

**Commonwealth of Massachusetts
Department of Public Health
Bureau of Health Profession Licensure
Board of Respiratory Care
250 Washington Street
Boston, MA 02108**

**December 19, 2024
Via WebEx**

GENERAL SESSION MINUTES (OPEN SESSION)

Board Members Present Jason Morin, Respiratory Therapist, Board Chair
Brian Bloom, MD
Meaghan Kaplan, Consumer
Adelline Ntatin, Nurse
Adrian Velasquez, MD

Board Members Not Present: William Beal, Consumer, Board Vice Chair
Daniel Fisher, Respiratory Therapist

Staff Present: Tracy Tam, Assistant Executive Director, Multi-Boards, BHPL
Kayla Mikalauski, Management Analyst, Multi-Boards, BHPL
Matvei Arefev, Office Support Specialist, Multi-Boards, BHPL
Danielle MacFarland Office Support Specialist, Multi-Boards, BHPL
Jemima Louis, Intern, Multi-Boards, BHPL
Meghan Bresnahan, Board Counsel, DPH

- I. Call to Order | Determination of Quorum | Notice of Electronic Recording
Mr. Jason Morin, Board Chair, called the General Session of the Board of Respiratory Care meeting to order at 1:03 p.m. Mr. Morin reminded board members the meeting was being recorded and asked for a roll call vote to determine quorum. Dr. Brian Bloom: present, Ms. Meaghan Kaplan: present, Mr. Jason Morin: present, Dr. Adrian Velasquez: present, Ms. Adeline Ntatin: present.
Absent: William Beal, Daniel Fisher
- II. Conflict of Interest | Approval of Agenda
- Discussion:
None

Action:

Motion to approve the agenda was made by Ms. Meaghan Kaplan, seconded by Dr. Brian Bloom, and unanimously passed by roll call vote as follows: Dr. Brian Bloom: yes, Ms. Meaghan Kaplan: yes, Mr. Jason Morin: yes, Ms. Adeline Ntatin: yes, Adrian Velasquez: yes.

Absent: William Beal, Daniel Fisher

Document: December 19, 2024, General Session Agenda

III. Approval of Minutes

The General Session Minutes for October 17, 2024, were reviewed for approval.

Discussion:

N/A

Action:

Motion to approve the minutes was made by Dr. Brian Bloom, seconded by Mr. Jason Morin, and unanimously passed by roll call vote as follows: Dr. Brian Bloom: yes, Ms. Meaghan Kaplan: yes, Ms. Adeline Ntatin: yes, Adrian Velasquez: yes.

Absent: William Beal, Daniel Fisher

Document: October 17, 2024, General Session Minutes

IV. Follow-up Discussion on Respiratory Care Education Services

A. Joelle Hochman, RT 9782

Ms. Joelle Hochman was not in attendance.

Discussion:

Ms. Tracy Tam stated at the last meeting the board had decided to request this matter in 65C, however per regulations only staff assignments and complaints can be discussed in 65C, so this matter is being brought back to General Session. Ms. Meghan Bresnahan stated she was inclined to ask Ms. Joelle Hochman to create a proposal to the board members regarding how she could be in compliance with the physician oversight requirement. Dr. Brian Bloom stated he also looked into this matter from some years ago and the board members at that time felt that the provision of education did not require physician oversight. Dr. Brian Bloom stated he disagrees with this and does not feel what Ms. Joelle Hochman is doing is substantially different from Pulmonary Rehabilitation programs and would require physician oversight. Dr. Brian Bloom stated that he feels the board at that time was lax due to Covid-19, where the need was much greater, and if Ms. Joelle Hochman does not turn this work into a Pulmonary Rehabilitation type of work with physician oversight, he would suggest Ms. Joelle

Hochman wrap up her current clients over the next 6-month period. Mr. Jason Morin asked how much oversight is required for Ms. Joelle Hochman to continue what she is doing remotely but also to see patients in person and in their home? Mr. Jason Morin stated Ms. Joelle Hochman, stated she does have an informal relationship with doctors where she could call and ask for advice if needed. Mr. Jason Morin asked if Ms. Joelle Hochman were to formalize that relationship, would there be parameters that the board would want to see? Dr. Brian Bloom stated from his standpoint, there does not have to be a tremendous amount of physician input, however a physician does have to be responsible. Dr. Brian Bloom stated normally rehabilitation or education would be done via a physician's order and has no doubts when it comes to Ms. Joelle Hochman's work ethic but would like to something in place that would require a physician be responsible for oversight and the billing of patients. Dr. Adrian Velasquez also agreed, and stated that knowing how competent Ms. Joelle Hochman is, that she creates a structure to formalize the physician oversight relationship and we could then revisit this matter.

Ms. Meghan Bresnahan stated that board staff could reach out to Ms. Joelle Hochman to provide board members with a plan on how she is going to remain in compliance with the regulations, and then invite her back to a board meeting so board members can evaluate what she has presented. Ms. Tracy Tam stated for the record from the letter that was issued in 2020, Ms. Joelle Hochman was approved for Virtual Education and would like to move that education to in person now. Ms. Tracy Tam stated staff will reach out to Ms. Joelle Hochman.

- V. Triage: N/A
 Staff Assignment(s): N/A
 Complaints: N/A

VI. Flex Session

Ms. Tracy Tam stated for Item A., the next meeting is scheduled for Thursday, January 16, 2025, at 1:00 pm and who would be attending? All board members stated they would be available.

Ms. Tracy Tam stated Item B. is topics for the next agenda. Ms. Tracy Tam stated we have the revised draft of the Telehealth Policy and would also be bringing a draft of the Respiratory Care Limited License Clarification Memo for the board to review. Ms. Tracy Tam asked the board if there were any other topics the board would like to add for discussion. Dr. Brian Bloom asked if there is an ongoing discussion regarding the Multi-State Compact or are we waiting for the Legislature to do something in regard to this. Ms. Meghan Bresnahan stated that it is premature to have discussions on this, however if there are any movement on the Legislature regarding signing a bill then we revisit this. Dr. Brian Bloom asked Ms. Meghan Bresnahan if this something that we could do outside of legislative action? Ms. Meghan Bresnahan stated we already have a process to license people by reciprocity in Massachusetts and we don't have any backlog with this board, and the board hears matters in a time sensitive fashion. Mr. Jason Morin asked Ms. Meghan Bresnahan what is our process for reciprocity? Ms. Meghan Bresnahan

stated for anyone that has an out of state Respiratory Therapy license, and they to get licensed in Massachusetts, we have an internal process. Ms. Tracy Tam stated we would need the Licensee's NBRC certification, license verifications from other states, and National Practitioner Self-Query. Ms. Meghan Bresnahan stated we can use the out of state license however there is an internal process to license by reciprocity in Massachusetts. Mr. Jason Morin stated if this is a conversation we are interested in, then he does have some resources from a different presentation that he can pull up from other states where they have reciprocity where we could look up what they do and how they do it. Dr. Brian Bloom stated if there is nothing going on in the legislature where this process would take forever, he would like to make it easier to become licensed in Massachusetts for individuals with valid licenses.

Ms. Meghan Bresnahan stated what typically would happen is the compact would reach out to the board asking if we are interested in enacting this in Massachusetts and does the board have insight? Ms. Meghan Bresnahan stated there is a prohibition on lobbying, so we also need to keep that in mind when looking to join the compact. Ms. Meghan Bresnahan stated she feels this conversation keeps coming up so maybe in a few months we can add it the general session agenda.

Mr. Jason Morin stated he does have one other request moving forward with agenda setting. Mr. Jason Morin stated personally he had a few instances where he was expecting items or topics be on the agenda and they were not, and we cannot discuss things that are not on the agenda. Mr. Jason Morin asked if we could get an advanced agenda to the board before it is finalized to avoid this happening in the future. Ms. Tracy Tam stated these issues would have to be noted during flex session when we ask for topics for next agenda. Mr. Jason Morin stated his issue is there are things that we discuss at a meeting that we say will be on the agenda and then they are not on the agenda. Mr. Jason Morin stated one of them being the draft policy for telehealth. Ms. Tracy Tam stated the Telehealth Policy was sent back and was not ready for today's meeting and the revisions will be ready in January. Mr. Jason Morin stated his request is can we get a copy of the draft agenda finalized so that any board member can add something? Ms. Tracy Tam stated the issue with this is we draft the agendas around 14 days, and then after that we send have to send them to Board Counsel for approval, after that we send them to Bureau Deputy for approval, and then once it is approved, we need to send it for posting online at least 7 days in advance to be in compliance with the open public meeting law. Ms. Tracy Tam stated if we sent it to you, we may not be able to meet all the deadlines to hold the meeting and get the agenda approved in time by the next meeting. Ms. Meghan Bresnahan stated during flex session we can have a strong understanding of what will be discussed and if there continues to be issues, we can then address them at that point. Mr. Jason Morin asked if at the end of the meeting can a document be sent out stating what will be discussed in the meeting? Ms. Meghan Bresnahan stated she would elevate this matter to Chief Board Counsel for insight and we could revisit this next month. Mr. Jason Morin asked for a motion to add a discussion on regulation updates to the next meeting agenda.

Action:

Motion to add a discussion on regulation updates to the next meeting agenda was made by Dr. Brian Bloom, seconded by Mr. Jason Morin, and unanimously passed by roll call vote as follows: yes, Dr. Brian Bloom: yes, Ms. Meaghan Kaplan: yes, Mr. Jason Morin: yes, Ms. Adeline Ntatin: yes, Dr. Adrian Velasquez: yes.

Absent: William Beal, Daniel Fisher

VII. Executive Session (Roll call vote)

The board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purpose of discussing the reputation, character, physical condition, or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. Specifically, the board will meet in executive session to approve prior executive minutes, discuss good moral character matters, and decide whether to grant respiratory care licenses to applicants. The board will not reconvene in open session subsequent to the closed session. Mr. Jason Morin asked for a motion to move to Executive session.

Action:

Motion to move into Executive session made by Ms. Meaghan Kaplan: yes; seconded by Dr. Brian Bloom: yes, and unanimously passed by roll call vote as follows: yes, Dr. Brian Bloom: yes, Ms. Meaghan Kaplan: yes, Mr. Jason Morin: yes, Ms. Adeline Ntatin: yes, Dr. Adrian Velasquez: yes.

Absent: William Beal, Daniel Fisher

VIII. 65C Session

N/A

IX. Adjournment:

Action:

Motion to adjourn was made by Dr. Brian Bloom: yes; seconded by Dr. Adrian Velasquez: yes, and unanimously passed by roll call vote as follows: yes, Dr. Brian Bloom: yes, Ms. Meaghan Kaplan: yes, Mr. Jason Morin: yes, Ms. Adeline Ntatin: yes, Dr. Adrian Velasquez: yes.

Absent: William Beal, Daniel Fisher

Let the record show that the meeting was adjourned at 1:46 p.m.

Respectfully Submitted:

The Board of Registration of Respiratory Care