

Board of Registration of Massage Therapy

NOVEMBER 8, 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 Chapter 20 of the Acts of 2021: *An Act Extending Certain COVID-19 Measures Adopted during the State of Emergency*, which was signed into law on June 16, 2021.

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

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

MT Public Meeting

Monday, November 8, 2021, 10:00AM-12:02PM

Microsoft Teams meeting

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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, Pallas Hutchison, Sheri Miller-Bedau, Kimberlee Schuler; Paul Andrews called the meeting to order at 10:00am.

Board Meeting Business

- Review and Approve Public Minutes for October 18, 2021 – Motion to accept minutes as amended by Paul Andrews; So Moved by Pallas Hutchison; seconded by Kimberlee Schuler
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Pallas Hutchison, Sheri Miller-Bedau, Kimberlee Schuler
 - Members opposed: None
- Review and Approve Executive Minutes for October 18, 2021 – Motion to accept as presented by Paul Andrews; So Moved by Kimberlee Schuler; seconded by Pallas Hutchison
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Pallas Hutchison, Sheri Miller-Bedau, Kimberlee Schuler
 - Members opposed: None

- Compliance Plan Template – The Board noted a few spelling and spacing changes for the form. The Board discussed required distances to sink and other physical space regulatory requirements. Sheila York stated this will be on agenda for next month; Staff will add template floorplan for establishment to next month's board materials.
- Updated General Inspection Report Form – Few minor suggestions and edits were made; So Moved by Paul Andrews to approve with amendments; seconded by Ellen Walker.
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Pallas Hutchison, Sheri Miller-Bedau, Kimberlee Schuler
 - Members opposed: None

Board Counsel Report

- Regulation Update – not received. There was no update to provide.

Discussion

- FSMTB Annual Report – received

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

10:20AM Motion by Paul Andrews to move to Executive Session followed by a Closed Session; So

Moved by Pallas Hutchison; Seconded by Kimberlee Schuler

- Paul Andrews held a roll call vote.
- Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Pallas Hutchison, Sheri Miller-Bedau, Kimberlee Schuler
- Members opposed: None
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Application Review:

- 021-294-MT-MT-APP [Jun, Han]
- 2021-278-MT-MT-APP [Tao, Zhai]
- 2021-80-MT-MM-APP [Ming Ying Wang]

Motion to move into Executive Session at 10:29 am; pursuant to G. L. c. 30A, §21(a)(1) to discuss the good moral characters of applicants, and (7) to comply with the public record law pursuant to G. L. c. 66, § 10; to preserve the confidentiality of highly personal information G. L. c. 4 § 7, ¶ 26(c) So Moved Paul Andrews; Seconded Pallas Hutchison,

- Paul Andrews held a roll call vote.
- Members in favor: Paul Andrews, Ellen Walker, Pallas Hutchison, Kimberlee Schuler; Alexei Levine;
- Members opposed: None. Motion passed
- The Chair estimated that Executive session would take 30 minutes, and afterwards the Board would go into closed 65C session and closed quasi-judicial session.

There were no further items for discussion in public session and therefore public session would not resume.

2020-204-MT-MT-APP {Xiaoyun Hu} - Closed

The Board went into closed conference after executive session.

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

Report of Actions taken in closed 65C session and quasi judicial session:

Settlement Conference

- 2021-000501-IT-ENF [Crescent Moon] – Discussed settlement terms with prosecutor.
- 2021-000632-IT-ENF [ZiaoChun Xu] - Discussed settlement terms with prosecutor.
- 2020-000267-IT-ENF [Phuong Tran] - Discussed settlement terms with prosecutor.
- 2021-000116-IT-ENF [Mikkie Harevy] - Discussed settlement terms with prosecutor.
- 2020-001148-IT-ENF [Chunmei Qin] - Discussed settlement terms with prosecutor.

Investigative Conference

- 2021-000838-IT-ENF {Jade Spa} – Referred to prosecutions.
- 2021-000749-IT-ENF {Jiexia Yu} – Referred to prosecutions.
- 2021-000623-IT-ENF {King Spa} – Molly –Referred to prosecutions.

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

2019-000968-MT-MT-APP [Blane Allen] – Board voted to adopt hearing officer's tentative decision as final decision and impose sanction of revocation.

- Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Pallas Hutchison, Sheri Miller-Bedau, Kimberlee Schuler
 - Members opposed: None
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- 2020-000390-IT-ENF [Qiuyuan Tian] Spa Anan – Board voted to adopt hearing officer's tentative decision as final decision and impose sanction of revocation. So Moved by Kimberlee Schuler; Seconded by Pallas Hutchison
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Pallas Hutchison, Sheri Miller-Bedau, Kimberlee Schuler
 - Members opposed: None

Motion to adjourn by Paul Andrews; So Moved by Alexei Levine; Seconded by Sheri Miller-Bedau,

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

Adjourn at 12:02PM

Respectfully submitted,

Ellen Walker

Board Secretary

List of Documents used in Public Session:

Draft Minutes of 10/18/2021 Public Meeting

Compliance Plan Template

Updated General Inspection Report Form

FSMTB Annual Report