

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF GENETIC COUNSELORS

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

Thursday, February 7, 2019

09:30 a.m.

**239 Causeway Street ~ 4th Floor ~ Room 421
Boston, Massachusetts 02114**

Agenda

Time	Item #	Item	Exhibits	Staff Contact
9:30 AM	I	Call to Order Determination of Quorum		Board Chair
	II	Approval of Agenda	Draft Agenda	Board Chair
	III	Approval of Minutes A. October 4, 2018 Minutes	Draft Minutes	Board Chair
	IV	Staff Action Policy A. Retirement Policy B. License reinstatement following discipline	Draft Policy	MS
	V	Operational A. ABMGG Verification 1-Acronym Verification 2-Test Process Verification	Verbal	RC
	VI	Investigations Triage(s): N/A Staff Assignment(s): N/A Complaint(s): A. GC-2018-0001: Victoria (Costello) Ellis (GC262) School: Sarah Lawrence College University of Connecticut Employer: Ambrey Genetics Attorney: N/A	Investigative Report	LSM

	VII	Flex Session A. Announcements B. Topics for next agenda	Verbal	MS/RC
	VIII	Executive Session: N/A The Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purposes of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against an individual. 1. Specifically, the Board will discuss and evaluate the necessity of modifying probation conditions for a Licensee. 2. Specifically, the Board will discuss complaints or charges brought against a Licensee or Licensees. 3. Finally, the Board will consider approving prior executive session minutes in accordance with M.G.L. ch.30A, § 22(a) for previous executive sessions of the Board. The Board will not reconvene in public session subsequent to the closed session(s).	N/A	N/A
	IX	65C Session: N/A	N/A	N/A
	X	Adjudicatory Session: N/A	N/A	N/A
	XI	Adjournment -next Board meeting scheduled for April 4, 2019.		Board Chair

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION IN GENETIC COUNSELORS

Board Meeting

February 7, 2019

239 Causeway Street, Boston, MA 02114

Room 421

MINUTES

Board Members Present: Kayla Sheets, GC, Genetic Counselor 4, Board Chair
Lauren Lichten, GC, Genetic Counselor 1, Board Vice Chair
Shelley McCormick, GC, Genetic Counselor 3, Board Secretary
Allison Cirino, GC, Genetic Counselor 2

Board Members Not Present: Jillian Fleming, Board Member, Public Member (Remote Participation)

Staff Present: Roberlyne Cherfils, Executive Director, Multi-Board, BHPL
Mary Strachan, Board Counsel, Office of the General Counsel, DPH
Lisa Seeley-Murphy, Compliance Officer
Jonane Nicolas, Office Support Specialist I, Multi-Board, BHPL

Ms. Cherfils introduced Allison Cirino as a new member.

I. Call to Order - Determination of Quorum

A quorum of the Board was present. Ms. Cherfils, Executive Director, called the meeting to order at 9:32 a.m.

II. Approval of the Agenda

DISCUSSION: Ms. Cherfils introduced the agenda, and there was a conflict of interest with Item IV. Ms. Lichten will recuse herself.

ACTION: Ms. Lichten made a motion to approve the agenda. Ms. Sheets seconded the motion. The motion passed unanimously.

Document: February 7, 2019 Board Meeting Agenda

III. Approval of Minutes

DISCUSSION: Ms. Strachan requested an edit on the following pages.

On page 2 of 8 under the discussion of Item IV_A. The second sentence was changed from “did not pass” to “did not pass the test.”

On page 3 of 8 of Item V. A. to change from “M.G.L.c 13 section “105” to “255.”

On Page 5 of 8 under discussion of Item VII. A, paragraph 15 to change from “bachelors Genetic Counseling program” to “Certificate program for undergraduate students.”

On page 6 of 8 of Item VII. C section 1, under discussion paragraph 3 to change from “statute” to “statutes”; on section 2, under discussion paragraph 4 to change from “issue” to “item”; on paragraph 16 to change from “It is possible that the Governor’s office will decide the Board member must recuse, but not guaranteed” to “if she felt she could remain unbiased despite knowing the person coming before the Board disclosure of imperance.”

ACTION: Ms. Sheets made a motion to approve the minutes with edits. Ms. McCormick seconded the motion. The motion passed unanimously.

Document: October 4, 2018 GC Board Meeting Minutes

IV. Staff Action Policy

A. Retirement Policy

DISCUSSION: Ms. Strachan explained to the Board members that when this Board and the other Boards within the Bureau of Health Professions Licensure updated their regulations, a new license status was approved, “License Retirement” status. On December 4, 2017, the GC Board members adopted a Bureau wide policy authorizing staff to process “Petitions for Retirement Status” from licensees on behalf of the Board if the petition met particular requirements, one of which was “the Licensee is over 50 years of age.” Subsequent to adoption and implementation, the requirements of the policy were re-visited and Board managers, staff and some Board members opined that no age requirement should be necessary.

ACTION: Ms. Sheets made a motion to adopt this amendment by deleting the age requirement. Ms. McCormick seconded the motion. The motion passed unanimously.

B. License Reinstatement Following License Discipline:

DISCUSSION: Ms. Strachan explained to the Board members that in 2012, prior Board members adopted this policy that sets out required documentation.

ACTION: Ms. Sheets made a motion to rescind this policy. Ms. Lichten seconded the motion. The motion passed unanimously.

Document: Memo

V. Operational

A. ABMGG Verification

1. Acronym Verification

DISCUSSION: Ms. Cherfils explained about the new Acronym Verification is known as ABMGG.

ACTION: No action taken

Document: Verbal Note

2. Test Process Verification

DISCUSSION: Ms. Cherfils gave an update on the Test Process Verification, that the result will be available at the testing center immediately. Ms. Lichten inquired if there was a way to notify the applicant about the change. Ms. Cherfils suggested that ABMGG should post a notification on their website.

ACTION: No action taken

Document: Verbal Note

Ms. Lichten left the room at 10:01.a.m.

VI. Investigations

Complaint(s)

A. GC-2018-0001: Victoria (Costello)

Ellis (GC262)

School: Sarah Lawrence College

University of Connecticut

Employer: Ambrey Genetics

Attorney: N/A

Licensee was not present

Ms. Seeley-Murphy presented her previously distributed complaint investigation report to Board members. She explained that the Licensee self-disclosed to the Board on September 4, 2018 she continued to practice as a Genetic Counselor after her GC license expired. She admitted that her GC license expired on 1/31/17 and she failed to renew it in a timely manner. She continued to practice until March 24, 2017 when she left her job in Massachusetts and moved to another jurisdiction. On September 4, 2018, the Licensee submitted a reactivation application form and disclosed the above.

DISCUSSION: Ms. Strachan advised Board members that Ms. Ellis's conduct violates state law (M.G.L.c. 112 sections 253, 257) and Board regulations at 270 CMR 3.06(1), and 270 CMR 4.03 (1)(i). Board counsel also reviewed precedent around unauthorized practice and noted that when the Board determined that a genetic counselor practiced without a license, the Board determined such conduct warrants disciplinary action by the Board in the form of a Reprimand. Counsel explained the different disciplinary actions available to the Board.

ACTION: Ms. Sheets made a motion to resolve the complaint by means of a Consent Agreement for Reprimand. Ms. Cirino seconded the motion. The motion passed unanimously.

Document: Investigative Report

Ms. Lichten entered the room at 10:17.a.m.

VII. Flex Session

A. Announcements

DISCUSSION: Ms. Cherfils mentioned that there were not any changes in the budget for this year. She also clarified that Ms. Lichten will be moving out-of-state, and she is looking to recruit a new Board Member to replace her seat.

ACTION: No action taken.

Document: None

B. Topics for Next Agenda

DISCUSSION: None

ACTION: None

Document: None

VII. Executive Session

At 10:30 a.m. Ms. Sheets announced that the Board will meet in Executive Session as authorized pursuant to M. G. L. c. 30A, section 21 (a) (1) for the purposes of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against an individual.

1. Specifically, the Board will discuss complaints or charges brought against a Licensee or Licensees.

2. Finally, the Board will consider approving prior executive session minutes in accordance with M.G.L. c 30A, section 22(a) for previous executive sessions of the Board.

XII. ADJOURNMENT

The next meeting of the Board of Registration of Genetic Counselors is scheduled for Thursday April 04, 2019 at 9:00 a.m. in Boston, MA.