

**Board of Registration of Massage Therapy  
September 9, 2019 Public Session Meeting Minutes  
Location: 1000 Washington St., Boston, MA 02118, Room 1D  
Public Session Minutes**

**Present:**

**Board members:**

Saskia Coté, Vice Chair  
Alexei Levine, Board Member  
Mindy Ruddock, Board Member  
Paul Andrews, Board Vice Chair

**DPL Staff:**

Ana Garcia, Executive Director  
Peter Kelley, Board Counsel  
Lauren McShane, Assistant Chief of OI  
Chris Lee, Investigator  
Liam Powers, Investigator  
Brian Cullen, Investigator

**Board Members Not Present:**

Ann Marie Kennedy, Board Member  
Ellen Walker, Board Member

**Item 1) 10:10 a.m.    Meeting called to order:**

- **Housekeeping and Evacuation Procedure:** Executive Director Garcia detailed the evacuation plan to be followed in the event of an emergency. Do not use the elevators, exit down the stairwell and go across Harrison St. to Whole Foods parking lot.

**Item 2) 10:11a.m.    Board Meeting Business:**

- **Public Minutes- August 12, 2019- *tabled from September***-Motion made by Mr. Andrews to approve the Public session minutes for August 12, 2019 as presented. Seconded by Ms. Ruddock. The motion passed unanimously.
- **Public Minutes-September 9, 2019-** Motion made by Mr. Andrews to approve the Public session minutes for September 12, 2019 as amended. Seconded by Ms. Ruddock. The motion passed unanimously.

**Item 3) 10:10 a.m.    Board Counsel Report:**

- Board counsel reported new charge for board to review regulations. There were (3) points in which counsel advised that board that has been in discussion for a while (Continuing Education, Examination, and School Regulations). Counsel reminded board that CE regulations had already previously been drafted and that it would be fairly easy for the board to revisit and make any relevant amendments. All three would need public hearings to gather public commentary prior to submission for approval.

**Item 4) 10:15 a.m.    Executive Director Report:**

- Executive Director informed the board of paperless initiative across the agency to make applications and renewal completely paperless and online. Outreach to the MA licensed schools would have to be conducted in order for new applicants to be made aware of changes.

The Board expressed concerns regarding transcript submission via online and would prefer to have a concrete plan to accept electronic submission of e-transcripts. Executive Director will follow up with the manager for E-Licensing regarding their concerns prior to implementation.

*At 10:25 a.m. Mr. Levine recused himself from the meeting for the next discussion item.*

Item 5) 10:25 a.m. Curriculum Review:

- Shang Shung change in curriculum- *tabled for November due lack of quorum.*

*At 10:27 a.m. Mr. Levine returned to the meeting for application reviews.*

Item 6) 10: 27 a.m. Application Review:

- **2019-452-MT-MT-APP [SB]-** Board reviewed application submitted for Initial Licensure as a Massage Therapist for 2019-452-MT-MT-APP. Applicant was unable to provide the MA Board with course descriptions for courses being claimed, as school had been closed and the repository submitted a letter indicating that descriptions were not available since the school closed. There was one course named “Allied Modalities” in which was unclear as to which modalities were being taught and how many hours were designated to the total amount of hours completed.

Board did discuss that school had been accredited and given the applicant extensive history of field experience and being licensed in another jurisdiction without discipline, would be sufficient to allow the application to move forward.

Motion made by Mr. Levine to allow the application to move forward without course description for Allied Modalities. Seconded by Ms. Ruddock. The motion passed unanimously.

Item 7) 10:30 a.m. Compliance Monitoring:

- **2019-000320-IT-ENF [SG]-** Review and Approval of Proposed Compliance Monitors:

Board reviewed list of proposed monitors submitted to comply with the current consent agreement.

Motion made by Ms. Côté to approve Ms. Donna Liberman as practice monitor to comply with the consent agreement for 2019-000320-IT-ENF. Seconded by Mr. Andrews. The motion passed unanimously.

- **20151214AH018-IT-ENF [SKMM]-** Request to Petition Revocation:

Board reviewed and discussed a petition submitted by SKMM to petition Revocation status and reinstate license.

Board counsel reminded members that the Revocation was a Final Decision & Order by Default and that it would be recommended to have the individual appear before the board.

Motion made by Mr. Andrews to table 20151214AH018-IT-ENF Petition and to invite for the November 18, 2019 and appear before the board. Seconded by Ms. Ruddock. The motion passed unanimously.

**10:37a.m. Motion made by Mr. Andrews enter closed session for the purpose of conducting investigatory conferences [closed pursuant MGL. C. 112 §65C], Deliberative Session [closed session pursuant to G.L. c. 30A, §18,(5)(d)] and Settlement Conferences [closed session pursuant to MGL c. 112, §65C]. Seconded by Ms. Ruddock. After a roll call vote, all “yes.” The motion passed unanimously.**

**Item 8) 10:34 a.m. Investigative Conference: Review Cases:** [closed session pursuant to MGL. C. 112 §65C]

During investigatory conference, the Board took the following action:

*10:37 a.m. Saskia recused herself from the room.*

- 2018-001081-IT-ENF [AD]-Table for Nov.

*10:39 a.m. Ms. Côté returned to the meeting.*

- 2019-000604-IT-ENF [SJT]-Dismissed w/o prejudice
- 2019-000603-IT-ENF [JMZ]-Table for Nov.
- 2019-001136-IT-ENF [MC]- Table for Nov.
- 2019-000708-IT-ENF [EM]-Table Nov. & Dec
- 2019-000632-IT-ENF [XJW]- Dismissed w/o prejudice
- 2019-000038-IT-ENF [LZ]- Fwd to Pros
- 2019-000672-IT-ENF [MXJ]-Fwd to Pros
- 2019-000388-IT-ENF [LX]- Fwd to Pros and open new complaint

**Item 9) 12:45 p.m. Investigative Conference: Appeal Cases:** [closed session pursuant to MGL. C. 112 §65C]

During investigatory conference, the Board took the following action:

- 2019-207058-FI-ENF [MU]- **Remove violation for uncooperativeness and alias names. Uphold remaining violations.**
- 2019-207077-FI-ENF- **Remove violation for uncooperativeness and alias names. Uphold remaining violations.**

**Item 10) 1:15 p.m. Final Decision & Order:** [*Deliberative Session: closed session pursuant to G.L. c. 30A, §18,(5)(d)*]

The board reviewed cases in closed session to conduct quasi-judicial deliberations.

At the end of the discussion, the closed session resumed.

**1:46 p.m. Mr. Andrews motion to exit closed session and enter open session. Ms. Ruddock seconded. The motion passed unanimously.**

**Item 11) 10:42 a.m. New Business:**

- Board discussed sending correspondence to FSMTMB regarding creation of a centralized data base listing information regarding all approved or non-approved massage schools in each state. Ideally, this would be a centralized hub for state boards to obtain more information on schools not regulated within their states. This would provide information on any disciplinary actions, compliance issues or even revocation of a school approval.
- Board chair requested to add discussion of CEUs for the next meeting agenda.

**Item 12) 1:53 p.m. Adjournment:**

Mr. Levine made a motion to adjourn. Ms. Ruddock seconded. The motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ana Garcia". The signature is stylized with a large, circular initial "A" and a cursive "Garcia".

Ana Garcia  
Executive Director