

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF GENETIC COUNSELORS

**THIS AGENDA CONSTITUTES NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE
BOARD OF REGISTRATION OF GENETIC COUNSELORS
IN COMPLIANCE WITH THE OPEN MEETING LAW, M.G.L. c. 30A, § 20**

**Monday, June 16, 2014
9:30 a.m.**

**239 Causeway Street ~ Floor ~ Room 417
Boston, Massachusetts 02114**

Agenda

Time	Item #	Item	Exhibits	Staff Contact
9:30 a.m.	I.	Call to Order Determination of Quorum		
	II.	Approval of Agenda	Draft Agenda	
	III.	Approval of Minutes A. April 3, 2014, Regularly Scheduled Meeting	Draft Minutes	
	IV.	Application for Full Licensure None	None	
	V.	Staff Assignments None	None	
	VI.	Complaints None	None	

COMMONWEALTH OF MASSACHUSETTS

Board of Registration of Genetic Counselors

Board Meeting

April 3, 2014

239 Causeway Street, Boston, MA 02114

Room 417

MINUTES

Board Members Present: Gretchen Schneider, Genetic Counselor 2, Chair
Kayla Sheets, Genetic Counselor 4, Vice-Chair
Kristen Mahoney Shannon, Genetic Counselor 3
Tomi Toler, Genetic Counselor 1

Board Members
Not Present : Jacqueline Rodriguez-Louis, Public Member

Staff Present: Mary Phillips, Executive Director, Multi-Boards, DHPL
Ichelle Herbu, Assistant Executive Director, DHPL
Anson Chu, Office Support Specialist, DHPL
Vita Berg, Chief Board Counsel, Office of the General Counsel, DPH
David Murphy, Board Counsel, Office of the General Counsel, DPH
Marjorie Campbell, Investigator, Supervisor, Office of Public
Protection, DHPL
Philip Beattie, Board Investigator, Office of Public Protection, DHPL
Beth Oldmixon, Board Prosecutor, Office of the General Counsel, DPH
Patricia Blackburn, Board Prosecutor, Office of the General Counsel, DPH
Sean Casey, Board Prosecutor, Office of the General Counsel, DPH
Michelle Fentress, Board Prosecutor, Office of the General Counsel, DPH
Jodi Greenburg, Chief Board Prosecutor, Office of the General Counsel, DPH

I. Call to Order – Determination of Quorum

A quorum of the Board was present. Ms. Schneider, Board Chair, called the meeting to order at 9:32 a.m

- II. Approval of the Agenda
The Meeting Agenda was reviewed.

DISCUSSION: None

ACTION: Ms. Schneider made a motion to approve the agenda as presented; Ms. Shannon seconded the motion. The motion passed unanimously.

Document: April 3, 2014 Board Meeting Agenda

- III. Approval of Minutes
A. Minutes of the July 2, 2013 Regularly Scheduled Board Meeting were reviewed

DISCUSSION: None

ACTION: Ms. Shannon made a motion to approve the Minutes as presented; Ms. Schneider seconded the motion. The motion passed unanimously.

Document: July 2, 2013 Regularly Scheduled Board Meeting Minutes

- B. Minutes of the September 26, 2013 Regularly Scheduled Board Meeting were reviewed

DISCUSSION: None

ACTION: Ms. Schneider made a motion to approve the Minutes as presented; Ms. Toler seconded the motion. The motion passed unanimously.

Document: September 26, 2013 Regularly Scheduled Board Meeting Minutes

- IV. Adjudicatory Session (closed session)
None

- V. M.G.L. c. 112, § 65C Session (closed session)
Ms. Schneider made a motion to go into the § 65C Session at 9:36 a.m.; Ms. Sheets seconded the motion. The motion passed unanimously.

The Board adjourned the Section 65C Session at 10:02 a.m. and resumed its Regularly Scheduled Board Meeting.

VI. Executive Session (closed session)
None

VII. Staff Assignments

Ms. Tomi Toler recused herself and left the room at 10:02 a.m.

A. SA-INV-5306 Herrig, Nancy License No. PGC074 (Expires: 10/01/16)

DISCUSSION: Mr. Beattie summarized the facts of the case and informed the Board that Ms. Herrig holds a MA Provisional License; a staff assignment was opened against Ms. Herrig's license after the Board received information that Ms. Herrig was misrepresenting herself as a full licensed genetic counselor by using the title "LGC" after her name. In response to the allegations, Ms. Herrig informed the Board that after receiving her provisional license, she was unclear on the title to use and cannot recall if she had a discussion with her supervisor. She started using LGC after observing a colleague using the title LGC. She believed it was appropriate to use the designation LGC. Subsequently, she was informed that it was a misrepresentation of her qualifications. After discussing the issue with her supervisor, she began using the designation of M.S., Genetic Counselor. She read the regulations, and at this time, she continues to be unclear if she should use "genetic counselor" after her name at all. The Board determined that it is appropriate for Ms. Herrig to use the designation of "M.S., Genetic Counselor" after her name. Further, the Board's statutes and regulations are silent and the Board has not issued a statement or interpretation regarding the matter. Ms. Berg noted that the Board could provide guidance to the genetic counselor community on the matter by issuing an Advisory Ruling. Ms. Shannon informed the Board that she would start drafting the advisory ruling for the Board to review.

ACTION: Ms. Schneider made a motion to close the Staff Assignment since the Board's statutes and regulations is silent regarding the matter and there is insufficient evidence to initiate a formal complaint against Ms. Herrig's MA provisional license. Further, it is appropriate for Ms. Herrig to use the designation of "M.S., Genetic Counselor" after her name; Ms. Sheets seconded the motion. The motion passed unanimously.

Ms. Tomi Toler returned to the room at 10:23 a.m.

Documents: Investigative Report and supporting documents

VIII. Scope of Practice Inquiries
None

IX. Other Business/Announcements

A. Nomination and Election of Officers: Appointment of Secretary

DISCUSSION: Current Secretary: None

ACTION: Ms. Shannon made a motion to nominate Ms. Toler as the Board Secretary; Ms. Schneider seconded the motion. The motion passed unanimously.

B. Revised Letter: Notification to Provisional Genetic Counselor Applicants

DISCUSSION: Ms. Herbu informed the Board that at its September 26, 2013 meeting, the Board approved the use of a draft of the letter notifying applicants that the Board has approved their applications for licensure; however, Board staff changed the language of the letter to make it clearer. Board members reviewed the current draft of the letter and noted that the language in the second paragraph could be misread by applicants. Board staff will review the letter; discuss the changes with the Board's Chair; and if approved, initiate the letter prior to the next Board meeting.

ACTION: Ms. Shannon made a motion for Board Staff to revise the provisional letter, communicate the changes with the Board's Chair, and initiate the letter once approved; Ms. Toler seconded the motion. The motion passed unanimously.

Documents: First and second draft of notification letter to Provisional Genetic Counselor Applicants

C. Proposed Administrative Policy 11-01: Delegation of Signature authority

DISCUSSION: Ms. Berg informed the Board that the purpose of Policy 11-01 is for the Executive Director to sign documents as indicated in the policy on behalf of the Board.

ACTION: Ms. Schneider made a motion to adopt Policy 11-01 and delegate signature authority to Ms. Phillips, Executive Director; Ms. Sheets seconded the motion. The motion passed unanimously.

Document: Hand-out of Policy 11-01

D. Discussion: Conflict of Interest Law

DISCUSSION: Ms. Berg reviewed the Conflict of Interest Law as it pertains to Board members. Conflict of Interest issues may arise for Board members in a small professional community as genetic counselors. If a Board member determines that a conflict of interest exists with an item on the agenda, Board members may contact the State Ethics Commission for advice. Board members should notify Board staff of the issue as soon as possible; recuse themselves prior to the discussion of the item in the meeting; cannot discuss the item at any time with any Board member; and file a disclosure form with the Governor's Office if a quorum issue arises.

ACTION: None

Document: Hand-out, Conflict of Interest Law and Disclosure Forms

- X. Flex Session
A. Topics for July 3, 2014 agenda

The July 3, 2014 meeting was rescheduled to June 16, 2014 due to Board members availability for the meeting.

- XI. Adjourn
There being no other business before the Board, Ms. Schneider made a motion to adjourn the Meeting; Ms. Toler seconded the motion. The motion passed unanimously. The Meeting adjourned at 10:55 a.m.

The next meeting of the Board of Registration of Genetic Counselor will be held on Thursday, June 16, 2014, at 9:30 a.m. at 239 Causeway Street, Boston, Massachusetts.

Respectfully submitted:

Gretchen Schneider
Chair

Date