

Board of Registration of Massage Therapy

DECEMBER 13, 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, Kimberlee Schuler, Pallas Hutchison, Sheri Miller-Bedau
Staff: Danielle O'Neil and Caitriona Taylor, Executive Director and Sheila York, Board Counsel

MT Public Meeting
Monday, December 13, 2021, 10:00AM-12:44PM

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, Kimberlee Schuler, Sheri Miller-Bedau; Paul Andrews called the meeting to order at 10:00am.
- Introduction of new Executive Director Caitriona Taylor

Board Meeting Business

- Review and Approval of Minutes for November 8, 2021 tabled until next meeting.
- Compliance Plan Template –The Board reviewed the Compliance Plan template and the discussion ended with request to send contributions over the new few weeks to both Danielle O'Neil and Caitriona Taylor.
- Application Process – the Board has moved to online process with minimal US Mail requests; process time is a few weeks if all required data is received; discussions centered around distance from table to sink for hand wash, 10

feet/door to door; solo establishments are going mobile how does this impact regs; remove latex or add other types such as nitril; suggestions to have all schools submit PDF transcripts directly to schools for security reasons; create FAQ sheet; suggestions included a video information presentation; webinar is a great idea, renewal fee not clear (massagethereapy@mass.gov)

Board Counsel Report

- Regulation Review – Sheila York stated no proposed changes were received from the Division of Occupational Licensure’s General Counsel; The agency will submit the required forms and proposed regulations for review by OCA/HED and Administration and Finance. The Board will be notified when approval is received to schedule formal public hearing on proposed regulations.

Compliance Monitoring

- 2020-000432-CP-ENF [Eric D’Errico] – D’Errico requested he come off probation; Motion by Paul Andrews to accept submitted CEU’s and remove D’Errico from probation by asking him to attend meeting next month.

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

- Public attendee C. Allen stated he was told his application needed review, but had not been invited to a meeting; He had a quick question – regarding his work history. Staff stated the he had been added to subcommittee agenda; Paul Andrews explained procedure for the current meeting and stated C. Allen would hear from the Executive Director regarding subcommittee review.

Break 10:45-11:00am

Executive Session Conference

Motion to move into Executive Session at 11:00 am pursuant to G. L. c. 30A, §21(a)(1) to review an applicant’s good moral character and (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 the confidentiality protections of criminal record information. G. L. c. 6, § 172.]; So Moved Kimberlee Schuler; Seconded Sheri Miller-Bedau,

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

The Chair noted that the Board had no further topics for public session and would adjourn after all the executive and closed session items were discussed.

Moved into Investigative Session at 11:36am

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

Report of actions taken in Investigative Conference.

- 2021-000596-IT-ENF {AJ’S Massage} – Referred back to investigations.

- 2020-001322-IT-ENF {Hao Chen} – Referred to prosecutions.
- 2021-000809-IT-ENF {Lilly’s Asian Massage} – Referred to Prosecutions.
- 2021-000959-IT-ENF {Sun Massage Therapy}- Referred to Prosecutions.
- 2021-000839-IT-ENF {ZQ Spa}- Tabled
- 2021-000633-IT-ENF {YingYa Ling} – Referred to Prosecutions.
- 2021-000911-IT-ENF {Ashley Mehem} - Referred to Prosecutions.

Settlement Conference

- 2021-000632-IT-ENF [XiaoChun Xu] – Discussed Settlement terms with prosecutor.
- 20151201MT080-IT-ENF [Marcus Cooper] – Discussed settlement terms with prosecutor.

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

- 2020-001378-IT-ENF [Ying Zhang] – No response; Motion to default and revoke individual license (15096) 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, Kimberly Schuler
 - Members opposed: None; Motion passed
- 2021-000597-IT-ENF[Nan Yang] –, Motion to adopt Final Decision of Hearing Officer and issue final decision revoking licenses. Seconded by Ellen Walker
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Pallas Hutchison, Kimberly Schuler
 - Members opposed: None; Motion passed
- 2021-000103-IT-ENF [Kevin Dao] – Motion to adopt Final Decision of Hearing Officer and issue final decision revoking both licenses.
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Pallas Hutchison, Kimberly Schuler
 - Members opposed: None; Motion passed
- 2020-001205-IT-ENF [Liu Qingwei] - No response; Motion to default and revoke individual license (15096) by Kimberlee Schuler, Seconded by Sheri Miller-Bedau
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Pallas Hutchison, Kimberly Schuler
 - Members opposed: None; Motion passed

Motion to adjourn Paula Andrews, Seconded by Pallas Hutchison,

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

Adjourn at 12:44PM

Respectfully submitted,

Ellen Walker

Board Secretary

List of Documents used in Public Session:

Agenda 12/13/21 Public Meeting

Potential Hearing Dates

2020-000432-CP-ENF [Eric D'Errico] CE documents