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Board of Registration of Massage Therapy

JULY 11, 2022 PUBLIC MEETING MINUTES

A posted public meeting of the Massachusetts Board of Registration of Massage Therapy (the Board) was held remotely via video and telephone conferencing pursuant to Chapter 20 of the Acts of 2022, allowing remote participation by Board members and the public.

Attending Members: Paul Andrews/Chair, Alexei Levine/Vice Chair, Ellen Walker/Secretary, Sheri Miller-Bedeau, Kimberlee Schuler and Pallas Hutchison
Staff: Caitriona Taylor, Executive Director and Kristina Gasson, Board Counsel

Meeting Called to Order

- Remote meeting procedures - Paul Andrews confirmed quorum via roll call vote the following members participating via remote means: Paul Andrews, Alexei Levine, Sheri Miller-Bedeau, Kimberlee Schuler, Pallas Hutchison and Ellen Walker; Kimberlee Schuler left the meeting at 1:49PM; Andrews called the meeting to order at 10:00am

Board Meeting Business

- Review and Approve Public Meeting Minutes for June 6, 2022
Motion to approve minutes with a date correction; So Moved by Sheri Miller-Bedeau; Seconded by Pallas Hutchison
 - Paul Andrews voted by roll call vote
 - Members in favor: All
 - Members opposed: None; Motion passed
- Review and Approve Executive Meeting Minutes for June 6, 2022
Motion to approve minutes with a date correction; So Moved by Kimberlee Schuler; Seconded by Sheri Miller-Bedeau
Paul Andrews voted by roll call vote
 - Members in favor: All
 - Members opposed: None; Motion passed
- The Board discussed that the August 8 Board meeting is currently scheduled to be in person at 1000 Washington Street, Boston, MA 02118, but it could be moved to a remote meeting if there is an extension of the legislative authorization to hold remote meetings . If so, this would be noted on the posted agenda notice with Teams meeting login information.
- Review and vote on updated regulations
The Board discussed draft revisions to the amended regulations as recommended by Board Counsel and the Executive Office of Housing and Economic Development; Motion to approve updated



regulations 269 CMR 2.00, 3.00, 4.00, 5.00, and 6.00 as discussed; So Moved by Kimberlee Schuler; Seconded by Pallas Hutchison

- Paul Andrews voted by roll call vote
 - Members in favor: All
 - Members opposed: None; Motion passed
- Vote to Adopt Remote Procedures; Motion to accept proposal; So Moved by Paul Andrews; Seconded by Kimberlee Schuler
 - Paul Andrews voted by roll call vote
 - Members in favor: All
 - Members opposed: None; Motion passed

Executive Director Report and Board Discussion, Including Portal Work

- The Board discussed updating the out of state application forms. Board Chair Paul Andrews asked Board members to send any feedback to Executive Director Caitriona Taylor and the form will be brought back to the Board for final vote to approve.
- The Board discussed drafting an out of state reciprocity policy. The subcommittee will develop a draft for Board review at a future meeting.
- The Executive Director Caitriona Taylor discussed the current reinstatement application procedure and will provide an updated draft at the August Board meeting for Board review.

Board Counsel Report

- Board Counsel Kristina Gasson reviewed the Ethics Review and Disclosure Requirements for Board Members and stated any Board member can reach out to her directly with questions.
- In reviewing the Governor's Executive Order on Protecting Access to Reproductive Health Care Services in the Commonwealth, Board Counsel Kristina Gasson let Board members know that the Department of Occupational Licensure is evaluating the process for requests for information from other states and how we review applicants for licensure. Attorney Gasson indicated that she will update the Board with more information when it is available.

Correspondence

- The Board discussed a question from the Office of Private Occupational School Education of massage students marketing their own clinicals. The Board voted to have the Executive Director and Board Counsel draft a letter that refers the school to the massage therapy advertising regulations; So Moved by Paul Andrews; Seconded by Kimberlee Schuler
 - Paul Andrews voted by roll call vote
 - Members in favor: All
 - Members opposed: None; Motion passed
- The Board marked the correspondence from the Interstate Massage Compact (IMpact) Stakeholder Review from FSMTB as read and filed.
- The Board discussed sending a delegate to the FSMTB 2022 Annual Meeting in Charlotte, North Carolina. Sheri Miller-Bedeau nominated Paul Andrews as the Board's delegate. Motion to approve Paul Andrews as delegate; So Moved by Sheri Miller-Bedeau; Seconded by Pallas Hutchison
 - Paul Andrews voted by roll call vote
 - Members in favor: All
 - Members opposed: None; Motion passed
- The Board discussed designating an alternate delegate of the Board for the FSMTB 2022 Annual Meeting in Charlotte, North Carolina. Paul Andrews nominated Pallas Hutchinson as the Board's

alternate delegate. Motion to approve Pallas Hutchison as alternate; So Moved by Paul Andrews; Seconded by Kimberlee Schuler

- Paul Andrews voted by roll call vote
- Members in favor: All
- Members opposed: None; Motion passed

Curriculum Review

- After reviewing the Spirit Wellness Institute curriculum submission, the Board discussed the following:
 - The submission was missing hours listed for two courses (body mechanics and pathology).
 - The business and ethics course listed was short 10 hours.
 - Clinicals were not mentioned in the course descriptions.
 - It was unclear which courses were remote and which were in-person. The Board would like it to be listed out within each course description.

The Board decided to table a vote on the curriculum and move it to the August meeting. Executive Director Caitríona Taylor will reach out to share the feedback and invite the school to the August meeting for discussion.

Open for Public Comment

No public comment.

Discuss other matters not reasonably anticipated 48 hours in advance of meeting

No items discussed. At 11:56am, Motion to go into Closed Executive Session and not to return to the public meeting; So Moved by Kimberlee Schuler, Seconded by Sheri Miller-Bedeau.

- Paul Andrews voted by roll call vote
- Members in favor: All
- Members opposed: None; Motion passed

Executive Session Conference *[Closed pursuant to G. L. c. 30A, §21(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.]*

At 12:45pm, Motion to leave Executive Session Conference and go into Closed Investigative Conference and Quasijudicial Session; So moved by Sheri Miller-Bedeau, Seconded by Alexei Levine.

- Paul Andrews voted by roll call vote
- Members in favor: All
- Members opposed: None; Motion passed

Investigative Conference Closed Session *[Closed session pursuant to G.L. c. 112, §65C]:* The Board took the following actions in closed Investigative Conference

- 2020-001343-IT-ENF (AM) The Board reviewed the settlement offer.
- 2021-000873-IT-ENF (KC) The Board reviewed the settlement offer.
- 2021-000941-IT-ENF, 2022-200430-FI-ENF (ESRDS) The Board reviewed the settlement offer
- 2022-000063-IT-ENF (LJ) Dismissed

- 2022-000064-IT-ENF (LI) Tabled
- 2022-000253-IT-ENF (SBC) Dismissed with Advisory
- 2022-000372-IT-ENF (TWS) Referred to Prosecutions
- 2022-000456-IT-ENF (LG) Referred to Prosecutions
- 2022-000558-IT-ENF (DB) Reviewed and opened a new complaint
- 2021-000906-IT-ENF (MDS) Referred to Prosecutions
- 2021-000838-IT-ENF (JMT) Referred to Prosecutions
- 2022-000560-IT-ENF (AP) Referred to Prosecutions

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

During closed Quasijudicial Session, the Board took the following actions:


2021-000632-IT-ENF (XX) Motion to issue final decision and order to issue a fine.

Motion to adjourn Ellen Walker, Seconded by Pallas Hutchinson.

- Paul Andrews voted by roll call vote
- Members in favor: All
- Members opposed: None; Motion passed

Adjourned at 2:19 pm.

Respectfully submitted,


Caitriona Taylor



Paul Andrews
Board Chair

Approved at the Public Meeting Of August 8, 2022.

List of Documents used in Public Session:

MT Public Agenda 7.11.22
Draft Public Minutes 6.6.22
Draft Executive Session Minutes 6.6.22
Draft updated regulations 1_269 CMR 2.00, 3.00, 4.00, 5.00 and 6.00 Amendments
CT_PA DRAFT Official Verification of Curriculum Form 07-06-2022
MT Reinstatement Application with links (KG 7.15.22)
Conflict of Interest Law and required disclosures links
Roe EO

MT Students Marketing their own clinicals email
The Interstate Massage Compact (IMPact) Stakeholder Review email
FSMTB Annual Meeting email
Spirit Wellness 650-hour MT Program Renewal Request 6-24-22