

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

**February 29<sup>th</sup>, 2024  
Via WebEx**

**GENERAL SESSION MINUTES (OPEN SESSION)**

Board Members

Present:

William Beal, Respiratory Therapist, Board Vice Chair  
Jason Morin, Respiratory Therapist, Board Chair  
Daniel Fisher, Respiratory Therapist,  
Meaghan Kaplan, Consumer

Board Members

not present:

Dr. Brian Bloom

Staff Present:

Steven Joubert, Executive Director, Multi-Boards, BHPL  
Kayla Mikalauski, Management Analyst, Multi-Boards, BHPL  
Danielle Macfarland, Office Support Specialist, Multi-Boards, BHPL  
Tracy Tam, Assistant Executive Director, Multi-Boards, BHPL  
Heather Engman, Chief Board Counsel  
Meghan Bresnahan, Board Counsel

- I. Call to Order | Determination of Quorum | Notice of Electronic Recording  
Mr. Jason Morin, Board Chair, called the General Session of the Board of Registration of Respiratory Care meeting to order at 1:06 P.M. and asked for a roll call vote to determine quorum. Mr. William Beal: present; Mr. Daniel Fisher: present; Ms. Meaghan Kaplan: present. Mr. Jason Morin: present.  
Absent: Dr. Brian Bloom

- II. Conflict of Interest | Approval of Agenda  
The General Session Agenda for February 29<sup>th</sup>, 2024, were reviewed for approval. Board members were asked to disclose any conflicts of interest with the agenda. No conflicts were noted.

DISCUSSION:

None

ACTION:

Motion to approve the agenda as written was made by Mr. William Beal, seconded by Mr. Daniel Fisher, and unanimously passed by roll call vote as follows: William Beal: approve; Daniel Fisher: approve; Meaghan Kaplan: approve Jason Morin: approve.

Absent: Dr. Brian Bloom

DOCUMENT: February 29<sup>th</sup>, 2024, General Session Agenda

III. Approval of Minutes

The General Session Minutes for January 18th, 2024, were reviewed for approval.

DISCUSSION:

Mr. Jason Morin stated his last name was presented in error on page 6 and 14. Mr. Steven Joubert stated staff will correct error.

ACTION:

Motion to approve the minutes as amended was made by Mr. William Beal, seconded by Mr. Daniel Fisher, and unanimously passed by roll call vote as follows: Mr. William Beal: approve; Mr. Daniel Fisher approve; Mrs. Meaghan Kaplan approve Mr. Jason Morin: approve.

Absent: Dr. Brian Bloom

DOCUMENT: January 18th, 2024, General Session Minutes

IV. Open Investigations:

N/A

V. Flex Session

Mr. Jason Morin stated this discussion is a continuation of a conversation that was discussed last week but was not previously on the agenda. This is a discussion regarding the use of telehealth and homecare companies. Mr. Steven Joubert said this was correct and addressed Mr. William Beal's concerns with the Continuing Education Policy and the Board Counsel will prepare some document policy in reference to this matter. Mr. Steven Joubert stated there is a new procedure and the process is as follows; Before we can draft any document, it will first need to go to the Commissioner's Office. They will thoroughly review the document; it will then come back to our senior leadership as well as our legal team. After this process has taken place it will go back to the Commissioner's Office for further review, once the policy is finally approved then it comes back to the Board and can then be

discussed. Mr. Steven Joubert stated this is the approach for creating documents moving forward. Mr. Steven Joubert called on Mr. William Beal to continue the conversation he wanted to have regarding Item A, Telehealth Homecare Companies Discussion.

Mr. Jason Morin addressed Mr. William Beal's concern with Telehealth Homecare Companies. he stated that since the pandemic the use of telehealth has gotten a lot of traction and many different disciplines in healthcare. Mr. Jason Morin presented the potential conflict of should Respiratory Therapist use Telehealth during their business in the state of Massachusetts. Mr. Jason Morin acknowledged that there some services that need to be hands on, however with certain items like follow up visits or things of that nature there are already companies within the DME sector, and companies nationally that are advertising different services to utilize telehealth services. Mr. William Beal stated not so much what happens within the state because we have some governance, but what happens when bringing companies in from other parts of the country? How can we regulate their credentials and the validity of these reports?

Mr. Jason Morin asked how would an out of state provider drop shipping equipment into Massachusetts and do everything remotely without having a Massachusetts licensed provider overseeing them? Mrs. Heather Engman stated she was not sure how to answer that in terms of shipping equipment, however when it comes to a Respiratory Therapist located in another state and providing clinical services to a patient in Massachusetts, they would be required to have a Massachusetts license. She stated we could refer the matter to their home Board or the Massachusetts's Attorney General Office if they do not have a current license. Mr. Jason Morin asked if there is anything in writing that makes these requirements clear. Mrs. Heather Engman stated that there is nothing in place right now, however as telehealth is expanding across the country, providers are being advised they need to have a license in the state they are rendering services in.

Mr. William Beal asked what is being done with these companies, and do we notify them to notify us of who is able to practice in Massachusetts. Mrs. Heather Engman suggested a document be written up for guidance on how providers can become licensed in Massachusetts and be posted on our website or sent via email. Mr. Jason Morin asked what is needed to get a draft in place explaining applicable state laws and guidance on how to become licensed in Massachusetts. Mr. Steven Joubert asked Mr. Jason Morin and Mr. William Beal to draft some elements that is envisioned and email them to him. Mr. Steven Joubert stated he would then work with the Board Counsel to complete it and then send the document to the

Commissioner's Office. Mr. Steven Joubert stated once that process is complete, the document will then come back to the Board for consideration.

Mr. Jason Morin continued on with Continuing Education- educating the new Board Members providing context to the prior conversation that was with the desire to expand education pieces that are automatically approved for RT credit. He stated right now, only the AARC approved education pieces are automatically approved so this effort was to include anything that was approved by the AMA as well.

Mr. Jason Morin asked who be able to attend the next Board meeting. Currently all board members are able to attend. Mr. Jason Morin asked Mr. Steven Joubert to include in next month's agenda as a standing item, a review of the Board member's, the seats, seats that are open, when Board members terms expire as well as who is up for renewal. Mr. Steven Joubert stated he would reach out to each Board member as those terms approach and each Board member can be seated to terms but will put that on the agenda for discussion.

#### VI. EXECUTIVE SESSION:

##### DISCUSSION:

Mr. Jason Morin, Board Chair, read the Executive Session Statement as follows:

"The Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purposes 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 an individual. 1. Specifically, the Board will consider approving prior executive session minutes in accordance with M.G.L. ch.30A, § 22() for previous executive sessions of the Board. 2. Specifically, the Board will discuss complaints or charges brought against a Licensee or Licensees. The Board will not reconvene in public session subsequent to the closed session(s)".

##### ACTION:

Motion to move into Executive Session made by Mr. William Beal, seconded by Meaghan Kaplan and unanimously passed by roll call vote as follows: William Beal: approve; Daniel Fisher: approve; Meaghan Kaplan: approve Jason Morin: approve. Absent: Dr. Brian Bloom

#### VII. ADJOURNMENT:

Motion to adjourn to the General Session was made by Mr. William Beal, seconded by Daniel Fisher, and unanimously passed by roll call vote as follows: William Beal: approve; Daniel Fisher: approve; Meaghan Kaplan: approve Jason Morin: approve. Absent: Dr. Brian Bloom

*Let the record show that the meeting was adjourned at 1:23 P.M.*

The next meeting of the Board of Registration of Respiratory Care is scheduled for Thursday, March 21<sup>st</sup>, 2024, at 1:00 P.M. remotely on WebEx.

Respectfully Submitted:

The Board of Registration of Respiratory Care