## Working for Massachusetts Consumers...



#### **Commonwealth of Massachusetts**

Governor Deval L. Patrick Lieutenant Governor Timothy P. Murray

## **Executive Office of Housing and Economic Development**

Secretary Daniel O'Connell

# Office of Consumer Affairs and Business Regulation

Director Daniel C. Crane

#### **Division of Professional Licensure**

Director George K. Weber

...Serving Licensed Professionals

## **Table of Contents**

Consumer Bill of Rights	1
Message from the Director	2
About the Division	3
Organizational Chart	4
Administration	5—8
Consumer Outreach	9
Enforcement	10—17
Boards of Registration	18—55
<b>Employees of the Division</b>	56—57
Contacts	Back cover

## **Consumer Bill of Rights**

The concept of professional regulation serving the public interest is summarized in the "Consumer Bill of Rights," first articulated by President Kennedy in 1960:

- **The right to safety**: To be protected against the marketing of products and services that are hazardous to health or to life.
- The right to be informed: To be protected against fraudulent, deceitful, or grossly misleading information, advertising, labeling, or other practices, and to be given the facts needed to make informed choices.
- **The right to choose**: To have available a variety of products and services at competitive prices.
- The right to be heard: To be assured that consumer interests will receive full and sympathetic consideration in making government policy, both through the laws passed by legislators and through regulations passed by administrative bodies.
- **The right to education**: To have access to programs and information that help consumers make better marketplace decisions.
- The right to redress: To work with established mechanisms to have problems corrected and to receive compensation for poor service or for products that do not function properly.

Our employees and board members are encouraged to keep these consumer rights in mind when making decisions. Working in the public interest means looking at the issues from the point of view of their impact on the consumers of the service, rather than from the point of view of the licensed professional. We continually examine procedures and decisions to ensure that they encourage openness and accountability, increase public safety, and do not restrict choices available to consumers. We remain vigilant to the dangers of over-regulation in a profession and the impact of licensing on practitioners' fees.

## A Message from the Director

His Excellency Governor Deval L. Patrick

Lieutenant Governor Timothy P. Murray

Secretary Daniel O'Connell Executive Office of Housing and Economic Development

Director Daniel C. Crane
Office of Consumer Affairs and Business Regulation

Honorable Members of the General Court:

The Division of Professional Licensure took great strides forward in Fiscal Year 2006, including a first-time ever advancement in enforcement, successful implementation of new laws and critical adjustments to the Division's operations.

During this fiscal year, the Division launched a Fifty Oldest Cases Project designed once and for all to rid the Division of any final remnants of a disciplinary case enforcement backlog. As a result of the successful completion of this project, the Division for the first time ever had no backlog of old cases. This historic achievement was the result of a concentrated effort by numerous units within the Division.

Moreover, not only did the Division resolve its oldest cases, it contemporaneously improved its performance on all enforcement-related metrics. The number of disciplinary actions increased by 15%, while the average number of days that it took to close a case decreased by 7%. The number of inspections increased from 4,424 to 4,653, an increase of 5%. In short, while disposing of its oldest cases, the Division still managed to do more work more quickly than the prior fiscal year.

The Division also continued to implement important new laws. One such law – the Division's Enforcement Law – gave the Division's various professional boards the authority to issue fines. The fines issued this fiscal year totaled \$209,591, up 21% from last year.

The Division also continued to implement the new Insurance Fraud Law in Fiscal 2006. Under this law, chiropractic and physical therapy facilities had to be licensed for the first time. During the fiscal year, the Division licensed some 100 chiropractic and physical therapy facilities. The Division also used funding provided under the new Insurance Fraud bill to increase healthcare related disciplinary actions by 24%.

The Division also began in FY06 to implement new steps to enhance its operational effectiveness. Chief among these were efforts to create a safer work environment for its employees and the institution of a program of self-audits designed to test the Division's own operating procedures.

Fiscal Year 2006 was marked by significant, even remarkable, achievements by the Division and its dedicated employees. Together we look forward to serving the public at the highest level of professionalism in the upcoming years.

Sincerely,

George K. Weber Director

## **About the Division**

The Division of Professional Licensure is an "umbrella" agency within the Office of Consumer Affairs and Business Regulation. The Division is responsible for ensuring the integrity of the licensure process for more than 43 trades and professions regulated by 30 Boards of Registration, the continual updating of licenses for over 330,000 licensees, and the maintenance of multiple databases related to licensing, enforcement, and revenue collection. This work is accomplished through the combined efforts of the members of the boards and the staff of Board offices, Computer Services, the Accounting Unit, the Office of Legal Counsel, the Office of Prosecutions, the Office of Investigations, and the Administrative Office.

#### **OUR MISSION**

The Division works to protect the public welfare by issuing licenses to qualified individuals who provide services to consumers, and through the fair and consistent enforcement of the statutes and regulations of the Boards of Registration.

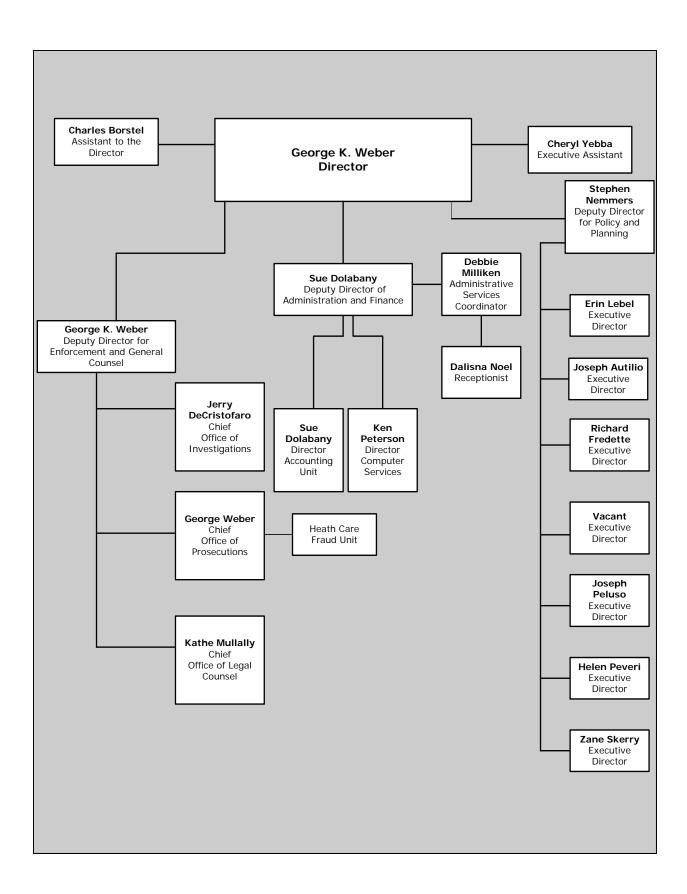
#### PRINCIPLES AND VALUES

- We treat customers, as well as one another, with professional courtesy and respect and work to exceed each other's expectations.
- We understand that people make mistakes and we help one another overcome obstacles.
- We foster an atmosphere of trust among staff and customers.
- We encourage employees to "break from the mold," to explore new ways of doing things, and learn from one another.
- We treat customers fairly and consistently according to agreed upon policies and procedures.



Future Licensees....The Division hosting its annual "Bring your Child to Work Day" which is always a great event for both the children and parents.

## **Organizational Chart**



## **General Administration**

The general administration of the Division involves providing technical and operational support and direction, coordinating budget and administrative functions, completing capital projects, and providing central accounting and computer services.

Administrative personnel work with Division managers and employees to implement the Division's strategic plan. They review issues and exchange ideas on the daily operation of the Division, improve processes and services, perform general planning, and build a focus on the consumer. This teamwork helps to remove barriers and accomplish common goals.

#### COMPUTER SERVICES DEPARTMENT

Computer Services acts as a liaison between the Commonwealth's Information Technology Division (ITD), lock box vendor, testing companies, Boards, licensees and other vendors/ agencies. Computer Services is also responsible for DPL's network infrastructure, telephone system and web site. The Computer Services Department is comprised of three units – Network Services, Electronic Data Processing Services and Web Services. A brief summary of the services provided by each unit follows:

Network Services Unit (NSU) - Charged with maintaining the Division's information technology and telecommunications systems. Computer Services manages the information technology needs within the Division by developing information systems and providing support for the Agency's Windows 2003 Active Directory Network and desktop applications. The Unit supports the agency telephone system by maintaining its user accounts and telephone set features. NSU is also responsible for ensuring that electronic licensee records are secure and that Division employees have continuous access to resources that protect consumers of the Commonwealth.

Electronic Data Processing Services Unit (EDP) - Responsible for maintaining nearly 1,200,000 electronic licensee records for the Division of Professional Licensure and the Department of Public Health's Division of Health Professions Licensure. Responsibilities include processing an average of 250,000 renewals, 33,000 new licenses, and 60,000 record changes per year. Additionally, Data Processing is responsible for fulfilling requests for the agency's licensee database.

**Web Services Unit (WSU) -** Responsible for maintaining the Division's Internet and Intranet site. Web Services publishes daily updates to the Web sites and ensures that licensee information posted to the Web site is accurate and up to date.

#### **Computer Services Department Fiscal Year 2006 Highlights**

**Online License Application -** The Division began accepting a second type of license application online. This second online license application process is for Allied Health facilities. This new process follows in the footsteps of the highly successful implementation of the Chiropractic Facilities online license application.

**Infrastructure Upgrades** – The Division replaced all of its photocopiers with leased units that can fax, copy and print documents. This initiative allows the agency to standardize, reduce maintenance costs and improve service. The agency will also be able to scan "paper only" documents to create electronic records for distribution.

## **General Administration**

## Revenue Collection Per Board for Fiscal Year 2006

Architects	844,143.00
Allied Health Professionals	1,125,712.50
Barbers/Barber Shops	387,604.00
Chiropractors	339,436.00
Dispensing Opticians	64,276.00
Drinking Water Operators	174,340.00
Electricians/Fire Alarm Installers	257,557.00
Electrologists	24,030.00
Embalmers/Funeral Serv	218,274.00
Engineers/Land Surveyors	1,279,044.00
Hairdressers/Salons	2,386,875.20
Health Officers	9,808.00
Landscape Architects	52,437.00
Optometrists	94,242.60
Plumbers/Gasfitters	1,849,101.50
Podiatrists	46,995.00
Psychologists	1,358,691.00
Public Accountants	1,370,288.00
Radio/TV Technicians	30,747.00
Real Estate Brokers/Salespersons	4,297,384.50
Sanitarians	24,767.00
Social Workers	204,615.00
Speech Language Pathologists/Aud	288,228.00
Veterinarians	276,221.00
Allied Mental Health Professionals	806,714.00
Real Estate Appraisers	585,217.00
Hearing Instrument Specialists	4,039.00
Home Inspectors	117,892.00
Dietitian/Nutritionists	178,834.00
All DPL Boards	197,361.00
Directors Acct./Misc.	76,277.22
DPL Totals	18,971,151.52

#### **General Administration**

### **Accounting Unit**

The Accounting Unit performs all revenue functions for the 30 Boards of Registration within the Division of Professional Licensure and for the 7 Boards of Registration that are now being overseen by the Department of Public Health, for a total of 37 Boards. Individual Boards must record revenue, and each Board has two revenue accounts: Lockbox Revenue, which primarily consists of license renewal fees, and Over-the-counter (OTC) Revenue.



nue, which includes application fees and original license fees. The total revenue ranges between 15 and 19 million dollars annually. These figures include both General Fund and Trust Fund revenue. There is one MMARS Trust Fund revenue account for all Boards. (MMARS is the statewide electronic accounting system).

The Division contracts with Bank of America using a "lockbox" system to process all license renewal applications and revenue received from renewals for the 37 Boards of Registration. The annual revenue deposited and processed through the lockbox ranges from \$11 million to \$16 million. An average of 250,000 renewal coupons are processed annually. Renewal coupons are printed and mailed monthly, the volume ranging from 8,000 to 47,000 per month. The lockbox system enables the Division to update the licensee database and revenue information within 24 hours of receipt of payment.

## **Accounting Unit Fiscal Year 2006 Highlights**

- ♦ Implemented new fee categories and revenue collection process for new type classes of licenses. They are Allied Health facilities and Speech Language Pathologist and Audiologist assistants.
- ◆ The Administration and Finance fee process was completed and computer programming and accounting ledgers were updated to record the new fees by type class. The Allied Health Board's new type class is part of the Insurance Fraud Act. All accounting ledgers were updated with the correct fee collection information for proper tracking and transfer of funds to the Division Trust Fund.

## Licensees by Board

Board	FY05	FY06	FY05- FY06 Growth
Allied Health	19,034	18,273	-4.00%
Architect	6,010	6,075	1.08%
Barbers	4,672	4,461	-4.52%
Barber shops	1,299	1,404	8.08%
Public Accountants	14,163	14,469	2.16%
Chiropractors	1,977	2,145	8.50%
Dispensing Opticians	1,820	1,820	0.00%
Drinking Water	4,608	4,231	-8.18%
Electricians	32,002	33,607	5.02%
Embalmers	2,608	2,564	-1.69%
Engineers	16,410	16,262	-0.90%
Electrologists	842	792	-5.94%
Fire Alarm	2,589	2,692	3.98%
Funeral Establishments	636	637	0.16%
Gas Fitters	3,259	2,946	-9.60%
Cosmetologists	56,630	59,330	4.77%
Hearing Instruments	143	155	8.39%
Home Inspectors	556	604	8.63%
Health Officers	125	130	4.00%
Hair Salons	7,781	8,817	13.31%
Landscape Architects	796	801	0.63%
Mental Health	5,645	5,466	-3.17%
Nutritionists	1,995	1,956	-1.95%
Opticians	1,483	1,484	0.07%
Podiatrists	575	569	-1.04%
Plumbers	24,626	23,588	-4.22%
Psychologists	5,132	5,183	0.99%
Real Estate Appraisers	4,818	4,470	-7.22%
Real Estate Brokers	81,893	84,046	2.63%
Sanitarians	401	403	0.50%
Speech Language	4,531	4,497	-0.75%
Social Workers	20,094	21,599	7.49%
Television Repair	1,269	1,193	-5.99%
Vetrinarian	2,589	2,605	0.62%
Total	333,011	339,274	1.88%
Variance		6,263	

## **Consumer Outreach and Communications**

#### **PRESS RELEASES**

The Division issued over 50 press releases highlighting disciplinary actions by the Boards. Copies of the press releases can be found on the website at www.mass.gov/dpl/press.htm. In addition to disciplinary press releases, the Division also issued press releases when the Boards adopted new rules and regulations or issued advisories to keep the public and licensees aware of important issues and changes.

#### **SPEAKERS BUREAU**

Consumer organizations, schools, government agencies, professional organizations, and interest groups can request that a representative from the Division address an upcoming seminar, dinner, meeting, or other event. The Division offers a host of professionals prepared to speak on numerous subjects of concern to consumers involving the boards of registration and the Board's licensed professionals. More information and a Speaker Request Form are available on the Division's website at www.mass.gov/dpl/consumer/speakersbureau.htm.



#### **CONSUMER TIPS**

Each month, the Division updates the website with a "Consumer Tip of the Month," which allows the Boards to impart their expertise to the consumer throughout the calendar year. Many of the tips are topical and pertinent to the particular time of year. To view the "Consumer Tip of the Month," go to www.mass.gov/dpl/current/tip/tipintro.htm. Topics covered this fiscal year included, "Protect your eyes during the Summer" and "Preparing for Tax Season."

#### CHECK A LICENSE

Licensing of professions serves both to protect and benefit consumers. Professional licensure ensures that a license holder has met certain minimum requirements, usually education, experience, and examination, for competent practice of that profession. Licensure holds that professional to certain standards of practice and levels of experience and ethics. To maintain a license, practitioners must continue to adhere to ethical guidelines, standards of practice, educational requirements, and regulations pertaining to their professions. Consumers can check the status of a practitioner's license and whether or not any disciplinary action has been issued against that licensee by visiting the Division's website at www.mass.gov/dpl and selecting the "Check a License" option. In Fiscal Year 2006, the Division's web site received over 14 million requests for a license search.

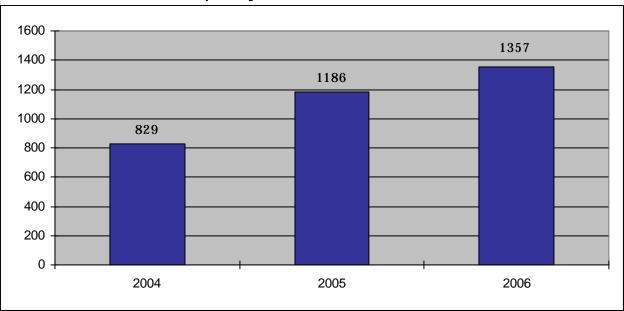
Enforcement of the statutes and regulations governing the practice of the professions regulated by the boards is conducted by the Office of Investigations, Office of Legal Counsel, and the Office of Prosecutions.

The members of the Enforcement Units assure that the public is protected by assisting the boards in identifying and investigating professional misconduct, settling consumer complaints, and imposing discipline on unethical, incompetent, or unprofessional licensees.

The Enforcement staff also work with other law enforcement and regulatory agencies to ensure a comprehensive approach is taken to protect the public.

Disciplinary Actions			
Action	2004	2005	2006
Reprimands	2	14	17
Voluntary Surrenders	18	14	25
Censures	13	2	1
Suspensions & Stayed Suspensions	121	184	155
Probations	69	51	49
Revocations	52	92	87
Fines	554	829	1023
Total	829	1186	1357

Disciplinary Actions, FY 2004-FY 2006



#### OFFICE OF INVESTIGATIONS

The Office of Investigations(OI) provides the Division's front line of consumer protection. The formal consumer complaint process is initiated with this Office. Investigators handle hundreds of telephone calls per week, assisting consumers in determining the disciplinary status of licensees, filing complaints, resolving disputes, pursuing legal redress in the courts, and filling requests for public information.

They also respond to the questions and problems of licensees, attorneys, and representatives of various state agencies. The OI conducts investigations into allegations of professional misconduct and inspections of business premises licensed by the boards.

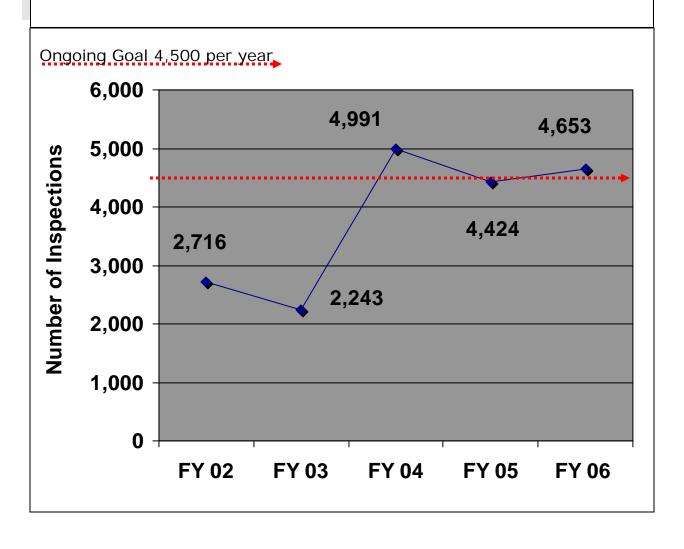
#### **ACCOMPLISHMENTS**

- ◆ The Office of Investigations ("OI") continues to work with Massachusetts agencies, out of state agencies, and federal agencies in the area of enforcement of many high profile cases. New contacts for the Division included: U.S. Social Security Inspector General, U.S. HUD Inspector General, U.S. Health and Human Services Inspector General, U.S. Department of Labor and the MA Department of Labor and Occupational Safety.
- ♦ OI conducted a sweep of thirty-plus Chiropractic Facilities and Chiropractic Solo Practitioner Offices in Springfield and neighboring communities.
- ◆ OI conducted 4,500-plus inspections of the licensees and their facilities for the thirty (30) Boards of Registrations.
- With the enactment of the enforcement bill in March 2005 the Office of Investigations began to pursue aggressively unlicensed practice and work on these matters with the Division of Professional Licensure's, Office of Prosecutions, Office of the Attorney General and Courts throughout the Commonwealth. In the Spring of 2006, the OI, in conjunction with DPL's Office of Prosecutions, filed Criminal Complaints in Newton District Court and was successful prosecuting unlicensed electricians.

## Inspections

## Fiscal Year 2006 Breakdown by Board

Board				
	Existing	New	Total	Licenses Checked
Barbers	403	100	503	959
Cosmetology	2,131	1,081	3,212	8,185
Chiropractors	65			53
Dispensing Opticians	96			215
Electrology	12	6	18	21
Embalming/Funeral	223			340
Optometry	52			74
Plumbers/Gas Fitters	36			1,625
R.E Brokers/Salespersons	422			6,387
Veterinary Clinics	26			<u>41</u>
TOTAL	3,466	1,187	4,653	17,900



#### OFFICE OF LEGAL COUNSEL

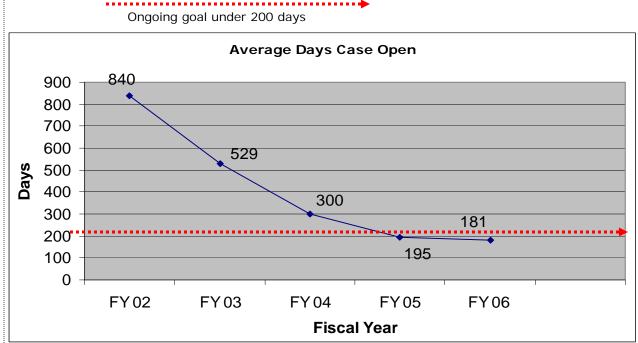
The Office of Legal Counsel serves two basic functions:



The Administrative Board Counsel assists the Boards of Registration in developing policy and promulgating regulations. They also advise the Boards on legal issues relating to the practice of regulated professions and administrative law, including the Open Public Meetings Law, the Public Records Law, drafting of minutes, state ethics law, Board policies and court decisions that affect Board practices, and decision-making. In addition, they draft and analyze proposed legislation affecting the Boards, advise the Boards and the agency on disciplinary matters and the conduct of adjudicatory hearings, consult with other legal counsel and agency officials regarding the appeal of Board decisions to the courts, provide legal counsel regarding agency and Board

contracts and procurements, facilitate improvement in agency processes, work product and outreach, and work with representatives of other governmental agencies at the local, state and federal level to identify and resolve issues of common concern, such as carbon monoxide poisoning and insurance fraud.

Hearings Counsel advise the Boards in the conduct of adjudicatory hearings, conduct prehearing conferences for the purpose of identifying the factual and legal issues in a case and the witnesses and evidence to be presented to the boards, and preside at formal adjudicatory hearings during which they make evidentiary, procedural and legal rulings and may question witnesses to clarify testimony or provide the boards with necessary information. Following the adjudicatory hearings, Hearings Counsel also prepare Findings of Fact and Conclusions of Law and Tentative Decisions for consideration by the Boards.



· www.mass.gov/dp
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#### OFFICE OF LEGAL COUNSEL

#### **Accomplishments**

- Promulgated and implemented a variety of new or revised regulations for at least 15 of DPL's 30 boards, including permanent regulations concerning chiropractic and physical therapy facilities consistent with the new Health Insurance Fraud Law; regulations concerning Carbon Monoxide detection; regulations regarding CEU, education and experience requirements for public accountants; regulations concerning reciprocal licensure for podiatrists; regulations concerning examination for the Board of Engineers; and initiated the drafting of broad-based updates to the regulations of the Cosmetology Board and the Barber Board.
- Developed and implemented a process for the litigation of appeals from fines imposed by the Board of Cosmetology in cases brought under the new Enforcement Law, including the issuance of over 50 final decisions.
- ♦ Improved and enhanced the Funeral Board's process for issuing business licenses, including the process for evaluating funeral homes' compliance with the Americans with Disabilities Act and OSHA requirements.
- Worked collaboratively with other state and federal agencies to identify and resolve problems of common concern, including working with the Building Code Coordinating Counsel on minimizing carbon monoxide poisonings in the Commonwealth; the Department of Education to ensure that DOE speech teachers are properly licensed; the Division of Administration and Finance to ensure the promulgation of fees to support Speech Assistants, Chiropractic Facility and Physical Therapy facility licenses; the Commission Against Discrimination regarding public accommodation issues in Massachusetts funeral homes and regarding age and access discrimination in hair salons; the Criminal Systems History Board regarding CORI certifications; and the Sex Offender Registry Board regarding licensees who misrepresented their sex offender criminal history.
- Developed a process for the Boards to follow when an application for licensure is denied.
- Contributed to the successful completion of the "Fifty Oldest Cases Project."
- Conducted 207 status conferences, held 30 adjudicatory hearings; issued 25 summary decisions; issued numerous default decisions and decisions in multiple motions for reconsideration, appointment of outside arbitrators, exclusion of testimony and evidence, and final decisions with orders; resulting in the closure of 322 cases and the collection of \$209,000 in administrative penalties.
- Conducted a number of adjudicatory hearings and issued decisions in the Boards' first license summary suspension cases under the new law expanding the Boards' enforcement powers.

#### OFFICE OF PROSECUTIONS

The Office of Prosecutions prosecutes disciplinary cases against licensees before the Boards. The Office of Prosecutions also prosecutes individuals practicing without appropriate licensure.

The Office of Prosecutions includes a **Health Care Fraud Unit** (the "HCFU"). The HCFU participates in a referral network with law enforcement agencies as well as private insurance companies. It also prosecutes licensees for health care related misconduct and serves as an educational resource for public and private individuals and organizations through presentation of seminars on health care fraud.

During the calendar year 2006, the Health Care Fraud Unit, based on complaints from insurance companies and from the Insurance Fraud Bureau, successfully prosecuted **21** individuals. This is an increase of 24% from calendar year 2005. Moreover, using the new investigative resources added as a result of funding provided under Chapter 464 of the Acts of 2004, the number of new enforcement cases expanded greatly during the past calendar year. As a result, more than 252 cases are currently in prosecution. This is an increase of 142% over calendar year 2005.

#### **ACCOMPLISHMENTS**

- Played a critical role in the successful completion of the Fifty Oldest Cases Project.
- ♦ Wrote an Enforcement Handbook to aid the Division in implementing new Enforcement Laws.
- Developed consolidated enforcement forms to expedite resolution of alleged violations of Board regulations.
- ◆ Increased Healthcare Fraud enforcement by 24%.
- ♦ Played a central role in increasing the number of disciplinary actions by 15% while reducing the time it took to close a case by 7%.

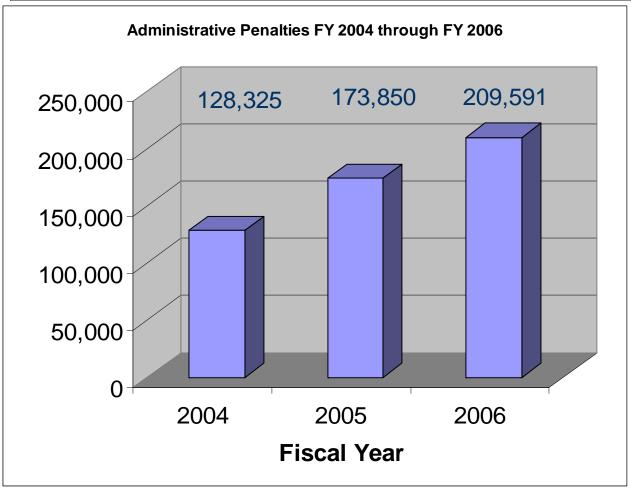
**Complaint Data** 

Complaint Data		
	COMPLAINTS RECEIVED	COMPLAINTS RESOLVED
BOARD		
Allied Health	44	21
Allied Mental Health	25	13
Architects	12	9
Barbers (BR)	83	63
Barber Shops (BS)	91	91
Certified Public Accountants (CA)	42	37
Chiropractors	206	38
Cosmetologists	388	376
Cosmetolgy Shops	610	588
Dispensing Opticians	39	23
Drinking Water	26	8
Electricans	191	136
Fire/Burgular Alarms	17	7
Electrology	0	
Embalmers/Funeral Dir.	51	86
Engineers/Land Surveyors	42	38
Funeral Establishment	5	5
Health Officers	0	
Hearing Instrument Ex.	1	14
Home Inspectors	52	44
Landscape Architects	1	1
Nutritionists & Dietitians	1	1
Optometry	15	8
Plumbers	146	123
Gas Fitters	12	5
Podiatry	22	14
Psychologists	58	57
Radio/TV Technicians	9	2
Real Estate Appraisers	32	28
Real Estate	345	300
Sanitarians	1	1
Social Workers	76	56
Speech Lang/Audiology	4	4
Veterinary Medicine	74	73
TOTALS	2721	2270

 $<sup>^{\</sup>star}$  includes resolution of complaints received in a previous fiscal year

## **Administrative Penalties**

	Administrative renaities	
Administrative Penalties Issued for Fiscal Year 2006		
Board	Penalties	
Allied Health	\$ 500	
Barber and Shops	\$ 19,200	
CPA	\$ 500	
Cosmetology and Shops	\$ 146,900	
Dispensing Opticians	\$ 4,050	
Drinking Water	\$ 100	
Electricians	\$ 1,300	
Embalmers	\$ 2,500	
Hearing Instrument	\$ 5,000	
Home Inspectors	\$ 18,100	
Nutritionists and Dietitians	\$ 500	
Plumbers	\$ 170	
Psychologists	\$ 1,000	
Real Estate Appraisers	\$ 5,000	
Social Workers	\$ 1,400	
Speech/Language	\$ 171	
Veterinarians	\$ 3,200	
TOTAL	\$ 209,591	



## **Boards of Registration**

Each Board of Registration is separately established by its own enabling legislation. Boards of Registration have been in existence since 1885 and, in general, have the following duties:

- Evaluate the qualifications of applicants for licensure.
- Grant licenses to those who qualify.
- Establish rules and regulations that ensure proper standards of ethics and practice for licensees.
- Take appropriate disciplinary action against those whose conduct does not meet the accepted standards of the profession.
- Hold informational public hearings to determine appropriate standards of practice.
- Update rules and regulations and examination procedures to keep standards appropriate over time.
- Review consumer complaints and remove incompetent and unethical licensees from practice, obtain relief for consumers, and provide guidance for other actions.
- Perform inspections of facilities under their jurisdiction to ensure safe and appropriate operations.

The 30 Boards of Registration within the Division govern more than 43 trades and professions. General provisions applying to most Boards of Registration are set forth in Massachusetts General Laws Chapters 13 and 112 and the Code of the Massachusetts Regulations. Board members are licensed professionals as well as members of the public who are appointed by the Governor and serve as volunteers. Upon appointment to a specific term as provided in the General Laws, Board members take an oath of office and become "public officers".

There are 185 volunteer Board members who make up the Boards. Boards generally meet once per month or as needed to carry out their duties.

## **Allied Mental Health Professionals**

# The Board of Registration of Allied Mental Health and Human Services Professions

Allied Mental Health and Human Services Professionals encompass the fields of mental health counseling, marriage and family therapy, rehabilitation counseling, and educational psychology.

Licensed mental health counselors render professional services to individuals, families, and groups. They apply principles, methods and theories of counseling and psychotherapeutic techniques to define goals and to develop a treatment plan of action aimed towards the prevention, treatment, and resolution of mental and emotional dysfunction and intra- or interpersonal disorders in persons diagnosed as nonpsychotic. They may engage in psychotherapy of a nonmedical nature, utilizing supervision when appropriate, and making referrals to other psychiatric, psychological, or medical resources when the individual is diagnosed as psychotic.

Licensed marriage and family therapists apply principles, methods and therapeutic techniques to individuals, family groups, couples, and organizations for the purpose of resolving emotional conflicts, modifying perceptions and behavior, enhancing communication and understanding among all family members, and the prevention of family and individual crises. Individual marriage and family therapists may also engage in psychotherapy of a nonmedical nature with appropriate referrals to psychiatric resources and research and teaching in the overall field of human development and interpersonal relationships.

Licensed rehabilitation counselors apply principles, methods, and therapeutic techniques of their profession such as client assessment, job analysis, vocational assessment, counseling, and job development. Rehabilitation counselors work to maximize or restore the capacities of physically or mentally handicapped individuals for self-sufficiency and independent living, including vocational and social functioning, and to create conditions favorable to this goal.

The objective of rehabilitation counseling is to assist individuals, families or groups. Counselors serve an advocacy role with communities or groups toward the provision or implementation of rehabilitation services, research, and teaching in the field of rehabilitation counselor education.

An educational psychologist provides professional services to individuals, groups, organizations, and the public. These services include applying psychological principles, methods, and procedures in the delivery of services to individuals, groups, families, educational institutions, and staff and community agencies for the purpose of promoting mental health and facilitating learning. The services may be preventive, developmental, or remedial and include psychological and psycho-educational assessment, therapeutic intervention, program planning, and evaluation, research, teaching in the field of educational psychology, consultation, and referral to other psychiatric, psychological, medical, and educational resources when necessary.

#### Creation of Board

G.L. chapter 13, sections 88 to 90

**Rules and Regulations** 

262 CMR 2.00-9.00

#### Licensing Provisions

G.L. chapter 112, sections 163-172

### **Board Members**

Lisa Taleghani, LRC,
Chair
Lisa Matrundola, LRC, LMHC,
Member
Evolva B Porlman, ED

**Evelyn B.Perlman, ED**Member

Gordon Benson, LMFT, Member

Suzanne Greenberg, Public Member

Teresa Davis, LEP, Member

Frederick Brustman, Public Member

Michael Vickers, LMFT, Member

Ronald Wozniak, LMHC, CCMHC, Member

> Jill Ritchie, LMHC, Member

Michael J Coughlin, Public Member

#### **Allied Mental Health**

The Board of Allied Mental Health and Human Services Professions licenses candidates who meet the statutory and regulatory requirements developed for the rehabilitation counselors, mental health counselors, marriage and family therapists, and educational psychologists.

In carrying out its mission, the Board administers and enforces the regulations related to the educational criteria necessary for a person to be licensed and contracts with test vendors to provide the licensing examinations. Of equal importance, the Board seeks to protect consumers by exercising its authority to discipline those licensed individuals.

## **Facts and Figures**

The Board of Registration of Allied Mental Health Professionals licenses approximately 5,466 allied mental health professionals throughout the Commonwealth. The Board received 25 new complaints and resolved 13 complaints from this and previous fiscal years. The Board held one investigative conference and entered into three consent agreements.

#### **Accomplishments**

The Board is still reviewing material regarding Online Therapy. In November of 2005, Michael Vickers attended the AAMFT meeting regarding Online Therapy. Michael and Ron have been instrumental in providing reading material. This is a project that is not complete and the Allied Mental Health Board will work in conjunction with the Social Work and Psychology Boards to complete the project.

The Board has noted an increase in applications for LMHC status by other Allied Mental Health licensees. The impetus is apparently the differences in insurance reimbursement practices between professions. The Board is evaluating the need for clarification of "mental health related" degrees.

## **Special Recognition**

The Board bid farewell to Marigold Louis in December 2005 and welcomed Evelyn Perlman in May of 2006 as Marigold's replacement.

#### **Rules and Regulations**

The Board voted to adopt as Policy that Marriage & Family Therapy Licensees follow the ethical guidelines of the American Association of Marriage and Family Therapy.

## **Architects**

## The Board of Registration of Architects

Architects provide professional services in connection with the design, construction, enlargement or alteration of buildings including consultations, investigations, evaluations, preliminary studies, aesthetic design, the preparation of plans, specifications and contract documents, the coordination of structural and mechanical design and site development, administration of construction contracts and any other similar services or combination of services in connection with the design and construction of buildings.

The Board of Registration of Architects protects the public through regulation of the practice and the title of Architect in the Commonwealth of Massachusetts in accordance with the statutes. The Board establishes the conditions and qualifications required for architectural registration and determines eligibility for admission to examinations. It investigates complaints of possible violations of the laws applying to the practice of architecture and takes appropriate disciplinary action against registrants found to have violated its regulations.

## **Facts and Figures**

The Board of Registration of Architects licenses approximately 6,075 architects throughout the Commonwealth. The Board received 12 new complaints and resolved 9 complaints from this and previous fiscal years.

## Accomplishments

The Board implemented direct National Council of Architectural Registration Boards (NCARB) registration. Direct registration has streamlined the application process, thereby reducing application time and cost.

The Board revised and approved language for emeritus status.

#### **Awards**

Peter Steffian received the Presidents' Medal for creating the NCARB prize for the Creative Integration of Practice in the Academy.

## Creation of Board

G.L. chapter 13, sections 44A to 44D

#### Rules and Regulations

231 CMR 2.00-4.00

#### Licensing Provisions

G.L. chapter 112, sections 60A-600

#### **Board Members**

Douglas Engebretson,
Chair
Margo Jones,
Secretary
Stephen Schreiber,
IDP Coordinator
Peter Steffian,
Member

Rogina L. Jeffries, Vice Chair, Public Member

## **Barbers**

## The Board of Registration of Barbers

Barbers provide haircutting, hairstyling, facial shaving, permanent waving, hair coloring, and facial services to the general public, but primarily to men.

The Board of Registration of Barbers protects the public through regulation of barbering in the Commonwealth. The Board oversees all barbers, barber shops, and barber schools licensed in the state.

### Creation of Board

G.L. chapter 13, sections 39 to 41

Rules and Regulations

233 CMR 2.00

#### **Licensing Provisions**

G.L. chapter 112, sections 87F-87S

#### **Board Members**

Johnnie Robinson, Chair Tom Magnusson, Member Robert Yesue, Member

#### **Facts and Figures**

The Board of Registration of Barbers licenses approximately 5,865 barbers and barber shops throughout the Commonwealth. The Board issued 11 revocations and 16 suspensions in the fiscal year, and it fined 99 licensees and collected \$19,200 in administrative penalties.

## **Accomplishments**

The Board has examined the current rules and regulations and has begun the process of clarifying and modernizing these regulations. This process applies to both individual license requirements as well as Barber Schools.

The Board implemented increased sanitation and sterilization practices by forbidding the shops from serving alcohol and from having food or pets on the premises. The Board started a committee to strengthen the barbering industry in Massachusetts. The Committee is to be made up of no more than twenty people who will interact with each other during the year. Some will look into continuing education, some will work on legislation and others will see what can be done to promote the barber image in several ways. They plan to meet six to eight times a year.

## **Allied Health Professionals**

# The Board of Registration of Allied Health Professionals

The professions regulated by the Board of Registration of Allied Health are occupational therapists and assistants, athletic trainers, and physical therapists and assistants. Occupational therapists are health professionals who use occupational activities with specific goals to help people of all ages prevent, lessen or overcome physical, psychological, or developmental disabilities. Athletic trainers work with clients who are preparing for, or participating in, sports activities. They work to treat, rehabilitate, and prevent athletic injuries. Physical therapists provide rehabilitative care for patients with physical disabilities or dysfunction.

The Board of Registration of Allied Health Professions evaluates applicants for licensure and grants licenses to those who qualify. It establishes rules and regulations to ensure the integrity and competence of licensees. The Board is the link between the consumer and the allied health professional and, as such, promotes the public health, welfare, and safety.

## **Facts and Figures**

The Board of Registration of Allied Health Professionals licenses approximately 18,273 allied health professionals throughout the Commonwealth. The Board received 44 new complaints this fiscal year and resolved 21 complaints from this and previous fiscal years.

## **Accomplishments**

PT Facility Licensure—the three Physical Therapy members of the Board and the Board staff, with additional input from representatives from the MA chapter of the American Physical Therapy Association, met often to write regulations governing the licensing of Physical Therapy Facilities. These regulations were voted on by the entire Board and actual licensing of facilities began in July; more than 325 facilities are presently licensed. This should be of great benefit to the consumer, as greater oversight by the Board of actual facilities and of individual licensees will enable the Board to enforce sanctions against fraudulent practice.

**Regulations**—The Board is in the process of rewriting and tightening up the all the Board regulations. The Physical Therapy members, Board staff and MA APTA representatives have been meeting regularly; Athletic Training members, Board staff and representatives from the Athletic Trainers of Massachusetts met regularly to draft a new AT section; and Occupational Therapy members will be meeting to do the same. The entire Board will then vote on the revised regulations, which are intended to clarify for both the public and licensees the qualifications for these professions.

#### Creation of Board

G.L. chapter 13, section 11A

Rules and Regulations

259 CMR 2.00-6.00

#### **Licensing Provisions**

G.L. chapter 112, section 23A-23Q

#### **Board Members**

Paul N. Petrone, OTR/L, Chairman

Frank A. Mastrangelo,

Vice Chairman

Richard Burr, LATC, Vice Chairman

Kathleen Barnes, PT, Member

Nancy Lowenstein, OTR/L, Member

> Steven Nikolsky, Public Member

Susan McAvoy, PTA, Member

Charles Redmond, LATC/PT, Member

Denise Sargent, LATC/PT, Member

Nancy Demattia, PT, Member

Claudine J. DeJoie, COTA/L, Member

## **Certified Public Accountants**

# The Board of Registration of Certified Public Accountants

Practitioners in public accountancy provide services to the public, which involve the use of accounting or auditing skills. These include one or more kinds of management advisory or consulting services, preparing tax returns or furnishing advice on tax matters.

The Board of Registration in Public Accountancy grants certificates and licenses to practice public accountancy to qualified individuals who comply with chapter 112, section 87A-E½ and 252 CMR. After these individuals have been granted licenses, the Board monitors their practice of public accountancy to ensure the public that they have complied with all of the continuing educational requirements and quality report reviews necessary to renew their licenses. The Board also monitors the practice of public accountancy to ensure that the services provided to the public are done in accordance with all applicable professional and ethical standards, laws, and rules and regulations.

The Board's objective is to provide quality service to its licensees in their service to the public. It administers the national Uniform CPA exam twice a year to more than 3,000 candidates and evaluates each successful candidate's experience in order to determine his or her competency to be granted a license. It coordinates the 60 plus phone inquiries received each day and provides professional guidance with respect to each inquiry.

## **Facts and Figures**

The Board of Registration of Certified Public Accountants licenses approximately 14,469 accountants throughout the Commonwealth. The Board received 42 new complaints this fiscal year and resolved 37 complaints from this and previous fiscal years. The Board held two investigative conference and one formal hearing, entered into three consent agreements, revoked two licenses and placed one licensee on probation.

## **Accomplishments**

The Board has amended its regulations, 252 CMR, to provide for a new CPE requirement. For all licenses expiring on or after June 30, 2007, the Board will require four hours of acceptable continuing education in the area of professional ethics. The Board staff, and the Board's Legal Counsel and the Secretary of the Board have worked as a team in the successful completion of this regulation change. The Board has notified all licensees who hold current licenses of this new CPE requirement and has revised its CPE reporting form to conform to these changes.

The Board began negotiation on a rule change to reduce the education requirement necessary to sit for the CPA exam. The profession has experienced a shortage of qualified entry level accountants and one reason is the additional education required to sit for the professional licensure exam as set forth in the Board's 150 semester hour education rule. The Board is developing a new rule to reduce the education required to sit for the exam to 120 semester hours (a bachelor's degree only) and then would require an additional 30 semester hours to become licensed after passing the exam. This change would allow candidates to take the exam as soon as they graduate from college and would reduce the financial burdens on these candidates.

#### Continued

### Creation of Board

G.L. chapter 13, sections 33 to 35

#### **Rules and Regulations**

252 CMR 1.00-4.00

#### **Licensing Provisions**

G.L. chapter 112, sections 87A to 87E 1/2

#### **Board Members**

Robert H. Temkin, CPA Chair

Leo H. Bonarrigo, CPA, Secretary

Patricia G. Smith, CPA, Member

Mark S. Robinson, CPA, Member

> Johnathan Horka, Public Member

## **Certified Public Accountants**

## **Rules and Regulations**

The Board amended its CPE rules, 252 CMR 2.14. Effective for all licenses expiring on or after June 30, 2007, four (4) hours of continuing education shall be required in the area of professional ethics, within the existing 80 hours of mandatory CPE every two years.

## Chiropractors

## The Board of Registration of Chiropractors

Chiropractors provide health care services to consumers for musculoskeletal and neuromuscular conditions. They are concerned with improving and maintaining the integrity of the biomechanical systems of the body.

A number of studies over the past few years, including studies reported by the United States Department of Health and Human Services' Agency for Health Care Policy and Research (AHCPR), the Manga Report funded by the Ontario Administry of Health, and the Rand Study on Low Back Pain, all expound on the effectiveness of spinal manipulation as performed by chiropractors.

#### Creation of Board

G.L. chapter 13, sections 64 to 66

#### Rules and Regulations

233 CMR 2.00-5.00

#### Licensing Provisions

G.L. chapter 112, sections 89 to 97

#### **Board Members**

Edward J. Barowsky, D.C., Chair

Wayne A. Comeau, D.C., Vice Chair

> Kirk J. Shilts, D.C., Secretary

Joseph M. Boyle, D.C., Member

Mark S. Elfman, D.C., Member

Michael V. Frustaci, D.C., Member

> Diane Slater Member

The Board of Registration of Chiropractors regulates chiropractors in the Commonwealth of Massachusetts. The Board works to maintain high standards of practice and to protect the health and welfare of the public by establishing qualification requirements for licensure, reviewing applicant credentials, and administering licensing examinations. The Board also monitors the practice of its licensees to ensure compliance with state laws and the Board's rules and regulations. The Board resolves consumer complaints against licensees by investigating charges and taking appropriate disciplinary action when necessary.

## **Facts and Figures**

The Board of Registration of Chiropractors licenses approximately 2,145 chiropractors throughout the Commonwealth. The Board received 206 new complaints this fiscal year and resolved 38 complaints from this and previous fiscal years. The Board held two formal hearings, entered into fourteen consent agreements, suspended four licenses, accepted the voluntary surrender of six licenses and issued two reprimands, revoked three licenses, and placed 7 licenses on probation.

## **Accomplishments**

The Board has been engaged in the process of reforming chiropractic peer review guidelines. The goal is to establish a level playing field between treating chiropractors and chiropractic peer reviewers. Peer review also plays an important role in improving the quality, accessibility, and affordability of chiropractic care. The Board is currently writing new draft guidelines.

The Board wrote regulations for Chiropractic Facilities which serve as the template for other Boards writing facility regulations.

## Recognition

Board members Michael Frustaci and Kirk Shilts went to Texas in November as examiners for Part IV of the national practical exam.

## Cosmetologists

## The Board of Registration of Cosmetology

The Cosmetology profession includes hairdressers, manicurists and aestheticians. These professionals work closely with the public and are regulated by the Board of Registration of Cosmetology. The Board also sets the curricula requirements and regulates the schools that train candidates in these occupations. The Board protects the health and safety of the public by maintaining high standards for the industry.

#### Creation of Board

G.L. chapter 13, sections 42 to 44

#### Rules and Regulations

240 CMR 2.00-7.00

#### **Licensing Provisions**

G.L. chapter 112, sections 87T to 87KK

#### **Board Members**

Anthony Moosa, Chair

Karen Bonney, Member

Belinda Morrone, Member

Daniel Abraham, Member

Catherine Hinds, Member

Katherine Cochrane, Public Member

## **Facts and Figures**

The Board of Registration of Cosmetologists licenses approximately 59,330 cosmetologists and cosmetology shops throughout the Commonwealth. In fiscal year 2006, the Board inspected 3,212 cosmetologists, checking 8,185 licenses. The Board received 388 new complaints this fiscal year and resolved 376 complaints from this and previous fiscal years.

## **Accomplishments**

The Board has revised the practical exams for Cosmetology, Aesthetics and Manicuring.

The Board has implemented a system of issuing consecutive license numbers to ensure all licenses are added to our mainframe on a regular basis.

The Board has a representative who was appointed to the Medical Task Force. This task force was formed to deal with the issues of services that are being provided but are not currently being regulated.

## Recognition

#### **Karen Bonney**

- Portfolio committee and the Vocational Framework Committee for projects with the Department of Education.
- Member of the Massachusetts Teachers Association

#### **Kathryn Cochrane**

- Volunteer for Massachusetts Department of Social Services Foster Care Review
- Member of the Woman's Friend Society, Salem
- Member of the Massachusetts Chapter of the National Association of Social Workers (NASW)

## **Dietitians and Nutritionists**

# The Board of Registration of Dietitians and Nutritionists

Human Dietetics/Nutrition is the science concerned with the relationship between foods and human health. The focus is on nutrients in food, their actions/interactions and the balance among health, disease, socioeconomic, cultural, and psychological factors. This field requires the application of biochemistry, physiology, social sciences and physical sciences toward the achievement of optimal human health.

The Board of Registration of Dietitians/Nutritionists grants licenses to qualified individuals who comply with the requirements of the statute. The Board monitors licensees to insure that the services provided are in accordance with the Massachusetts General Laws and Board rules and regulations. The Board also insures that licensees have complied with continuing professional education requirements necessary to maintain current knowledge and renew their licenses.

## **Facts and Figures**

The Board of Registration of Nutritionists and Dietitians licenses approximately 1,956 nutritionists and dietitians throughout the Commonwealth. The Board resolved one complaint from this and previous fiscal years.

## Accomplishments

The Board adopted a new policy on continuing education which clarifies the need for CEUs to be done specifically in core nutrition courses. Management or business practice courses related to nutrition are not accepted CEUs. The Board worked with the Massachusetts Dietetic Association to determine the need for the policy and to notify licensees of the clarification.

The Board conducted its first Continuing Education Audit, with an approximately 10% failure rate. Those who were in non-compliance worked with the Board to make up deficient CEUs.

## Recognition

Jane Folkman LDN and RD resigned from the Board in March 2006, after 7 years of service. Ms. Folkman, was instrumental in the formation of the Board, the initial licensure for Dietitians and Nutritionists and the writing of the current regulations. Her efforts to set the regulatory standards for the profession had a significant impact on the public and the profession.

#### **Awards**

Over the last year Pete Gazzillo, Chair, and his organization (Operation Better Start) received a community recognition salute by being honored by the Berkshire Chamber of Commerce at its June Good News Business Salute. This program was also chosen by the National Institutes of Health to partner with the National Heart, Lung, and Blood Institute on its new "we can" initiative (ways to enhance children's activity and nutrition). It was one of only thirteen sites chosen in the country for an intensive community partnership and one of only two in the entire Northeast.

Creation of Board

G.L. chapter 13, section 11D

Rules and Regulations

268 CMR 1.00-6.00

**Licensing Provisions** 

G.L. chapter 112, sections 201 to 210

**Board Members** 

Peter W. Gazzillo, Jr., Co-Chair

Nancy Andersen, Member

Pamela J. Carabba, Member

> Lorraine Dox, Member

**Joyce Morrison,** Member

Susan Massad, Member

Karen Cawrse,

**Public Member** 

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## **Dispensing Opticians**

## The Board of Registration of Dispensing Opticians

Dispensing Opticians fit and dispense prescription ophthalmic eyewear including eyeglasses and contact lenses. Members of this profession measure and duplicate existing ophthalmic prescriptions and fabricate eyeglasses.

The Board of Registration of Dispensing Opticians protects the public through regulation of the practice by testing candidates and licensing those who are qualified, thereby ensuring compliance with state statutes and the Board's rules and regulations. The Board also conducts hearings and facilitates resolutions to consumer complaints. The Board manages apprenticeship-training programs, approves educational standards for school-based optician programs, and monitors the continuing education requirements of licensees. The Board also works with optician boards in other states and professional organizations in furthering the qualifications of opticians.

## **Facts and Figures**

The Board of Registration of Dispensing Opticians licenses approximately 1,820 dispensing opticians throughout the Commonwealth. The Board received 39 new complaints this fiscal year and resolved 23 complaints from this and previous fiscal year.

## Accomplishments

A new fining process was introduced for licensees who do not adhere to the rules and regulations concerning the wearing of name tags and the proper posting of their licenses. The Board set a \$100 dollar fine for the first violation and \$200 for a second violation.

The Board also addressed apprentice agreements for companies that have multiple sites and their need to register each site.

## Recognition

Shirley Silton, the public board member, was thanked by the board for her service of over four years. Ms. Silton had to leave due to ill health and she will be missed.

John Simko, OAM recognized him for outstanding service to the industry.

#### Creation of Board

G.L. chapter 13, section 48-50

#### Rules and Regulations

235 CMR 1.00-5.00

#### **Licensing Provisions**

G.L. chapter 112, sections 73C to 73L

#### **Board Members**

Daron Kahn, Chair Carol Russell, Secretary John Simko, Member Harry Jilson, Member

## **Operators of Drinking Water Facilities**

# The Board of Certification of Operators of Drinking Water Supply Facilities

Operators of drinking water supply facilities are employed by local water distribution and treatment facilities. They are responsible for chemically treating and then distributing our drinking water.

The Board of Certification of Operators of Drinking Water Supply Facilities regulates and licenses all operators of these facilities to ensure that the highest safety standards are adhered to in the treatment and distribution of drinking water.

The Board encourages licensees to maintain a high level of competence in the industry and assists them in enrolling in seminars and training programs. The Board holds licensees to high standards of quality and service in the industry for the protection of the public's health and safety. The Board offers nine levels of licensure in management of drinking water facilities.

## **Facts and Figures**

The Board of Registration of Drinking Water Supply Facilities Operators licenses approximately 4,231 drinking water supply facilities operators throughout the Commonwealth. The Board received 26 new complaints this fiscal year and resolved 8 complaints from this and previous fiscal years.

## **Accomplishments**

The Board implemented a 100% continuing education audit. This audit will ensure all licensees are compliant before the next renewal cycle.

## Recognition

Robert Hoyt is the current Association of Boards of Certification Vice President.

James Deming is a member of the Board of Directors for Massachusetts Waterworks Association.

Michael Celona became a licensed Sanitarian.

#### Creation of Board

G.L. Chapter 13, section 66B

Rules and Regulations

236 CMR 2.00-5.00

#### **Licensing Provisions**

G.L. chapter 112, sections 87CCCC to 87DDDD

#### **Board Members**

Paul S. Niman,
Chairman
Robert D. Hoyt,
Vice Chairman
William C. Salomaa,
Secretary
Michael Celona,
Member

Peter C. Karalekas Jr., Member

James L. Deming
Member
John Nelson,

Member

## **Electricians**

# The Board of State Examiners of Electricians and Electricians Appeals

The professionals licensed by the Examiners include Master Electricians (A), Journeyman Electricians (B), Fire Warning and Security System Contractors (C) and Fire Warning and Security System Technicians (D). The Examiners also handle appeals from licensees and wiring inspectors through the Board of Electricians Appeals.

The primary mission of the Examiners is to protect the citizens of Massachusetts by establishing minimum standards for persons performing electrical installations. They accomplish this mission by examining and licensing candidates and by enforcing the regulations and general laws relative to electrical installations in Massachusetts. The Examiners also prosecute those found to be working without a license, either through the Office of the Attorney General or directly in the courts of the Commonwealth, and post implementation of the new enforcement law, before the Board itself.

The Board of Electrician Appeals issues informal opinions and conducts formal hearings in matters of dispute based upon decisions rendered by local wiring inspectors.

The Examiners also perform fire investigations under the direction of the State Fire Marshal to determine if electricity could have contributed to the fire. While performing these fire investigations, the Examiners check the installation(s) for code compliance and possible licensee misconduct.

## **Facts and Figures**

The Board of Registration of Electricians licenses approximately 33,607 electricians throughout the Commonwealth. The Board received 208 new complaints this fiscal year and resolved 143 complaints from this and previous fiscal years.

## **Accomplishments**

The Board has implemented a Policy and Procedure available on our website. The purpose is to provide guidance and interpretation of regulations to applicants, educational providers and the general public regarding the Board Rules and Regulations.

The Board has implemented a web link for local inspectors of wires and the Department of Public Safety. The purpose is to provide guidance and interpretation of regulations, laws and updates necessary to the performance of the job of inspectors of wires.

#### Creation of Board

G.L. chapter 13 sections 32, 32A

#### Rules and Regulations

237 CMR 12.00-23.00

#### **Licensing Provisions**

G.L. chapter 141, sections 1-10 G.L. chapter 143, sections 3L to 3P

#### **Board Members**

**Peter A. Senopoulos,** State Fire Marshal designee, Chair

**David W. Aragona**, Systems Technician, Member

James D. Baker, Systems Contractor, Member

Kevin J. Bulman, International Municipal Signalman's Association, Member

> Geraldine M. Culver, Public Member

**Donald F. Drew,** Electrical Contractor, Member

Anthony R. Iovanna, Journeyman Electrician, Member

Robert R. Venuti, Master Electrician, Member

William R. Plamondon, Local Wiring, Inspector Member

Jeffrey J. Wheeler, Department of Education, Member

Continued

## **Electricians**

## Recognition

Name and Organization:

Donald Drew- Master Electric Contractor member- Application/CORI's process

Jerry Culver- Public member -CORI requests

Kevin Bulman- International Municipal Signalman Association member- Complaint Investigative subcommittee Jeff Wheeler- Department of Education Member- setting minimum requirements of education for our educators Peter Senopoulos- Chairman, State Fire Marshal Designee

#### Description of contribution:

Don Drew has worked very diligently with board staff to create a level playing field in streamlining the application for examination process. We have a paperless application approval process. Applications are received and processed electronically from the submittal of an initial application to the taking of an actual exam, all within 30-days. If the applicant passes his or her exam a license is issued on site that day. If the candidate fails his or her exam, a score report is given so that the applicant can see his/her strengths and weaknesses. All applications have been stored electronically from 2004 to the present time, which makes it easier to respond to candidates' questions and concerns.

Kevin Bulman has been on the complaint committee for several years and has helped to streamline the complaint process. The complaint subcommittee has established form letters, check lists and interoffice memos, all of which have been created in an effort to simplify the complaint process and resolve complaints fairly. Today a complaint pending Board status is forwarded to its final status within 14-days. Complaints under investigation are usually resolved within 1year. Complaints forwarded to Prosecutions, are usually resolved within 150 days. Kevin also has been an advocate for, and has implemented a process for, issuing fines to those individuals who violate Board Rules and Regulations or applicable laws. And, although in its infancy, the fine process has been documented as a reliable, fair and good process.

Jeff Wheeler is the State Director of Career/Vocational Technical Education. In order to increase the supply of well-prepared apprentices for the electrical industry, during the past year, the Department of Education with the assistance of the Board, developed the Vocational Technical Education Framework in Electricity that will be implemented in all 44 Department of Education approved high school programs in Electricity beginning September 1, 2006. During the upcoming year, the Department of Education, with the assistance of the Board, will develop the student assessment system for the Certificate of Occupational Proficiency in Electricity. Students who acquire the Certificate of Occupational Proficiency will have demonstrated advanced knowledge and skills as they enter the required apprenticeship upon high school graduation. The Department, particularly Board member Jeffrey Wheeler, is extremely pleased with the entire Board's assistance with the Framework and the Certificate of Occupational Proficiency.

## **Electrologists**

## The Board of Registration of Electrologists

Electrologists perform services for consumers through the permanent removal of hair from the body. Electrolysis involves the application of an electrical current through a needle to the hair follicle.

The Board of Registration of Electrologists protects the public through regulation of the practice of electrolysis in the Commonwealth of Massachusetts in accordance with the statutes and Board regulations and code of conduct.

The Board issues licenses to practice as qualified electrologists and qualified instructors when applicants meet the Board's education and experience requirements and pass a Board administered examination. The Board also licenses schools of electrology after inspection and approval.

## **Facts and Figures**

The Board of Registration of Electrology licenses approximately 792 electrologists throughout the Commonwealth. In fiscal year 2006, Board investigators checked 21 licenses. The Board received no complaints.

## **Accomplishments**

The Board approved and issued Policy 06-001 which prohibits Electrologists from performing laser hair removal.

The Board has a representative who was appointed to the Medical Task Force. This task force was formed to deal with the issue of consumer services that are being provided but not regulated.

#### Creation of Board

G.L. chapter 13, sections 58 to 60

#### **Rules and Regulations**

238 CMR 2.00-4.00

#### **Licensing Provisions**

G.L. chapter 112, sections 87EEE to 87000

#### **Board Members**

Paula Wright, Chair

## Charlotte Bosco-Fitzpatrick,

Secretary

Dr. Richard Brown,

Medical Member Eileen Nicholas, Public Member

## **Engineers and Land Surveyors**

## The Board of Registration of Professional \_\_\_\_ Engineers and of Professional Land Surveyors

Members of the engineering and surveying professions provide services to consumers as defined by the statutes and described in the regulations. Engineers practice in many areas, including (but not limited to) chemical, civil, environmental, electrical, mechanical, structural, agricultural, aeronautical/aerospace, fire protection, manufacturing, industrial, nuclear, petroleum and safety.

The Board of Registration of Professional Engineers and Professional Land Surveyors establishes, monitors and enforces qualifying standards for the engineering and land surveying professions. The Board works to ensure that persons practicing in these professions are competent to practice and are not endangering the life, health, safety and welfare of the public.

The Board regulates the practice of licensed Professional Engineers and Professional Surveyors through the Code of Regulations, which includes the Rules of Professional Responsibility. The Board has successfully applied strict standards of education and experience for its licensees and the administration of examinations in <u>Fundamental Knowledge</u> and <u>Principles and Practice</u> to determine a candidate's competence to practice engineering and land surveying. It has aggressively pursued disciplinary action against licensees for the protection of the public.

The Board and its sub-committees review, evaluate and act on applications for licenses. The Board conducts interviews and oral examinations to verify an applicant's qualifications. The written examinations administered by the Board provide a final screen of an applicant's qualifications. Board members are members of the National Council of Examiners for Engineering and Surveying (NCEES). This council prepares national examinations for the regulated professions, develops uniform standards for comity registration among the states, and acts as a clearinghouse for the law enforcement activities of its member boards.

## Facts and Figures

The Board of Registration of Engineers and Land Surveyors licenses approximately 16,262 engineers and land surveyors throughout the Commonwealth. The Board received 42 new complaints this fiscal year and resolved 38 complaints from this and previous fiscal years.

### Creation of Board

G.L. chapter 13, sections 45 to 47

### Rules and Regulations

250 CMR 2.00-6.00

#### **Licensing Provisions**

G.L. chapter 112, sections 81D to 81T

### **Board Members**

Dennis Drumm, PLS, Chairman Ronald J. Willey, PE, Vice Chairman

Paul D. Turbide, PE, PLS Secretary

Joel Goodmonson, PE Board Member

Arjun Rao, PE,

Board Member

John Duff, PE, Board Member

Philip A. Jenks, Esq. Board Member

Sheryl L. Campbell, PLS, Board Member

> Peter E. Hale, PLS, Board Member

Maurice Pilette, PE Board Member

Continue

# **Engineers and Land Surveyors**

# **Accomplishments**

The Board finalized details on simplifying the application process for comity applicants. As of August 1, 2006, the board will require that applicants submit an NCEES council record in order to apply via comity. This will eliminate the hassle of duplicating what is already contained in the council record in the Board's application. It will ease the licensure process for those looking to become licensed in several states. This was implemented on a trial basis for 12 months and will be reconsidered thereafter.

The Board has voted to institute a formal policy requiring all twenty-year applicants to take the written NCEES Principles and Practices exam. The Board has revised its regulations and expects to conduct a formal hearing in the near future so these new regulations can take effect.

## Recognition

#### **Abbie Goodman**

**Description of contribution:** Abbie Goodman has always made a valuable contribution to the Engineering/Land Surveying Board. As the Director of the Engineering Center, Abbie Goodman plays an instrumental role in ensuring that the Engineering Center, a not-for profit association management company, provides educational programs and information services to engineers, land surveyors, related professionals and the public.

#### **Awards**

Our former Board chairman H. William Flood, was nominated for and given the ENNY award. This is an award given to a member of the NCEES Northeast Zone who has rendered outstanding service to both NCEES and within the Northeast Zone. Since Mr. Flood was not able to attend the Northeast Zone meeting in May, the Board presented this award to him at its July meeting.

# **Rules and Regulations**

The Board has proposed a revision to its regulations. At this time, the Board is still awaiting a public hearing before these new regulations can take effect. The Board has developed a number of Administrative Rulings (AR's), Policy Statements, and Frequently Asked Questions to be posted on the Division's website. This effort is to assist the public, applicants, and licensees to better understand the General Laws and 250 CMR.

# **Embalmers and Funeral Directors**

# The Board of Registration of Funeral Directors and Embalmers

The Funeral Services profession provides services for the deceased and their families. Members of this profession prepare the bodies of the deceased through embalming, arrange for crematory services, and provide assistance to family members of the deceased. They are committed to following all health-related rules as set forth by the Board and local health departments, and consumer protection rules of the Federal Trade Commission.

The Board of Registration of Funeral Directors and Embalmers oversees the licensing of these professionals and their apprentices through examination. The Board also regulates and inspects the facilities of licensed embalmers and funeral directors.

# **Facts and Figures**

The Board of Registration of Embalmers and Funeral Directors licenses approximately 2,564 embalmers and funeral directors throughout the Commonwealth. The Board received 51 new complaints and resolved 86 complaints from this and previous fiscal years.

# Accomplishments

The Board conducted an audit of licensee pre-need contracts.

The Board held several continuing education seminars throughout the state regarding pre-need regulation updates.

# Recognition

#### **Edward Mazur**

- Member and Regional Director for International Order of the Golden Rule
- Chairman of the Ludlow Board of Assessors
- Member of National Funeral Directors Association Disaster Response Team - served on the Mississippi Coast days after hurricane Katrina struck.

#### David Brezniak

- Executive Director of The National Independent Jewish Funeral Directors of America.

## Creation of Board

G.L. chapter 13, sections 29 to 31

## **Rules and Regulations**

239 CMR 2.00-4.00

## **Licensing Provisions**

G.L. chapter 112, sections 82-87

#### **Board Members**

Edward Mazur Chair

David Brezniak

Member

Kim Pineau Member

James McWilliams Member

Judith McCarthy
Public Member

36

# **Health Officers**

#### The Board of Certification of Health Officers

Certified Health Officers (CHOs) are generally the administrative officers of a health department or board of health. Several are presently serving as administrators to the State Department of Public Health or State Department of Environmental Protection. The Health Officer evaluates the community's health issues and develops programs to address the community's needs and the prevention and control of health and/or environmental problems.

The health officer must be knowledgeable of state, federal and local sanitary codes and regulations including other public regulations addressing the public health and the environment, as well as those issues referencing communicable disease control, Title V septic system design and approval, housing, food service, public swimming pools and beaches, hazardous waste control and environmental pollutants, massage and tanning establishments, animal and rabies control, and other public health issues that are governed by regulations. The CHOs perform field inspections, respond to complaints, follow up on consumer requests, and deal with issues associated with public health and environmental regulations that affect the community and the Commonwealth.

The Board of Certification of Health Officers works to maintain a high level of professionalism among the CHOs by monitoring and enforcing its regulations and policies, amending its regulations as necessary, and reviewing practitioners' records to ensure fulfillment of continuing education requirements. The Board's intent is to establish a base of knowledgeable health officers who will be able to better serve the community as well as the Commonwealth in meeting the consumers' needs relative to public health and environmental issues.

# **Facts and Figures**

The Board of Registration of Health Officers licenses approximately 130 health officers throughout the Commonwealth.

# **Accomplishments**

The Board reviewed and essentially re-wrote the exam for licensure. The Board worked to review and re-write 2 forms of the exam and updated all the references/ study materials accordingly. The Board is considering changing from a paper/pencil exam to a computer based test in the future.

The Board is continually working on new ways to recruit candidates to sit for the Health Officer's exam. Several strategies were suggested, including postings links on the State Department of Public Health web page or other pertinent sites. The Board members have long been concerned about unlicensed practice. The members continually discuss ways to have the laws changed to make it mandatory to be licensed to work as and hold the title of Health Officer.

Continued

#### Creation of Board

G.L. chapter 13, sections 70 to 72

#### Rules and Regulations

241 CMR 2.00-4.00

## **Licensing Provisions**

G.L. chapter 112, sections 87WWW to 87ZZZ

#### **Board Members**

David Kaplan, Chair Michael Feeney, Vice Chair Everett Penney, Secretary John M. Canning Member

Bruce Murphy, Member

**Steven Ward,**Member

Joseph G. McCarthy
Member
Joanne Scott

Member

Richard Solano, Public Member

# **Health Officers**

# Recognition

The Board welcomes Mr. Steven Ward, CHO.

- Mr. Ward has been a CHO since August 1989 and is currently working for the Watertown Board of Health.
- Past President of the Massachusetts Environmental Health Association (MEHA).
- Certified as a Registered Environmental Health Specialist and a Certified Health Officer.
- Mentored numerous interns and graduate students from Boston University School of Public Health.
- Recipient of the 2006 BUSPH Ozonoff Award for outstanding achievement in the field of environmental health.
- Recipient of the 2002 Robert C. Perriello Memorial Award from MEHA for outstanding work as a sanitarian and the 2005 Dr. Joseph S. Goldfarb Award as recognition for a significant contribution to the field of Environmental Health in Massachusetts.
- Recipient of the 2004 National Environmental Health Certificate of Merit Award for contribution to the field of environmental health.
- Executive board member of Region 4B emergency preparedness coalition, member of the MA Coalition for Local Public Health and currently serving as Chair of the Advisory Council of the MA Public Health Institute.

# **Hearing Instrument Specialists**

# The Board of Registration of Hearing Instrument Specialists

Hearing Instrument Specialists are individuals who engage in the practice of dispensing or fitting hearing aids. The practice of fitting and dispensing hearing aids means the measurement of human hearing solely for the purpose of making selections, adaptations or sales of hearing aids intended to compensate for impaired hearing. The Board of Registration of Hearing Instrument Specialists protects the public through regulation of the practice and the title of Hearing Instrument Specialist in the Commonwealth of Massachusetts in accordance with the statutes.

# **Facts and Figures**

The Board of Registration of Hearing Instrument Specialists licenses approximately 155 hearing instrument specialists throughout the Commonwealth. The Board received 1 new complaint this fiscal year and resolved 14 complaints from this and previous fiscal years. The Board suspended five licenses.

#### Creation of Board

G.L. chapter 13, sections 93 to 95

## **Rules and Regulations**

265 CMR 2.00-10.00

#### **Licensing Provisions**

G.L. chapter 112, sections 196 to 198

#### **Board Members**

Rudy Szady,
Chairman
Loleata Wigall,
Secretary
Donald Gross,
Member
Mark Battite,
Member
Elizabeth Campbell,
Member

# **Home Inspectors**

# The Board of Registration of Home Inspectors

The Board of Registration of Home Inspectors is charged with evaluating the qualifications of applicants for licensure and granting licenses to those who qualify. It establishes rules and regulations to ensure the integrity and competence of licensees. The Board promotes public welfare through regulation of the home inspectors in accordance with the state statutes and board regulations.

The Board is responsible for ensuring that licensed home inspectors have proper training and experience through an associates program and meet minimum inspection requirements in each inspection performed. Applicants are required to pass a board-approved examination prior to licensure and fulfill continuing education requirements for license renewal. In addition, the Board publishes a code of ethics for home inspectors.

Home Inspectors are required to carry a minimum of \$250,000 in insurance so that consumers will be able to seek compensation if they sustain losses that are a result of an inspector's error. In addition, real estate brokers are required to distribute a brochure produced by the Office of Consumer Affairs and Business Regulations about home inspections to homebuyers. They are prohibited from directly recommending a home inspector. Brokers may provide a list of licensed inspectors in the state upon request. This will help eliminate the conflict of interest that exists when a real estate broker recommends a specific home inspector.

# **Facts and Figures**

The Board of Registration of Home Inspectors licenses approximately 604 home inspectors throughout the Commonwealth. The Board received 52 new complaints this fiscal year and resolved 44 complaints from this and previous fiscal years.

# **Accomplishments**

The Board audited continuing education for licensees.

The Board held several public forums on the impending regulation changes.

#### Creation of Board

G.L. chapter 13, section 96

Rules and Regulations

266 CMR 1.00-11.00

Licensing Provisions

G.L. chapter 112, sections 222 to 226

#### **Board Members**

John Digby,
Chairman
Michael Mc Dowell,
Vice Chairman
Stephen Cook,
Member
Paul Cove,
Member
Edward Nuzzo,
Public Member

# **Landscape Architects**

# The Board of Registration of Landscape Architects

Landscape Architects provide services to consumers as defined by the statutes and described in the regulations. The Board of Registration of Landscape Architects protects the public through regulation of the practice and the title of Landscape Architect in the Commonwealth of Massachusetts in accordance with the statutes.

#### Creation of Board

G.L. chapter 13, sections 67 to 69

## **Rules and Regulations**

242 CMR 2.00-3.00

#### **Licensing Provisions**

G.L. chapter 112, sections 98 to 107

## **Board Members**

Marion Pressley, FASLA, Chair
Pam Shadley, ASLA,
Professional Member
Richard Anderson, ASLA,
Professional Member
Frank Fields,
Public Member

# **Facts and Figures**

The Board of Registration of Landscape Architects licenses approximately 801 landscape architects throughout the Commonwealth.

# **Accomplishments**

The Board revised and updated exam questions.

It also updated the information provided on the Web page to provide more information on the schedule and sequence for testing. This change was necessary because the national exam has established a new testing schedule that provides testing additional times during the year.

# **Optometrists**

# The Board of Registration of Optometry

Licensed doctors of optometry are independent primary health care providers who examine, diagnose, treat and manage diseases and disorders of the visual system, the eye and associated structures. The scope of optometric care ranges from vision testing and correction to diagnosing, managing and treating complex eye and vision problems such as glaucoma.

The Board of Registration in Optometry licenses all new optometrists, and renews licenses for established optometrists. The Board both proposes and reviews legislation, as well as new rules and regulations affecting the profession. It maintains high standards in the field and protects consumers by investigating and resolving complaints against optometrists. It also works to maintain the educational standards of the profession by reviewing and either approving or rejecting continuing education and postgraduate courses for Massachusetts licensees.

# **Facts and Figures**

The Board of Registration of Optometry licenses approximately 1,484 optometrists throughout the Commonwealth. The Board received 15 new complaints this fiscal year and resolved 8 complaints from this and previous fiscal years.

# Accomplishments

The Optometry Board is working with the Registry of Motor Vehicles (RMV) Medical Advisory Board. In doing so they will have input into the necessary eye testing for acquiring and renewing drivers' licenses.

Board members Richard Erickson, Neil Schramm, and Board Chair Bruce Rakusin were examiners in the clinical exam given by the National Board of Optometry.

#### Creation of Board

G.L. chapter 13, sections 16 to 18

**Rules and Regulations** 

246 CMR 1.00-3.00

#### **Licensing Provisions**

G.L. chapter 112, sections 66 to 73B

#### **Board Members**

Bruce L. Rakusin, O.D., Chairman

Linda Bennett, O.D., Member

Richard C. Erickson, O.D., Member

Scott D. Peterson, Esq., Public Member

Neil I. Schram, O.D., Member

# **Plumbers and Gas Fitters**

# The Board of State Examiners of Plumbers and Gas Fitters

Plumbers work with materials and fixtures used in the installation, removal, maintenance, extension, and alteration of plumbing systems for piped fixtures, fixed appliances, and accessories. They perform this work in connection with sanitary drainage, storm drainage, special waste, venting systems, and public or private water supply systems within or adjacent to a building or structure. Gas Fitters pipe fuel gases, low pressure or elevated, to appliances and accessories and insure the installation of vent piping for flue gases and makeup air. Licensed plumbers may also perform gas fitting.

The Board of Registration of Plumbers and Gas Fitters regulates these occupations in the Commonwealth of Massachusetts in accordance with the state laws and Board regulations. The Board promulgates the uniform state plumbing and gas fitting codes. It holds examinations and issues licenses for Journeyman and Master Plumbers, Journeyman and Master Gas Fitters, and Liquefied Petroleum Gas Installers (LP) and Limited Liquefied Petroleum Gas Installers (LTD). It registers apprentice Plumbers and Gas Fitters and issues corporate and partnership certificates for plumbing and gas. The Board holds public hearings for code amendments, grants variances, and approves dual and elevated gases and plumbing and gas products.

# Facts and Figures

The Board of Registration of Plumbers and Gas Fitters licenses approximately 26,534 plumbers and gas fitters throughout the Commonwealth. The Board received 158 new complaints this fiscal year and resolved 128 complaints from this and previous fiscal years.

# Accomplishments

The Board along with the Board's Counsel, Executive Director, Associate Executive Director, and with State Inspectors are working on an extensive set of code revisions. The purpose is to stay current with new systems, methods and materials used in the plumbing and gas industry. Also, many of these proposed changes have been generated through questions that have been received at the Board office and suggestions from the industry.

The Board, along with the Board's staff and the Division's MIS department and a committee set up through the Board Chairman, are working on implementing the continuing education program, which will be a requirement for all licensees.

## Creation of Board

G.L. chapter 13. sections 36 to 38

**Rules and Regulations** 

248 CMR 2.00-7.00-10.00

**Licensing Provisions** 

G.L. chapter 142, sections 1 to 22

#### **Board Members**

Paul Kennedy Sr.,
Chairman
Edward Cruz,
Journeyman Plumber
Bahig A. Kaldis,
Professional Engineer
Gail M. Barmakian,
Public Member
Howard S. Wensley,
Public Health Member
Joseph P Mc Namee,
Department of Public Saftey
Designee
Anthony Visco,
L.P. Gas Fitter

Aldo E Bertoni.

Master Plumber

# **Podiatrists**

# The Board of Registration of Podiatry

Podiatry deals with medical and surgical treatment of foot disorders. The Board of Registration in Podiatry evaluates the qualifications of applicants for licensure and grants licenses to those who qualify. It establishes rules and regulations to ensure the integrity and competence of licensed podiatrists. The Board promotes the public health, welfare and safety.

#### Creation of Board

G.L. chapter 13, sections 12A to 12C

#### Rules and Regulations

249 CMR 2.00-7.00

#### **Licensing Provisions**

G.L. chapter 112, sections 13 to 22

#### **Board Members**

Leroy J. Kelley, III, D.P.M., Chair

Raymond Murano, D.P.M., Secretary

Kenneth Leavitt, D.P.M., Member

David Campbell, M.D.,

Physician Member

# **Facts and Figures**

The Board of Registration of Podiatry licenses approximately 569 podiatrists throughout the Commonwealth. The Board received 22 new complaints this fiscal year and resolved 14 complaints from this and previous fiscal years.

# Recognition

#### **American Podiatric Society**

**Description of contribution:** Board Chair LeRoy Kelley was a speaker at the Massachusetts meeting celebrating the 100<sup>th</sup> anniversary of the American Podiatric Society, held in the same Park Plaza Grand Ballroom where they formerly met.

# **Psychologists**

# The Board of Registration of Psychologists

Psychologists provide mental health services to consumers, as well as teach and perform research. The Board of Registration of Psychologists licenses qualified people to practice psychology and regulates that practice in the Commonwealth of Massachusetts, as defined by the statutes and described in the regulations.

The Board protects the public health and welfare through regulation of the practice. It receives, investigates, and adjudicates complaints against licensed practitioners.

# **Facts and Figures**

The Board of Registration of Psychologists licenses approximately 5,183 psychologists throughout the Commonwealth. The Board received 58 new complaints this fiscal year and resolved 57 complaints from this and previous fiscal years.

# **Accomplishments**

The Board devoted considerable time and research developing ways in which to facilitate licensure for candidates from other states. After much discussion, the Board implemented a regulatory change in June 2006 which will facilitate licensure by reciprocity for candidates licensed in another jurisdiction for five or more years, who hold the Certificate of Professional Qualification in Psychology (CPQ) from the Association of State and Provincial Psychology Boards, or diploma from the American Board of Professional Psychology. In addition, the regulatory change will facilitate licensure and health service provider certification for candidates licensed in another jurisdiction for five or more years who are currently listed in the National Register of Health Service Providers in Psychology.

The Board, using the enhanced enforcement capabilities of M.G.L. ch. 65A, has diligently participated in the enforcement of M.G.L. ch. 112, s. 122 which prohibits the use of the title "psychologist" or the practice of psychology by those who are not currently licensed as psychologists. These enforcement activities include disciplinary action through the Division of Professional Licensure against individuals who violate this statute, as well as testimony in criminal proceedings.

The Board completed a random audit of continuing education compliance in 2006 during its renewal process.

# Recognition

The Board recognized outgoing Chair and Board member Richard Monahan, Ph.D., for his outstanding service and leadership during his tenure as a Board member.

## Creation of Board

G.L. chapter 13. sections 76 to 79

#### Rules and Regulations

251 CMR 1.00-4.00

#### Licensing Provisions

G.L. chapter 112, sections 118 to 129A

#### **Board Members**

John Stahl, Ph.D., Chair Carmen Brenes Jette, Ph.D, Vice Chair Sheila O'Keefe, Ed.D, Secretary Mary Walsh, Ph.D, Board Member John Baker, Ed.D, Board Member

Stuart Fisher, Ph.D,
Board Member
Ana Ortiz, Ph.D,
Board Member
Kevin Bulman,
Public Member

Continued

# http://www.mass.gov/dpl/boards/py

# **Psychologists**

#### **Awards**

**Karen Schwartz, Ph.D., Program Coordinator for the Board**, received the Ezra Saul Psychological Services Award from the Massachusetts Psychology Association in April 2006.

**Mary Walsh, Ph.D.**, received an honorary degree (Doctor of Science) from Clark University, in recognition of the critical connection between research and practice, which Dr. Walsh's work exemplifies.

# **Rules and Regulations**

The Board amended 251 CMR 3.10 to facilitate reciprocity for licensure applicants from other states.

# **Radio and Television Technicians**

# The Board of Registration of Radio and Television Technicians

Radio and television repair technicians must be licensed by the Commonwealth to perform repairs on radio and television equipment. The Board of Registration of Radio and Television Technicians protects the public through regulation of the trade and by providing a source of assistance to consumers who have complaints about repairs or service. The Board imposes high standards for quality and service on those technicians working in the field of radio and television repair.

#### Creation of Board

G.L. chapter 13, sections 61 to 63

#### **Rules and Regulations**

253 CMR 2.00

## **Licensing Provisions**

G.L. chapter 112, sections 87PPP-87VVV

#### **Board Members**

Robert Ayan,
Chairman
George Chalikis,
Vice Chairman
Rene Fagnant,
Secretary
Frank Serra,
Member

## **Facts and Figures**

The Board of Registration of Radio and TV Technicians licenses approximately 1,193 radio and TV technicians throughout the Commonwealth.

# **Accomplishments**

The Board implemented a new electronic examination.

The Board initiated visits to inspect business sites for licensure compliance after receiving several complaints that individuals were engaging in unlicensed practice.

# Recognition

Michael DeSesa, a longtime board member passed away. The Board wishes to recognize Michael for his service of over ten years to the Board of Radio and TV; he will be missed.

# **Real Estate Appraisers**

# The Board of Registration of Real Estate Appraisers

Real Estate Appraisers, through their contracts with clients, provide land and commercial and residential property appraisal services.

The Board of Registration of Real Estate Appraisers licenses qualified professional appraisers in compliance with the mandates of Title XI, of the Federal Financial Institution Reform, Recovery and Enforcement Act (FIRREA) of 1989. The Board insures the integrity of its licensees through fair and consistent enforcement of the statutes and regulations.

# **Facts and Figures**

The Board of Registration of Real Estate Appraisers licenses approximately 4,470 real estate appraisers throughout the Commonwealth. The Board received 32 new complaints and resolved 28 complaints from this and previous fiscal year.

# **Accomplishments**

The Board contracted for the examination vendor to provide a secure web site where imaged copies of appraiser work experience files are reviewed by the Board members. This is phase one of a plan that will eliminate huge volumes of paper files, as the Board reviews at least 5 appraisal reports each containing as many as 500 pages. This also makes the approval process much more accessible to the Board members who review the work of every applicant for licensure.

# Recognition

The Board has formed an advisory panel to assist Board staff and Board members.

Neal Fenochietti, Associate Director, was appointed to the State Regulator Board of the Appraisal Foundation, the Federal oversight authority of the Appraiser Board. This Board is made up of various representatives from around the country and helps the Appraisal Foundation and its various Boards understand the needs of the states and state regulators.

#### Creation of Board

G.L. chapter 13, section 92

**Rules and Regulations** 

264 CMR 1.00-12.00

**Licensing Provisions** 

G.L. chapter 112, sections 173-195

## **Board Members**

William Barney,
Chair, Banking Member
Michael P. Gianelli,
Certified Residential Member
Robert Reardon,
Certified General Manager
Phyllis A. Leonard
Licensed Real Estate Broker
William Johnson
Public Member
Dennis Smith
Public Member

# Real Estate Brokers and Salesmen

# The Board of Registration of Real Estate Brokers and Salesmen

Licensed real estate brokers and salespersons assist consumers wishing to purchase, sell, lease or exchange real property. This assistance encompasses a host of services, including evaluating property for basic valuations, negotiating purchase, sale or lease agreements, maintaining escrow accounts, and advertising.

The Real Estate Board licenses only those candidates who meet the statutory and regulatory requirements for real estate brokers and salespersons. In carrying out its mission, the Board regulates real estate schools and curriculum and contracts with a testing vendor to provide the agent examination. Of equal importance, the Board seeks to protect consumers by exercising its authority to discipline those real estate agents that violate licensing laws and regulations.

# **Facts and Figures**

The Board of Registration of Real Estate licenses approximately 84,046 real estate agents and brokers throughout the Commonwealth. The Board received 345 new complaints this fiscal year and resolved 300 complaints from this and previous fiscal years.

# **Accomplishments**

The Board began to audit the continuing education of licensed real estate agents. Specifically, the Board's Associate Director, Neal Fenochietti, developed the auditing process with input from the Executive Director, Joseph Autilio. Input was also sought from Board staff members and Neal worked with staff person Doris Lugo, who oversees and performs the daily implementation of the audit.

Where audits uncover failure to complete the requisite continuing education, resolution can involve formal adjudications or consent agreements imposing disciplinary action, particularly if the audit discovers untruthfulness in reporting completion of continuing education.

The Board was not in the position to conduct such audits until Doris Lugo was hired as a new staff person. The audits have sent a clear message to real estate agents that the Board is determined to ensure that agents satisfy the continuing education requirement. The audits have also been publicized by the Board's Executive Director in his articles for the professional realtor publication, <u>Baystate Realtor</u>.

## Creation of Board

G.L. chapter 13, sections 54 to 57

Rules and Regulations

254 CMR 2.00-7.00

#### Licensing Provisions

G.L. chapter 112, sections 87PP to 87DDD1/2

#### **Board Members**

Ann Blackham, Chairperson
L. Brad Hutchinson, Member
Frederick Koed, Public Member
Richard W. Neitz, Member

Alfred R. Razzaboni, Public Member

Continued

## Real Estate Brokers and Salesmen

The addition of Doris Lugo, a new real estate staff person for the real estate board, permitted the board to implement a process to verify the completion of the statutory work experience requirement for real estate salespersons. The board has observed that the written work experience documentation itself was sometimes riddled with inconsistencies as to work time, the current licensure status of salespersons and brokers and disclosed doubts about the ability of salespersons to work at all, given their inactive license status or that of their affiliated broker. The verification process also led to the development of a consent agreement resolution process that may require the surrender of a broker's license obtained by inadequate work experience preparation. It can also involve more formal disciplinary action. This board function has also been publicized by the Board's Executive Director through articles in the professional realtor publication <u>Baystate Realtor</u>.

# Recognition

#### Doris Lugo, Real Estate Board staff member,

#### **Description of contribution:**

Doris Lugo is recognized not only for her contribution to the Board's newly developed auditing functions but her initiative in learning the general board operations and eagerness in assisting the board staff in a variety of those functions. She is an excellent colleague and a great team member.

The Board recognizes the valuable contribution of its continuing education curriculum committee in revising and developing subject matter curriculum to implement the statutory requirement. The committee, appointed by the Board, consists of educators, members of the professional community and representatives from government.

The Board is indebted to the committee and would be unable to keep the continuing education curriculum vibrant and current without the committees' hard work.

# **Sanitarians**

# The Board of Registration of Sanitarians

Sanitarians administer environmental and health programs for both public and private agencies and organizations in food protection and safety, water quality, air quality, noise, industrial and land pollution, sewage disposal, hazardous and toxic substances, solid waste management, and institutional health.

The Board of Registration of Sanitarians protects the public health and welfare

through regulation of the profession in accordance with the state statutes and board regulations. The Board maintains a registration program for persons meeting the established educational, experience, and examination requirements. It determines eligibility for admission to the examination and conducts both written and oral exams. The Board maintains registration records, issues certificates of registration, holds meetings, adopts new regulations, and determines continuing education requirements. In enforcing the laws in the fields of environmental and public health, the Board is qualified to perform public health and environmental inspections and related administra-

ducts hearings, and takes disciplinary action when required.

**Facts and Figures** 

tive duties. The Board investigates reports of violations in rules and regulations, con-

The Board of Registration of Sanitarians licenses approximately 403 Sanitarians throughout the Commonwealth.

# Accomplishments

The Board drafted new rules and regulations to clarify existing regulations.

The Board has surveyed NEHA (National Environmental Health Association) for passing exam scores by state to determine if the Massachusetts pass rate is comparable to other states.

## Creation of Board

G.L. chapter 13, sections 51 to 53

Rules and Regulations

255 CMR 2.00-5.00

**Licensing Provisions** 

G.L. chapter 112, sections 87LL to 8700

**Board Members** 

**Jennifer Lamb-Sullivan**, Chair

> Gregory Erickson, Vice Chair Kim Foley,

Secretary

Vartkes K. Karaian, Member

**Dr. David Kaplan,**Member

Peter Mirandi, Member

# **Social Workers**

# The Board of Registration of Social Workers

Licensed Social Workers provide services to consumers as defined by the statutes and described in the regulations. Generally, social work professionals provide counseling to individuals, couples, families, and groups directed toward specific goals. They assist individuals or groups with difficult day-to-day problems, such as finding employment, locating sources of assistance, and organizing community groups to work on a specific problem.

The Board of Registration of Social Workers protects the public through regulation of the practice in the Commonwealth of Massachusetts. It determines eligibility for admission to examinations for social work, conducts examinations, and licenses qualified individuals at one of four levels of licensure (Licensed Independent Clinical Social Worker, LICSW; Licensed Certified Social Worker, LCSW; Licensed Social Worker, LSW; Licensed Social Work Associate, LSWA). The Board holds meetings, hears complaints, and takes action as required with the assistance of the Division's legal counsel and investigators.

# **Facts and Figures**

The Board of Registration of Social Workers licenses approximately 21,599 social workers throughout the Commonwealth. The Board received 76 new complaints this fiscal year and resolved 56 complaints from this and previous fiscal years.

# **Accomplishments**

The Board audited approximately 400 licensees for compliance with the continuing education requirements for the licensure cycle of 2002-2004. Those found to be non-compliant, approximately 30%, were assessed a fine and required to make up the outstanding CEUs. Audits are conducted by our vendor, ASWB, in cooperation with Board staff. Random audits will continue to be conducted on a bi-annual basis following the renewal date of October 1 of every even year.

The Board has been reviewing and discussing the current continuing education requirements, which went into effect October 2004, and require licensees to take only social work approved courses. The Board received feedback from the professional organization NASW, as well as individual licensees, regarding how the changes have affected licensees' ability to meet the continuing education requirements, while still taking courses appropriate to their specific practice. Following this feedback, the Board agreed that it was appropriate to consider a policy that would allow some continuing education to be within related fields. Board member Leticia Hermosa provided the Board with information on the approval standards of the American Nurses Credentialing Center and NASW researched standards for the American Psychological Association, and staff combined this information with standards for several other professions. A policy was then adopted allowing up to 25 % of the CE requirement to be met via a select few other professions. This Policy allows licensees to take courses that are relevant to their specific area of this multi-disciplinary profession.

Continued

#### Creation of Board

G.L. chapter 13, sections 80 to 84

**Rules and Regulations** 

258 CMR 1.00 to 31.00

## **Licensing Provisions**

G.L. chapter 112, sections 130 to 137

#### **Board Members**

Walter Stamper,
Chair
Mary Chin, LICSW
Continuing Education
Chairperson
Leticia Hermosa,
Vice Chair
Priscilla Lynch,
Public Member
Tamara Cadet, LICSW,
Member
Aida Bruns,
Public Member

# **Social Workers**

# Recognition

The Board said goodbye to longtime Board Educator, **Aida Bruns** in October 2005. Aida had been the Educator on the Board for over 15 years, and was instrumental in many regulatory changes made during her tenure. Aida served in many other professional arenas, including as a longtime professor in the BOW program at Bridgewater State College, where she was a driving force behind the start of their MSW program. Bridgewater's MSW program is just the second Master's level Social Work program provided at a State college in the Commonwealth.

#### **Awards**

Board Chair, **Walton Stamper**, was honored with the Jefferson Cup by the Association of Social Work Boards in recognition of his service on its finance committee. Chairman Stamper has also served as the Director at large for ASWB.

# **Rules and Regulations**

The Board adopted the CE Policy as was noted above, as well as a policy allowing for the provision of English as a Second Language accommodation for the licensure examination.

# **Veterinarians**

# The Board of Registration of Veterinary Medicine

Veterinarians generally diagnose, treat, and prescribe for disease, pain, or injury in animals. The Board of Registration in Veterinary Medicine licenses those applicants who have received a doctor's degree in veterinary medicine from an approved school and have passed the national exams and the state's jurisprudence exam with grades considered satisfactory by the Board.

The Board protects the public by monitoring the practices of the veterinarians it licenses to ensure that they practice according to the laws of Massachusetts and the Board's established standards and code of conduct. The Board works to recognize and address the needs and demands of the profession in a timely fashion.

# **Facts and Figures**

The Board of Registration of Veterinarians licenses approximately 2,605 veterinarians throughout the Commonwealth. The Board received 74 new complaints and resolved 73 complaints this fiscal year from this and previous fiscal years.

# **Accomplishments**

The final review of the new jurisprudence exam was approved November 2005 and distribution of the exam began.

A letter was sent to all Pet Shops (addressing issues and concerns the Board had regarding storage of large bottles of medication in pet shops) with specific clarification of the responsibilities for both the veterinarians and the pet shops.

# **Rules and Regulations**

The Board accepted a policy guideline entitled "Veterinary Practice of Out-of-State Veterinarians in the Commonwealth during a State of Emergency or Crisis".

#### Creation of Board

G.L chapter 13, sections 26 to 28

#### **Rules and Regulations**

256 CMR 2.00-10.00

## **Licensing Provisions**

G.L. chapter 112, sections 54 to 60

## **Board Members**

Robert Davis, DVM,
Chair
Steven Atwood, VMD,
Member
Edward Leonard, DVM,
Member
Edward Zullo, DVM,
Member
Trudy Lanman, Secretary

Public Member

# **Speech-Language Pathologists and Audiologists**

# The Board of Registration of Speech Language Pathology and Audiology

Speech-Language Pathologists screen, identify, assess and interpret, diagnose, rehabilitate, and work to prevent disorders of communication. These disorders can include articulation, fluency, voice, and language.

Audiologists work with peripheral and central audiological systems and vestibular dysfunction. Audiologists screen, identify, assess and interpret, diagnose, rehabilitate, and work to prevent communication disorders.

The Board of Registration in Speech-Language Pathology and Audiology works to license those applicants meeting its qualifications, to uphold standards within the professions, and to protect the health, safety, and welfare of the public.

# **Facts and Figures**

The Board of Registration of Speech Language and Audiologists licenses approximately 4,523 speech language and audiologists throughout the Commonwealth. The Board received four new complaints this fiscal year and resolved four complaints from this and previous fiscal years.

#### Creation of Board

G.L. chapter 13 sections 85 to 87

#### **Rules and Regulations**

260 CMR 1.00-10.00

#### Licensing Provisions

G.L. chapter 112, sections 138 to 147

## **Board Members**

Barbara A. Morris, M.A.,
CCC-A,
Chair
Michael L. Skrip, M.S.,
CCC-A, FAAA,
Secretary
Gregory L. Lof, Ph.D.,
CCC-SLP,
Member
Lenore Daniels-Miller, Sc.D.,
CCC-SLP,
Member
Holly Arsenault,

Public Member

# **Division of Professional Licensure**

# **Employees**



#### Administration

George K. Weber Director Charles Borstel Assistant to the Director Cheryl Yebba Executive Assistant Stephen Nemmers Deputy Director for Policy and Planning Deborah Milliken Administrative Services Coordinator Dalisna Noel Receptionist Christopher Breen External Affairs Intern

#### **Accounting Unit**

Susan Dolabany
Fiscal Services Manager
Wilma Kennon
Accountant
Mouna Khoukoz
Accountant
Rose Kottat
Accountant
Greg Hall
Mail Clerk

## **Computer Services**

Ken Peterson MIS Director Arthur Chidlovski Webmaster Julia Ruiz EDP Systems Operator Paul Squatrito EDP Systems Analyst Gerard Galvin Program Coordinator Steve Whittredge Network Coordinator George Ulrich Programmer Said Gusic Administrative Assistant Clementina Mazzotta Administrative Assistant

## Investigations

Jerry DeCristofaro Chief Investigator Christopher Carroll Assistant Chief Investigator Anne Driscoll Supervisor Kelly Puccio Supervisor Alan Van Tassel Supervisor Cheryl Yebba Administrative Services Coordinator Kristen Garfield Administrative Assistant Kerry McDermott Administrative Assistant

Investigators: John Bresnahan Joan Bristol Theresa Buckley Colleen Cotter Shawn Croke Ashley Dizel Dennis Driscoll Colleen Feeney Hubert Gray Gilbert Gallotto Christopher Lee David Medeiros Pamela Mogavero Joseph Moran James O'Connor Scott Padden Richard Paris Taylor Roth, Jr. Anne Marie Staunton Catherine Stec Paul Taylor Gary Williamson

#### Office of Legal Counsel

Kathe Mullally Chief Legal Counsel Alex Borre Board Counsel Sheila York Board Counsel Robert Horacek Board Counsel Tracey Lopes Board Counsel Irene Carr Hearings Counsel Annie Colleton Hearings Counsel Tesha Scolaro Hearings Counsel Maria Silva Paralegal

#### **Division of Professional Licensure**

#### Office of Prosecutions

George Weber Chief Prosecutor Leslie Alexander Prosecuting Counsel Charles Kilb Prosecuting Counsel Deborah Kravitz Prosecuting Counsel Jennifer Murphy Prosecuting Counsel James Read Prosecuting Counsel Amy Riordan Administrative Assistant Pasqua Scibelli Prosecuting Counsel Jessica Uhing-Luedde Prosecuting Counsel Anne Barry Prosecuting Counsel Karol Sierra-Yanez Administrative Assistant Interns: Joe Dean Seth Henderson

# **Boards of** Registration

#### Erin Lebel

Executive Director Allied Mental Health Professionals Dieticians and Nutritionists Engineers/Land Surveyors **Health Officers Psychologists** Social Workers Veterinarians Staff: Susan Coco Joe LaFrazia Patricia Murray

Karen Schwartz

#### Joseph Autilio

Executive Director Real Estate Brokers and Salespersons Real Estate Appraisers Staff: Gladys Clifton Colleen DiGirolamo Neil Fenochietti Amelia Halas Brian Tame Doris Lugo

#### **Richard Fredette**

Executive Director Electricians Staff: Frantzie Luc **Dolores Powers** Tamara Smith

Executive Director Allied Health Professionals Certified Public Accountants Chiropractors Optometrists **Podiatry** Speech Language/Pathology

Araceli Avila-Ging Ann Evans

Victoria Fernandes Deta Lawson

Michelina Martignetti Joanne Termine

Intern:

Shawn Croke

Chris Carroll

Clarise Spriggs

Jim Read

Jennifer Murphy

Staff:

#### Joseph Peluso

Executive Director Plumbers and Gas Fitters Staff: Ann Derousi Cynthia Johnson Norman St. Hilaire Lou Visco Sal Sansone

#### Helen Peveri

Executive Director Architects Cosmetologists Drinking Water Electrologists Embalmers and Funeral

Directors

Landscape Architects

Sanitarians Staff:

Colleen Cavanaugh Christine Garner Sandra Rodriguez Kim Scully John Doherty Amy Pierce

#### Zane Skerry

Executive Director Barbers Dispensing Opticians Hearing Instrument Specialists Radio and TV Repair

Staff: Paula King

Pride in Performance Winners for 2006

Alan VanTassel Investigations Arthur Chidlavski Computer Svcs Charles Borstel Administration Nominees

Investigations

Prosecutions Prosecutions Investigations Administration

# Division of Professional Licensure

General Information	(617)727-307
Boards of Registration	
Allied Health	727-3071
(Occupational Therapists and Assistance, Physical Therapists	
and Assistants, Athletic Trainers)	727-3080
Allied Mental Health	121-3000
(Mental Health Counselors, Marriage and Family Therapists,	
Rehabilitation Counselors and Educational Psychologists)	727-3072
Architects	727-367
Barbers	
Chiropractors	727-9940
Cosmetologists	121 7740
(Hairdressers, Aestheticians and Manicurists)	727-3073
Dietitians and Nutritionists	727-5339
Dispensing Opticians	727-1718
Operators of Drinking Water Facilities	727-9931
Electricians and Alarm Systems	727-9957
Electrologists Embalmers/Funeral Service	727-7737
	727-9957
Engineers and Land Surveyors	727-9925
Health Officers	727-5339
Hearing Instrument Specialists	727-4459
Home Inspectors	727-3072
Landscape Architects	727-3072
Optometrists	727-9952
Plumbers and Gas Fitters  Podiatrists	727-3093
	727-9925
Psychologists	727-1806
Public Accountants	727-4459
	727-2373
Real Estate Brokers and Salespersons	727-3055
Real Estate Appraisers	727-3072
Sanitarians	727-3072
Speech-Language/Audiology	727-3073
Social Workers	727-3080
Veterinarians	727 3000
Office of Investigations Boston	727-7406
	413-784-1152
Springfield	413-704-1132

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