

Board of Registration of Massage Therapy

JUNE 7, 2021, MEETING MINUTES

A posted public meeting of the Massachusetts Board of Registration in Massage Therapy (the Board) was held remotely via video and telephone conferencing pursuant to an Executive Order issued by the Governor of Massachusetts dated March 12, 2020, suspending certain provisions of the open meeting law.

Attending: Members: Paul Andrews/Chair, Alexei Levine/Vice Chair, Ellen Walker/Secretary, Sheri Miller-Bedau, Kimberlee Schuler, Pallas Hutchison

Members absent: None

Staff: Danielle O'Neil, Executive Director and Sheila York, Board Counsel

MT Public Meeting

Monday, June 7, 2021, 10:01AM-2:00PM

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

[+1 857-327-9245,129551138#](#) United States, Boston

Phone Conference ID: 129 551 138#

Meeting Called to Order

- Remote meeting procedures – Paul Andrews noted we had a quorum and confirmed quorum via roll call vote which showed the following members participating via remote means: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedau, Kimberly Schuler and Pallas Hutchison; Mr. Andrews called the meeting to order at 10:01am.

Board Meeting Business

- Review and Approve Public Minutes for 5.10.21 – Motion to approve 5.10.21 minutes as presented by Kimberlee Schuler; seconded by Ellen Walker;
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedau, Kimberlee Schuler, Pallas Hutchison
 - Members opposed: None; Motion passed
- Review and Approve Public Minutes for 5.24.21 – Motion to approve 5.24.21 minutes as presented by Kimberlee Schuler; seconded by Sheri Bedeau-Miller;
 - Paul Andrews held a roll call vote.

- Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedeau, Kimberlee Schuler, Pallas Hutchison
 - Members opposed: None; Motion passed
- In person meeting schedule – Paul Andrews reviewed in person meeting and procedures; July 12, 2021, meeting will be in person; potentially June 21, 2021, meeting will be in person as well – there may not be a quorum at June 21 meeting if held in person, in which case meeting will be canceled.
- Sub-committee on Applications – Paul Andrews updated the Board that the subcommittee reviewed and provided guidance to staff on the following applications:
 - 2021-81-MT-MT-APP [Min Lu]
 - 2021-34-MT-MT-APP [Allison Gorham]
 - 2021-83-MT-MT-APP [Priscilla Wilson]
 - 2021-4-MT-MT-APP [Kathleen Potts]
 - 2021-95-MT-MT-APP [William Frazee]
 - 2812-MT-MT – Reinstatement [Michael Stohn]
- Review Regulation and Proposed Changes: Paul Andrews and Sheila York reviewed the updated version of the proposed regulations with the Board. Alexei Levine stated that schools need to be held accountable, but raised concerns about the proposed testing requirement, noting the additional cost it will impose on graduating students and the difficulty with ensuring a reliable standardized test in massage education. Pallas Hutchison stated that there is a need to ensure that schools are properly educating students. Ellen Walker commented that testing for licensing is important. Kimberly Schuler stated that she would like to see a clinical component to the licensing test.
- After further discussion, Alexei Levine moved to approve the updated version of the proposed regulations; seconded by Sheri Bedeau-Miller;
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedeau, Kimberlee Schuler, Pallas Hutchison
 - Members opposed: None; Motion passed

Board Counsel Report

- Policy on Distance based learning – Passed in May; Reviewed again at today’s meeting due to a potential issue with the public link to last month’s meeting.
- COVID Remote School Hours Policy – Board discussed that this policy would be replaced by the Board’s policy on distance based learning.
- Motion to approve Policy on Distance-Based learning and to allow COVID Remote School Hours Policy to sunset at end of August 2021 by Paul Andrews; seconded by Alexei Levine
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedeau, Kimberlee Schuler, Pallas Hutchison
 - Members opposed: None; Motion passed
- Sheila York reviewed processes, open meeting requirements, conflict of interest issues and ethics law requirements, and roles for Board members, new and existing.

Discussion

- FSMTB Resolutions – The MA MT Board is a voting member and now is the time to submit any resolutions.

Curriculum Review Renewal

- Jupiter Academy – Board requested that this school be invited in to answer questions;
- Mildred Elley – Table for next month due to lack of information
- Spa Tech – Motion to approve by Alexei Levine; seconded by Sheri Bedeau-Miller
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedeau, Kimberlee Schuler, Pallas Hutchison
 - Members opposed: None; Motion passed
- Elizabeth Grady – Table for next month due to lack of information

New Business/ Open session for topics *(not reasonably anticipated by chair 48 hours in advance of meeting)*

Executive Session: 11:36am The Chair noted that the next topic was appropriate for discussion in executive session pursuant to G. L. c. 30A, §21(a)(1) to discuss the character rather than competence of an applicant, and G. L. c. 30A, §21(a)(7), to comply with the public record law pursuant to G. L. c. 66, § 10; G. L. c. 4 § 7, ¶26(a) and to preserve statutorily protected information. G. L. c. 6, § 172.

Motion to move in to Executive Session by Ellen Walker; seconded by Kimberlee Schuler

- Paul Andrews held a roll call vote.
- Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedeau, Kimberlee Schuler, Pallas Hutchison
- Members opposed: None; Motion passed

The Chair anticipated that Executive session would last for approximately 30 minutes and stated that there were no further items to be discussed in open session. He did not anticipate public session resuming after the executive and closed session matters.

12:13pm Break for 10 minutes

Investigative Conference Closed Session *[Closed session pursuant to G.L. c. 112, §65C]:*

During the closed conference, the Board took the following actions:

- 20-001018-IT-ENF – Refer to Prosecutions;
- 2020-000267-IT-ENF – Refer to Prosecutions. And requested that staff add to next month's agenda the topic of fire cupping;
- 2021-000186-IT-ENF – Dismiss with Advisory Letter;
- 2021-000220-IT-ENF– Refer to Prosecutions
- 2020-000210-IT-ENF – Dismissed
- 2020-000133-IT-ENF – Dismissed. Alexei Levine recused.
- 2020-000050-IT-ENF –Refer to prosecutions

- 2020-001413-IT-ENF – Reconsidered prior vote and referred to prosecutions.

Settlement Discussion

- 2019-000300-IT-ENF [Zeel Networks] – Dismissed with advisory letter.

Adjudicatory Session /Closed session pursuant to G. L. c. 30A, § 18, ¶ 5(d):

- 2020-001232-IT-ENF [Shujuan Bian] – Deliberated on Final decision after adjudicatory hearing.

Motion to leave closed sessions and adjourn meeting. So moved by Ellen Walker; seconded by Kimberlee Schuler

- Paul Andrews held a roll call vote.
- Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedeau, Kimberlee Schuler, Pallas Hutchison
- Members opposed: None; Motion passed

Adjourn at 2:00PM

Respectfully submitted,

Ellen Walker
Board Secretary

List of Documents used in Public Session:

Draft minutes of 5/10/21 meeting
Draft minutes of 5/24/21 meeting
Board proposed regulation changes, dated 6/6/21
FSTMB Policy on Resolutions
Applications for Curriculum Approval:

- Jupiter Beauty Application Program Outline
- Mildred Elley – Table for next month due to lack of information
- Spa Tech – Motion to approve by Alexei Levine; seconded by Sheri Bedeau-