

**Massachusetts State Athletic Commission
MONTHLY BOARD MEETING**

1000 Washington Street, Boston MA 02118

PUBLIC MINUTES

Date: January 29, 2018

Location: Rm. 1D

Time: 11:00 AM

COMMISSION MEMBERS PRESENT: STAFF MEMBERS PRESENT:

Acting Chair Commissioner Charles Borstel	Natasha Belizaire, Executive Director of Licensing
Commissioner Paul Karger	Kevin Scanlon, Chief Legal Counsel
Commissioner Rod Walkey	Wilfrid St-Hilaire, Compliance Officer III
	Jennifer Fraga, Program Coordinator II

COMMISSION MEMBERS NOT PRESENT:

Chair Matthew LeBretton
Commissioner Patrick Bradley

MSAC STAFF NOT PRESENT:

Guy Licciardi, Compliance Officer III

GUESTS PRESENT:

Michael Polvere, Mixed Martial Arts Matchmaker
Kevin MacDonald, Mixed Martial Arts Referee
Dr. Edgar Ballenas, MSAC Ringside Physician
James Perella, President of USA Boxing New England
Dan Fitzgerald, Former MSAC Chair
Robert Russo, Director of the Golden Gloves
Dr. Peter Warinner, Chair of the Medical Advisory Board

Chair LeBretton was not present therefore a motion was made by Commissioner Karger to have Commissioner Borstel act as chair, seconded by Commissioner Walkey. Motion was passed by unanimous vote.

Meeting called to order by Acting Chair Charles Borstel at 11:08 AM

1. Roll call

Acting Chair Charles Borstel, Commissioner Division of Professional Licensure
Rod Walkey, Commissioner
Paul Karger, Commissioner
Wilfrid St-Hilaire, Compliance Officer III
Natasha Belizaire, Executive Director of Licensing
Kevin Scanlon, Chief Legal Counsel
Jennifer Fraga, Program Coordinator II
Dr. Peter Warinner, Chair of the Medical Advisory Board

James Perella, President of USA Boxing New England
Dan Fitzgerald, Former MSAC Chair
Dr. Edgar Ballenas, MSAC Ringside Physician
Robert Russo, Director of the Golden Gloves
Michael Polvere, Mixed Martial Arts Matchmaker
Kevin MacDonald, Mixed Martial Arts Referee

2. Approval of minutes from December 18, 2017

A motion was made by Commissioner Karger to approve the minutes from December 18, 2017, seconded by Commissioner Walkey. Motion was passed by unanimous vote.

3. Approval of minutes from January 16, 2018

A motion was made to table the review of the minutes by Commissioner Karger, seconded by Commissioner Walkey. Motion was passed by unanimous vote.

4. Update on USA Boxing New England variance from all medical requirements/ CT/MRI pursuant to 523 CMR 6.02

Dr. Peter Warriner, Chair of the Medical Advisory Board reported that a resolution between himself and Dr. Light from USA Boxing has been achieved. The resolution of an “informed consent” was agreed upon as opposed to a requirement for all amateur unarmed combatants to abstain from having a brain CT or brain MRI. It was also agreed that for amateur boxing; since there are mechanisms in place during a match to “stop” the spread of bodily fluids (blood), blood tests would not be required as well as the EKG and eye exam. However, Dr. Warinner stated that these general medical requirements will be reviewed and language will be created and presented to the board after the next meeting of the Medical Advisory Board. The board received the report from Dr. Warinner and asked board counsel for recommendation.

Board counsel recommended that the previously set variance for unarmed amateur combatants from the brain CT/MRI requirement and the variance set for amateur boxers from all medical requirements except the physical remain in effect for an additional 90-day period. Counsel advised the board that any regulation change can take up to 6 – 9 months or longer.

A motion was made by Commissioner Karger to extend the variance an additional 90 days, seconded by Commissioner Walkey. Motion was passed by unanimous vote.

5. Update on promoter email

MSAC staff presented an email from a promoter highlighting 3 major points of concern when running a show here in Massachusetts.

- Licensing corners at weigh-in

Presently licensing for seconds must be completed prior to the weigh-in. There is no licensing performed at the weigh-in. MSAC staff reviewed the challenges of the promoter to license seconds in advance of the weigh-in; specific to fighters do not always have seconds picked to work their match and seconds traveling from out of town/state appreciate the convenience of licensing at the weigh-in as this is industry practice within other commissions.

- Amateur mixed martial arts fighter medical requirements

This item is under discussion within agenda item 4.

- Licensing process

MSAC staff reviewed the 7-day deadline as stated in 523 CMR, section 10.11 and its challenges for the promoters/fighters versus the MSAC program's processes.

Guest licensed matchmaker, Michael Polvere shared his agreement in licensing seconds at the weigh-in by the same reasoning as provided within the promoter email.

After discussion regarding balance/middle ground between the promoters challenges and the MSAC program's procedures, Commissioner Walkey asked that MSAC staff with the guidance of legal to suggest a balance or some variance of middle ground to ensure efficiency and fighter safety. In addition MSAC staff was asked to reach out to other commissions to inquire about their policies and practices.

Guest ringside physician Dr. Edgar Ballenas brought awareness to the board that MSAC does not share nor request medical documents with other commissions. He expressed his concern that this is industry practice. He also suggested that a waiver be included in the fighter application releasing MSAC to share medicals. In addition, Dr. Ballenas asked the board to consider performing the pre-fight medical evaluations at weigh-in in the interest and wellbeing of the fighter.

The Medical Advisory Board will add this issue as an agenda item at their next meeting per Dr. Peter Warinner.

Guest former MSAC chair Dan Fitzgerald also agreed with Dr. Ballenas.

A motion was made by Commissioner Karger to task the Medical Advisory Board with researching whether or not it's in the best interest of the fighter to have their pre-fight medical evaluations performed at weigh-ins, seconded by Commissioner Walkey. Motion was passed by unanimous vote.

A motion was made by Commissioner Karger to task MSAC staff to look deeper into finding a compromise between the promoter challenges/request and the MSAC program's procedures, seconded by Commission Walkey. Motion was passed by unanimous vote.

6. Licensing and registration no later than 7 days, "just cause" definition

The board along with guest matchmaker Michael Polvere and MSAC staff discussed what the possible definition for what "just cause" is and discussed possible examples of what can occur in the industry.

Counsel recommended that the board provide factors in order for an issue to be considered "just cause" as the term "just cause" was put vaguely into the regulation for a reason. MSAC staff was asked to present some general guidelines to determine "just cause" at the next meeting. At that

time, the board will delegate to whom will decide if matters looking to be considered “just cause” can be given deadline extensions.

Dr. Warinner addressed the board about the pre-fight medical evaluations that were performed the morning of fight night when historically they were performed at the weigh-in. MSAC staff explained that the pre-fight medical evaluations were done the same way all events were handled, and UFC had no objection and the pay was set by the UFC. After further discussion regarding pre medical evaluations; Natasha Belizaire, Executive Director of Licensing stated that there is in fact room within the regulations to conduct these exams at weigh-ins. This will further be discussed after the recommendation of the Medical Advisory Board.

7. 2017 MSAC event revenue

Taxes (Boxer’s fund, gate, broadcasting)

Licensing fees

Number of shows

MSAC staff reported documentation on the 2017 Revenue, the total licensing fees, and the number of shows in 2017 to the board. The board asked that this information be presented yearly.

8. Closed Session pursuant to G.L. c. 112 §65C

Item moved to follow item 11 on the agenda

9. UFC update

Revenue (tax, ticket sales, etc.)

Unified rules of MMA

Ratification of increase of officials pay

MSAC staff presented documentation of the revenue generated from the UFC event on January 20, 2018.

Natasha Belizaire, Executive Director of Licensing notified the board of an issue that occurred at the UFC event on January 20, 2018 regarding the unified rules for MMA on whether or not MSAC acknowledges them. Within 523 CMR, section 16.03; we do defer to them. This issue did not adversely affect the fighters or the decisions made

Kevin MacDonald, Mixed Martial Arts Referee clarified for the board a more recent change in one of the rules regarding what determines a grounded opponent.

Matchmaker, Michael Polvere expressed his concern of how important it is for everyone to be on the same page when it comes to the unified rules and its relevance to fighter safety and the outcome of matches won and lost.

Natasha Belizaire, Executive Director of Licensing updated the board on the increase in officials pay per the UFC and the ratification of those fees.

A motion was made by Commissioner Karger to accept the ratification of the official’s pay schedule (doctors, referees, and judges), seconded by Commissioner Walkey. Motion was passed by unanimous vote.

10. Upcoming event schedule

MSAC staff presented the upcoming event schedule to the board.

11. Scheduling board meeting schedule

MSAC staff presented the upcoming board schedule. An email will be sent out with date proposals for meetings that could not be scheduled on the third Monday of the month within 2018.

A motion was made by Commissioner Karger to accept Springfield as the May 21, 2018 meeting location, seconded by Commissioner Walkey. Motion was passed by unanimous vote.

8. Closed Session pursuant to G.L. c. 112 §65C

The meeting session was closed at 12:30pm.

The meeting session opened up at 12:57pm.

12. Matters not reasonably anticipated 48 hours in advance of meeting

N/A

Commissioner Karger made a motion to adjourn, seconded by Commissioner Walkey. Motion was passed by unanimous vote.

The meeting adjourned at 1:03pm