COMMONWEALTH OF MASSACHUSETTS

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

(OPEN SESSION)
Thursday, May 21, 2026
1:00 p.m.
General Session is open to the public and will be held via Zoom at:
https://zoom.us/j/99242815194?pwd=Vw3d3XemWTHZbd1NVNRWywHezhoCG9.1
Dial-In Telephone Number: 1-929-436-2866
Webinar ID: 992 4281 5194

Agenda

All votes must be via roll call

Time	Item #	Item	Staff Contact
1:00p.m.	I	**Call to Order & Introductions** **Determination of Quorum** **Notice of Electronic Recording**	Board Chair
	II	**Approval of Agenda**	Board Chair
	III	**Approval of Minutes** A. Approval of March 26, 2026, General Session Minutes.	Board Chair
	IV	**Draft Regulation** A. 140 CMR 2.00 (VOTE)	Deputy Bureau Director
	V	**Flex Session** A. Who will attend the next board meeting? B. Topics for next agenda	Executive Director

ADA Compliance Notice: If you need reasonable accommodations in order to participate in the meeting, contact Stacy Hart the DPH ADA Coordinator at phone number 857-274-1120 in advance of the meeting. While the Board will do its best to accommodate you, certain accommodations may require distinctive requests or the hiring of outside contractors and may not be available if requested immediately before the meeting.

	VI	**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, individuals, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. 1. Specifically, the Board will consider approval of prior executive session minutes in accordance with M.G.L. c.30A, § 22(a) for previous executive sessions of the board, decide whether to issue licensure for a good moral character matter, and discuss the physical condition of a licensee. **The Board will not reconvene in open session subsequent to the closed session(s).**	Board Chair
	VII	**Adjournment:** Next meeting scheduled for June 18, 2026.	Board Chair

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COMMONWEALTH OF MASSACHUSETTS

BOARD OF RESPIRATORY CARE
250 Washington Street
Boston, MA 02108

Thursday, May 21, 2026
Via Zoom

GENERAL SESSION MINUTES (OPEN SESSION)

BOARD MEMBERS PRESENT:	Jason Morin, Respiratory Therapist, Board Chair Brian Bloom, MD, Secretary Daniel Fisher, Respiratory Therapist, Board Vice Chair Adrian Velasquez, MD
BOARD MEMBERS NOT PRESENT:	Meaghan Kaplan, Consumer Adelline Ntatin, Nurse
STAFF PRESENT:	Lauren Nelson, Deputy Director, BHPL, DPH Jonathan Dillon, Director of Policy, BHPL, DPH Tracy Hellmer, Executive Director, Multi-Boards 1. BHPL, DPH Kayla Mikalauskis, Executive Director, Multi-Boards 2, BHPL, DPH Heather Engman, Chief Board Counsel, Office of the General Counsel, DPH Gillian Coffey, Health Communications Manager, BHPL, DPH Andrew Behr, Office Support Specialist, Multi-Boards, BHPL, DPH

I. CALL TO ORDER | DETERMINATION OF QUORUM

At 1:03 p.m. Mr. Jason Morin, Board Chair, called the General Session meeting to order. Mr. Morin reminded Board members the meeting was being recorded and asked for a roll call vote to determine quorum.

Roll call as follows: Dr. Brian Bloom: present, Mr. Daniel Fisher: present, Mr. Jason Morin: present, Mr. Adrian Velasquez: present.

II. APPROVAL OF GENERAL SESSION AGENDA | CONFLICT OF INTEREST

Discussion: The Board reviewed the General Session Agenda.

Action:
Motion to approve the agenda as written was made by Dr. Brian Bloom, seconded by Mr. Daniel Fisher, and was passed by roll call vote as follows: Dr. Brian Bloom: yes, Mr. Daniel Fisher: yes, Mr. Jason Morin: yes, Mr. Adrian Velasquez: yes.

Document: May 21, 2026, General Session Agenda

III. APPROVAL OF MINUTES

Discussion: Mr. Daniel Fisher requested to amend the minutes to reflect his attendance. Voting is deferred.

Document: March 26, 2026, General Session Minutes

IV. Draft Regulation

A. 140 CMR 2.00

Discussion: Mr. Jonathan Dillon presented a proposed regulation 140 CMR 2.00 which contains two key requirements as follows: 1) It prohibits MA-licensed health care providers from reporting medical debt to consumer reporting agencies, as defined in section 50 of chapter 93. 2) It requires MA-licensed health care providers to include a provision in contracts with debt collectors that prohibits debt collectors from reporting medical debt to consumer reporting agencies, as defined in section 50 of chapter 93, by the debt collectors. DPH is requesting a Board vote to publish the proposed regulation for public comment.

Mr. Jason Morin stated the regulation may impact respiratory therapists who are business owners such as DME companies because medical products are included in the proposed regulation. Ms. Heather Engman clarified that a DME company is not a health care facility licensed by BHPL so this proposed regulation would not apply to billing from DME companies.

Action:
Motion to approve the draft to be moved to public comment was made by Dr. Brian Bloom and seconded by Mr. Adrian Velasquez. The motion did not pass by roll call vote as follows: Dr. Brian Bloom: yes, Mr. Daniel Fisher: no, Mr. Jason Morin: no, Mr. Adrian Velasquez: yes.

The Board recessed at 1:28 p.m., and reconvened at 1:38 p.m.

Discussion: Mr. Jason Morin asked for a definitive answer on whether the proposed regulation applies to DME companies. Mr. Dillon answered the regulation only applies to individuals or facilities that are licensed by BHPL. Ms. Engman also answered there are no DME companies holding a BHPL license to the best of her knowledge so the proposed regulation would not apply. Ms. Lauren Nelson added DME companies are not licensed by BHPL because the FDA has authority over them instead.

Mr. Morin asked for the distinction between a respiratory therapist with sole proprietorship and a respiratory therapist with an incorporated business. Ms. Nelson answered the proposed regulation would apply if the billing were to come from a respiratory therapist or a licensed BHPL facility. However, the proposed regulation would not apply if the billing were to come from a non-licensed BHPL individual or a non-licensed BHPL facility. Dr. Bloom stated as a member of the Board, he would not sanction a respiratory therapist working in their capacity as a business owner. Mr. Fisher voiced concerns for respiratory therapists providing respiratory care at DME companies. Mr. Morin added there is pending legislation in Washington DC, the SOAR Act, which would authorize respiratory care services to be billed directly to Medicare.

Ms. Engman stated that, upon conclusion of the public comment period, the Board will review a compilation of the public comments and receive an update on any amendments to the proposed bill before taking a vote on its approval. Mr. Dillon stated BHPL staff are committed to (1) providing direct notice to your organizations regarding the proposed regulation and inviting their review and comments, (2) presenting any comments received to the Board, and (3) explaining how the feedback was considered, including any resulting amendments to the proposed regulation. Mr. Morin and Mr. Fisher would like to consult with the Massachusetts Society of Respiratory Care and defer this matter.

V. FLEX SESSION

A. Who will attend the next board meeting?

Discussion: Ms. Tracy Hellmer stated that she would reach out to the Board after the meeting and schedule a time that would work best for all Board members within the next 2 weeks.

VI. EXECUTIVE SESSION

Discussion: 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, individuals, 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 consider approval of prior executive session minutes in accordance with M.G.L. c.30A, § 22(a) for previous executive sessions of the board, decide whether to issue licensure for a good moral character matter, and discuss the physical condition of a licensee. The Board will not reconvene in open session subsequent to the closed session(s).

Action:
At 2:13 p.m., motion to move into Executive Session was made by Mr. Daniel Fisher,

seconded by Dr. Brian Bloom, and was passed by roll call vote as follows: Dr. Brian Bloom: yes, Mr. Daniel Fisher: yes, Mr. Jason Morin: yes, Mr. Adrian Velasquez: yes.

VII. ADJOURNMENT

At 2:24 p.m., motion to adjourn the meeting was made by Dr. Brian Bloom, seconded by Mr. Daniel Fisher, and was passed by roll call vote as follows: Dr. Brian Bloom: yes, Mr. Daniel Fisher: yes, Mr. Jason Morin: yes, Mr. Adrian Velasquez: yes.

Let the record show that the meeting adjourned at 2:24 p.m.

The next meeting of the Board of Respiratory Care is scheduled for May 28, 2026, via Zoom at 1:00 p.m.

Respectfully Submitted:
The Board of Respiratory Care