

**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, December 4, 2017**

**09:30 a.m.**

**239 Causeway Street ~ 4<sup>th</sup> Floor ~ Room 419  
Boston, Massachusetts 02114**

**Agenda**

<b>Time</b>	<b>Item #</b>	<b>Item</b>	<b>Exhibits</b>	<b>Staff Contact</b>
	<b>I</b>	<b>Call to Order Determination of Quorum</b>		Board Chair
	<b>II</b>	<b>Approval of Agenda</b>	Draft Agenda	Board Chair
	<b>III</b>	<b>Approval of Minutes</b> A. January 5, 2017 Minutes	Draft Minutes	Board Chair
	<b>IV</b>	<b>Inquiries:</b> A. Home state licensure for analysis of genetic test results.  B. Licensing Process Improvements	Email Inquiry	Board Chair
	<b>V</b>	<b>Board Meetings</b> A. Remote Participation by Board Members	N/A	MS
	<b>VI</b>	<b>Staff Action Policies</b> A. Retirement Policy B. Primary Source Verification of Exam Score	Draft Policy	MS
	<b>VII</b>	<b>Flex Session</b> A. Announcements 2018 Meeting Dates  B. Topics for next agenda		RC
	<b>VIII</b>	<b>Adjournment</b> -next Board meeting scheduled for March 6, 2018.		Board Chair

# COMMONWEALTH OF MASSACHUSETTS

## Board of Registration of Genetic Counselors Board Meeting January 5, 2017 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  
Lauren Lichten, Genetic Counselor 1  
Shelley Rose McCormick, Genetic Counselor 3  
Jillian Fleming, Public Member

Staff Present: Roberlyne Cherfils, Executive Director, Multi-Boards, BHPL  
Philip Beattie, Deputy Executive Director, Multi-Boards, BHPL  
Mary Strachan, Board Counsel, Office of the General Counsel, DPH  
Vita Berg, Chief Board Counsel, Office of the General Counsel, DPH  
Anson Chu, Office Support Specialist, Multi-Boards, BHPL

Guests: None

I. Call to Order – Determination of Quorum

A quorum of the Board was present. Ms. Schneider, Board Chair, called the meeting to order at 9:37 a.m.

II. Approval of the Agenda

The Meeting Agenda was reviewed.

Ms. Berg informed the Board that Item V, Referrals to the Office of the Attorney General was removed from the agenda and will be deferred to the next meeting.

DISCUSSION: None

ACTION: Ms. Schneider made a motion to approve the agenda as amended; Ms. Sheets seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Document: January 5, 2017 Board Meeting Agenda

III. Approval of Minutes

Minutes of the October 6, 2016 Regularly Scheduled Board Meeting were reviewed

Ms. Cherfils informed the Board of a few edits on the Minutes and distributed copies of the amended Minutes to the Board for review.

DISCUSSION: None

ACTION: Ms. Schneider made a motion to approve the amended Minutes as presented; Ms. Sheets seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Document: October 6, 2016 Regularly Scheduled Board Meeting Minutes

#### IV. Regulations

##### A. Regulatory Review Update

Ms. Berg informed the Board that there was no comment from the public hearing that was conducted and the proposed regulations were filed to the state. The regulations were promulgated with a December 30, 2016 effective date. Ms. Berg will provide final copies upon receipt for distribution to the Board.

DISCUSSION: None

ACTION: None

Document: Draft Regulations

#### V. Policies:

##### A. Collection of Social Security Numbers and Department of Revenue Suspensions

Ms. Berg informed the Board of the Bureau's process on the collection of SSN and sharing with the Department of Revenue (DOR). On the memo that was distributed to the Board, it is outlined the purpose of sharing with DOR – it is part of the state's child support enforcement mechanism. There are instances where the applicant is applying out of the country. Ms. Berg mentioned it is less likely that might happen with this Board but the Bureau wants to have a uniform policy. Ms. Berg explained what the policy is about and what it can authorize the Board staff can do.

DISCUSSION: None

ACTION: Ms. Schneider made a motion to adopt the policy; Ms. McCormick seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Document: Memo

#### VI. Legal Presentations:

##### A. Conflict of Interest

Ms. Berg presented the PowerPoint slides presentation regarding Conflict of Interest. Ms. Berg explained the caveat for the conflict of interest – there is an entire statute dedicated to the ethics of state employees including Board members. Ms. Berg mentioned and reminded Board members they have to complete Conflict of Interest training annually. There are two reasons to recuse on a matter – one is a financial conflict of interest. When there is matter before the Board that affects a financial interest of yourself or an immediate family member, a business partner or current employer or an organization where you are an officer, director or trustee. The Board member should be calling the legal Board Counsel and Executive Director if a matter arises. Ms. Berg mentioned the troublesome area is with the employer. If the matter is someone that is employed by the Board member's employer – and even if they don't personally know the

person, the Board member should recuse or bring up the matter with the Board Counsel and Executive Director. A specific matter can be an application, disciplinary matter, investigation, etc.

DISCUSSION:

Ms. Schneider has a question – where recently there was a case where there’s no conflict based on financial issue. However, Ms. Schneider mentioned the Genetic Counselor profession is very small and it’s not unusual that the person in question (i.e., applicant, Licensee) might be a former student or someone they know. Ms. Berg mentioned that under also under the appearance of bias COI, board members should be recusing themselves. Ms. Lichten also had a question as she manages all the student internships at Boston University and does this falls under this category. Ms. Berg informed her all this really comes down to the Board member’s comfort level. Ms. Berg then distributed the summary of conflict of interest law, reviewed the appearance of bias form and gave an example on how to answer the questions on the form.

ACTION: None

Document: Memo

B. Board Member Indemnification

Ms. Berg informed the Board that this topic was echoed by other Boards where Board members wanted to understand the scope and policy. The question presented was if the state will compensate or reimbursed in the event a Board member is sued? Ms. Berg explained this is covered under the M.G.L. 258 and then gave an example of a scenario and how it will be covered. Whoever initiates the lawsuit should be only suing the state, not the individual person. However, this does not mean they will not file a suit against the individual board member as well. The Board members then can request an attorney from the Attorney General’s Office to represent them with no charge under certain conditions. Board members can also get their own lawyers as well but the state will not pay that cost.

DISCUSSION: Ms. Sheets asked if they can request additional liability insurance. Ms. Berg unfortunately doesn’t have information on what coverage Board members can get but Ms. Berg also reminded the Board that they can opt to have the information reviewed by their legal counsel for direction as being sued is one thing, but being sued successfully is another thing. If a lawsuit is brought before the Board member, their starting point should contact the Legal Board Counsel and Executive Director.

ACTION: None

Document: Memo

VII. Board Elections

A. Chair

Ms. Cherfils informed the Board that Ms. Schneider had used up all her terms and currently is a “hold over” status. By nominating a new Board Chair, there will be enough time for the transition to the new position for the Board member. Ms. Cherfils explained to the Board that the Board Chair is expected to attend every meeting and the individual leads the meeting.

Discussion:

Ms. Schneider nominated Ms. Kayla Sheets for the Board Chair seat. Ms. Kayla Sheets accepted the nomination.

ACTION: Motion passed with Board members present and voting in favor unanimously.

Documents: None

#### B. Vice-Chair

Ms. Cherfils explained to the Board that the Board Vice-Chair will step in if the Board Chair is not present.

Discussion:

Ms. Schneider nominated Ms. Lauren Lichten for the Board Vice-Chair seat. Ms. Lauren Lichten accepted the nomination.

ACTION: Motion passed with Board members present and voting in favor unanimously.

Documents: None

#### C. Secretary

Ms. Cherfils explained to the Board that the Board Secretary is responsible for reviewing the Board Minutes once written by Board Staff.

DISCUSSION:

Ms. Sheets nominated Ms. Shelley McCormick for the Board Secretary seat. Ms. Shelly McCormick accepted the nomination.

ACTION: Motion passed with Board members present and voting in favor unanimously.

Documents: None

Ms. Cherfils requested Board members to send some contact information for anyone who might be interested on serving on the Board as Mr. Schneider's term will be over.

### VIII. Flex Session

#### A. Announcements

Ms. Cherfils distributed the 2017 Board Calendar dates to the Board for review. Ms. Fleming informed us that she is not able to attend the July meeting. Board staff will try and reschedule a date in July.

#### B. Topics for next agenda

The Board wants to see the following topic on the next scheduled Board meeting:

Ms. Cherfils informed the Board that during the last meeting, the Board is requesting to have more information regarding the ABGC examination. Ms. Strachan wants to remind the Board again that the exam was written in the statute, not the regulation. Once and when the statute is revised, then the Board will make the necessary changes to the regulation. Ms. Cherfils will draft a FAQ in the meantime for applicants who will be applying for the provisional license.

IX. Adjourn

There being no other business before the Board, Ms. Schneider made a motion to adjourn the Meeting; Ms. Lichten seconded the motion. Motion passed with Board members present and voting in favor unanimously. The Meeting adjourned at 10:39 a.m.

The next meeting of the Board of Registration of Genetic Counselor will be held on Thursday, April 6, 2017, at 9:30 a.m. at 239 Causeway Street, Boston, Massachusetts.

Respectfully submitted:

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Kayla Sheets  
Chair

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Date