed respondent; refer to Office of Prosecutions

Settlement

2022-000741-IT-ENF (AT): Gave direction to prosecutor

Cases

2020-001665-IT-ENF (Dynamotion): Dismiss
2022-000132-IT-ENF (JC): Refer to Office of Prosecutions

2022-000474-IT-ENF (BZ):
2022-000588-IT-ENF (SM):
2022-000666-IT-ENF (MJ):

Dismiss
Refer to Office of
Prosecutions
Refer to Office of
Prosecutions

Adjournment

At 11:21 a.m., a motion was made by Ms. Slater, seconded by Ms. Patel, to exit closed session, return to open session, and adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 11:21 a.m.

The above minutes were approved at the public meeting held on October 27, 2022.



Brian Bialas, Executive Director

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

- Agenda for Meeting of September 22, 2022
- Public Meeting Minutes of August 25, 2022
- Executive Session Minutes of August 25, 2022
- 8.27.22 Email from R. Carpenter re: Occupational Therapists and Modified Barium Swallow Studies
- 6.17.22 Email from L. Murphy re: Athletic Trainers and Suturing, 3.30.15 Email from P. Kelley to L. Pitwood re: Suturing, and 9.23.10 Email from P. Kelley to J. Cannan re: Suturing