

Board of Registration of Massage Therapy

MAY 10, 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

Members absent: None

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

MT Public Meeting

Monday, May 10, 2021 10:00AM-12:27PM

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,,461556577#](#) United States, Boston

Phone Conference ID: 461 556 577#

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-Bedeau; Mr. Andrews stated there is a new Board member – Pallas Hutchison as of June 2021 then called the meeting to order at 10:00am.

Board Meeting Business

- Review and Approve Executive Minutes for 3.8.21 – Motion to approve 3.8.21 minutes as presented by Ellen Walker; seconded by Sheri Miller-Bedeau;
 - Paul Andrews held a roll call vote.
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedeau, Kimberlee Schuler
 - Members opposed: None; Motion passed
- Review and Approve Public Minutes for 4.12.21 – Motion to approve 4.12.21 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-Bedeau, Kimberlee Schuler
- Members opposed: None; Motion passed
- Review Regulation and Proposed Changes
 - 269 CMR 2
 - 269 CMR 3
 - 269 CMR 4 New Regulation being proposed
 - 269 CMR 5
 - 269 CMR 6
 - Interviewing Proposed Compliance Officers
 - Maintaining List of Employees
- Mark Molloy was recognized by Paul Andrews; Mark Molloy suggested the following edits/changes
 - Change “or” to “and” to protect both MT and public on oral consent section 2 and 5; Paul Andrews requested Sheila York make change for initial intake. Alexei Levine noted that mandating written consent would not resolve allegations of sexual misconduct.
 - Accreditation for schools option #1 had no reference to COMTA (Commission on Massage Therapy Accreditation)
 - Test requirements 23 move to 24; 5.01.1 Intake form includes DOB (replaced age); 6.03 definition healthcare facility (licensed by DPH)
 - 269 CMR 6 – 7.1 Compliance officer can this be delegated? Sheila York stated you can – the board or its agents; 6.07.3/C PT to oversee student /MT to rereview
 - Mobile clinic: to be defined; Sheila York did this
 - Paul Andrews then asked the public to comment; no responses; Sheila York to wordsmith; hopes to ratify at next meeting
- Board review included:
 - CE’s - Paul Andrews and Sheila York 4.01; 12 months – 2 year renewal not too specific; add 1 hour contact ethics within course; Sheila York to edit
 - CE’s – Paul Andrews and Sheila York discussed clarifying language regarding a CPR/First Aid course; add? AHA 4.03; 6 out of 12 hours earning CE’s; Kimberlee Schuler asked about a grace period; Greg Hurd, a member of the public observing meeting, asked about marketing;
 - End of review section 4
 - Sheila York will edit the working draft of proposed regulation changes to reflect the Board’s discussion and will combine this working draft with the proposed continuing education regulations for review at a future board meeting.

Board Counsel Report

- Remote learning and clinical hours during COVID policy expires at the end of the month; suggestion to move to renew until August 31, 2021; Motion to approve extension 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
 - Members opposed: None; Motion passed

Curriculum Review Renewal

- Shang Shung – Alexei Levine recused himself and left the virtual meeting; Shang Shung seeking renewal of prior approval. Motion to approve by Kimberlee Schuler, seconded by Sheri Miller-Bedau
 - Paul Andrews held roll call vote
 - Members in favor: Paul Andrews, Ellen Walker, Sheri Miller-Bedau, Kimberlee Schuler
 - Members opposed: None; 1 recusal; Motion passed

- Spa Tech – representative in attendance; wants to make hybrid permanent; Board needs to set parameters; Sheila York needs to review for legal issues; Motion to approve continuation to the end of August with our extension of the COVID related-policy; so moved by Sheri Miller-Bedau, seconded by Alexei Levine
 - Paul Andrews held roll call vote
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedau
 - Members opposed: None; Motion passed

- Jupiter Academy – Alexei Levine had two issues – 67% too low for program structure and no clinical hours or lab hours on mannequins; Recommended that Board send it back with our feedback; Motion to send back with feedback by Alexei Levine, seconded by Ellen Walker
 - Paul Andrews held roll call vote
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedau, Kimberlee Schuler
 - Members opposed: None; Motion passed

- Mildred Elley – submitted renewal but it is an amendment and renewal to fix possible typos in application re hours; motion to send back with our feedback and correct for hours; So Moved by Alexei Levine, seconded by Ellen Walker
 - Paul Andrews held roll call vote
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller-Bedau, Kimberlee Schuler
 - Members opposed: None; Motion passed

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

Closed Session under G.L. c. 112, s. 65C and c. 30A, s. 18, ¶ 5(d): 11:34am no anticipation to coming out of closed session except for adjournment; So moved by Kimberlee Schuler, seconded by Ellen Walker

- Break – 11:34-11:41am

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

Actions taken during closed session:

- NPDB Notification [JC] – no action
- 2020-001413-IT-ENF [Qing Xu] – Dismissed;
- 2020-001083-IT-ENF [Suxia Guo] – Tabled.
- 2020-000949-IT-ENF [Liangqiong Xiong] –Referred to Prosecutions
- 2020-000867-IT-ENF [Ao li] –Referred to Prosecutions
- 2020-001084-IT-ENF [Yumin Zhou] – Tabled.
- 2020-000990-IT-ENF [Lavender Spa] –Dismissed.
- 2020-001520-IT-ENF [Apple Spa] – Referred to Prosecutions.
- 2020-000169-IT-ENF [Cristiana Lizardo] – Referred to Prosecutions.
- 2019-001414-IT-ENF [Hull 522] – Gave guidance to staff.
- 2020-00752-IT-ENF [Juan Tan]– Reconsidered vote from last meeting. Referred to Prosecutions.

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

- Voted to issue Final decisions in:
 - 2020-001197-IT-ENF [Hongyan Liu]
 - 2020-001557-IT-ENF [Ying Li]
 - 2020-001192-IT-ENF [Meixian Lin]
 - 2020-001393-IT-ENF [Xin Guo]
 - 2020-001234-IT-ENF [GuiRu Cao]
 - 2020-001260-IT-ENF [Qi Wang]
 - 2020-001570-IT-ENF [YuFeng Chen]
 - 2020-001497-IT-ENF [Jun Wang]
 - 2020-001495-IT-ENF [JinXia Wang]
 - 2020-001430-IT-ENF [XiuYan Wang]
 - 2020-001255-IT-ENF [Fang Wang]

At 12:27PM Motion to move out of Closed Session and Adjourn by Kimberlee Schuler, Sheri Miller-Bedeau seconded,

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

Adjourn at 12:27PM

Respectfully submitted,

Ellen Walker
Board Secretary

List of Documents used in Public Session:

Draft Minutes of 3/8/21 Public Meeting
Potential Hearing Dates
Working draft of proposed regulation changes, dated 4/8/21,
New England School of Therapeutics
The Massage School

