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**Board of Registration of Massage Therapy**  
**August 7, 2023 MEETING MINUTES**

A 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, Pallas Hutchison, Ellen Walker, Kimberlee Schuler

**Members Absent:** Sheri Miller-Bedau

**Staff:** Kerry Cassidy, Executive Director, Colleen Maloney, Associate Deputy Commissioner, Peter Kelley, Board Counsel

**Meeting Called to Order**

- Remote meeting procedures – At approximately, 10:03 AM, Paul Andrews confirmed quorum via roll call vote which showed the following members participating via remote means; Paul Andres, Alexei Levine, Pallas Hutchison, Ellen Walker, Kimberlee Schuler; Paul Andrews called the meeting to order.

**Board Business**

- The Board reviewed the Executive Meeting Minutes for July 10, 2023. Motion was made to approve minutes as amended (adding roll call vote); So Moved by Ellen Walker; Seconded by Kimberlee Schuler
  - Paul Andrews called for a roll call vote
  - Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Ellen Walker, and Kimberlee Schuler
  - Members opposed: None; Motion passed
- The Board reviewed the Public Meeting Minutes for July 10, 2023. Motion was made to approve minutes as written; So Moved by Kimberlee Schuler; Seconded by Ellen Walker
  - Paul Andrews called for a roll call vote
  - Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Ellen Walker, and Kimberlee Schuler



- Members opposed: None; Motion passed
- Discussion Regarding Curriculum Equivalency- Paul Andrews initiated a discussion regarding curriculum equivalency as it relates to reviewing transcripts. Paul will work directly with Kerry Cassidy to draft a policy for Board consideration that would assist the Subcommittee and Board Staff on evaluating applications. This item is tabled for further discussion after a draft has been prepared.
- FSMTB Proposed Resolutions and ByLaw Amendments – Discussion was held on each item to assist the Delegate, Pallas Hutchison, on the position for the Board at the Annual Meeting.
  - 2023-1 Resolution: Motion to Yes or Pass; So Moved by Alexei Levine; Seconded by Kimberlee Schuler
    - Paul Andrews called for a roll call vote
    - Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, Kimberlee Schuler
    - Ellen Walker not present due to computer issues.
    - Members opposed: None; Motion passed
  - 2023-1 ByLaw: Motion to vote No or Table: So Moved by Ellen Walker; Seconded by Pallas Hutchison
    - Paul Andrews called for a roll call vote
    - Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, Kimberlee Schuler, Ellen Walker
    - Members opposed: None; Motion passed
  - 2023-2 ByLaw: Motion to abstain; So Moved by Alexei Levine; Seconded by Kimberlee Schuler
    - Paul Andrews called for a roll call vote
    - Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, Kimberlee Schuler, Ellen Walker
    - Members opposed: None; Motion passed
  - 2023-3 ByLaw: Motion to vote Pass; So Moved by Alexei Levine; Seconded by Ellen Walker
    - Paul Andrews called for a roll call vote
    - Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, Kimberlee Schuler, Ellen Walker
    - Members opposed: None; Motion passed
  - 2023-4 ByLaw: Motion to vote No or not pass; So Moved by Alexei Levine; Seconded by Pallas Hutchison
    - Paul Andrews called for a roll call vote
    - Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, Kimberlee Schuler, Ellen Walker
    - Members opposed: None; Motion passed

### **Compliance Monitoring**

- Zixiu Zhou- The Board interviewed the proposed monitor, Zeng Yao, on the obligations and qualifications of being a compliance monitor. The Board noted that the proposed monitor could not articulate what ‘informed consent’ is. Motion was made to not approve

Zeng Yao as a compliance monitor, due to their failure to meet expectations of a compliance monitor; So Moved by Alexei Levine; Seconded by Kimber Schuler

- Paul Andrews called for a roll call vote
  - Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Ellen Walker, and Kimberlee Schuler
  - Members opposed: None; Motion passed
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- Zixiu Zhou- The Board interviewed the proposed monitor, Jing Song, on the obligations and qualifications of being a compliance monitor. The Board noted that the proposed monitor could not articulate what ‘informed consent ‘is and read the consent agreement eight months ago. Motion was made to not approve Jing Song as a compliance monitor, due to their failure to meet expectations of a compliance monitor; So Moved by Kimberlee Schuler; Seconded by Ellen Walker
  - Paul Andrews called for a roll call vote
  - Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Ellen Walker, and Kimberlee Schuler
  - Members opposed: None; Motion passed

### **Curriculum Review**

- Jupiter Beauty Academy – The Board interviewed Jupiter Staff on the course content and curriculum. Motion was made to approve with revision to amend the course curriculum to add “instructor on-site and available” to definition of supervision in course catalogue. So Moved by Alexei Levine; Seconded by Kimberlee Schuler
  - Paul Andrews called for a roll call vote
  - Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Ellen Walker, and Kimberlee Schuler
  - Members opposed: None; Motion passed

### **Executive Director Report**

The Executive Director did not have any updates to report.

### **Board Counsel Report**

Board Counsel did not have any updates to report.

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

- No unanticipated matters were discussed.

Motion to exit public session at 11:30 AM with a five-minute recess and to enter executive session pursuant to G. L. c. 30A, §21(a)(1) to discuss individuals’ character and reputation rather than competence, thereafter to enter closed session to conduct settlement and investigative conferences with the public meeting not to resume; So Moved by Ellen Walker; Seconded by Alexei Levine.

- Paul Andrews called for a roll call vote
  - Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Ellen Walker, and Kimberlee Schuler
  - Members opposed: None; Motion passed
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- The meeting reconvened in closed Executive Session at 11:35 AM.

**Application Review-Executive Session** *[Executive Session for the purpose of reviewing reputation or character rather than professional competence pursuant to G. L. c. 30A, §21(a)(1)]*

The Board reviewed the following application in closed Executive Session:

- 2022-207-MT-MT-APP- [NS]

There was a motion to exit Executive Session and move to Closed Investigative Conference at 11:53 AM; So Moved by Kimberlee Schuler; Seconded by Ellen Walker.

- Paul Andrews Called for a roll call vote
- Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, Ellen Walker, and Kimberlee Schuler
- Members opposed: None; Motion passed

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

The Board took the following actions during the closed session:

**Ticket Review**

- 2021-203232-FI-ENF – Dismissed
- 2020-205693-FI-ENF – Dismissed
- 2022-204821-FI-ENF – Dismissed
- 2022-203397-FI-ENF – Dismissed
- 2022-204026-FI-ENF – Dismissed

**Settlements**

- 2022-205484-FI-ENF – Forward to Prosecutions
- 2022-201597-FI-ENF – Forward to Prosecutions
- 2023-203344-FI-ENF- Dismissed
- 2020-001031-IT-ENF – Forward to Prosecutions
- 2020-001032-IT-ENF – Forward to Prosecutions
- 2021-000262-IT-ENF – Forward to Prosecutions
- 2021-000345-IT-ENF – Forward to Prosecutions

**Review Matters Prior to Issuance of an Order to Show Cause**

- 2023-000263-IT-ENF – Bring in Respondent for Investigatory Conference
- 2023-000356-IT-ENF – Forward to Prosecutions
- 2023-000192-IT-ENF – Forward to Prosecutions

Motion to exit closed session and to adjourn the meeting at 1:08 PM; So Moved by Pallas Hutchison; Seconded by Ellen Walker. All in favor.

- The meeting adjourned at 1:08 PM.

Respectfully submitted,

  
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Kerry Cassidy  
Executive Director



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Paul Andrews  
Board Chair

List of Documents used in Public Session:

MT Public Agenda 08.07.2023  
MT Executive Meeting Minutes 07.10.2023  
MT Public Meeting Minutes 07.10.2023  
FSMTB Proposed Resolutions and ByLaws Amendments  
Zixiu Zhou- Consent Agreement  
Jupiter Beauty Academy MT Program Renewal