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Board of Registration of Massage Therapy

DECEMBER 12, 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, Pallas Hutchison, Sheri Miller-Bedau, Kimberlee Schuler

Not Present: None

Staff: Danielle O'Neil, Acting Executive Director, Janet Dougherty, Executive Director, Stephen Jacobson, Board Counsel

Meeting Called to Order

- Remote meeting procedures - Paul Andrews confirmed quorum via roll call vote. The following members participated via remote means: Paul Andrews, Alexei Levine, Kimberlee Schuler, Pallas Hutchison, Sheri Miller-Bedau and Ellen Walker; Paul Andrews called the meeting to order at 10:00am.

Board Meeting Business

- Review and Approve Public Meeting Minutes November 7, 2022 – Motion to accept as submitted; So Moved by Pallas Hutchison; Seconded by Kimberlee Schuler
 - Paul Andrews called for a roll call vote
 - Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Sheri Miller-Bedau, Kimberlee Schuler, Ellen Walker
 - Members opposed: None; Motion passed
- No Executive Minutes to approve
- **Executive Director Report and Board Discussion**
 - None
- **Board Counsel Report**
 - Finalized regulations were sent to OCA/HED in November and we are still waiting for info as to whether they will be moved to ANF.



- **Compliance Monitoring**
 - **2020-000267-IT-ENF - Interview with Monitor**; Motion to accept form as corrected; So Moved by Alexei Levine; Seconded by Sheri Miller-Bedau
 - Paul Andrews called for a roll call vote
 - Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Sheri Miller-Bedau, Kimberlee Schuler, Ellen Walker
 - Members opposed: None; Motion passed
- **Request to Reinstate**
 - **2020-000440-IT-ENF [YL]** – Motion to move forward for reinstatement; So Moved by Ellen Walker; Seconded by Sheri Miller-Bedau
 - Paul Andrews called for a roll call vote
 - Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Sheri Miller-Bedau, Kimberlee Schuler, Ellen Walker
 - Members opposed: None; Motion passed
- **Discuss other matters not reasonably anticipated 48 hours in advance of meeting**
 - No unanticipated matters were discussed

At 10:25am, Motion to move to Closed Executive Session and not return to the public meeting; So moved by Alexei Levine; Seconded by Ellen Walker.

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

Executive Session [*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.*]

- The Board took no action at this time as applicants had not yet arrived

Motion to move from Executive Session to Closed Investigative Conference; So moved by Sheri Miller-Bedau; Seconded by Pallas Hutchison 10:58am

- Paul Andrews called for a roll call vote
- Members in favor: Paul Andrews, Pallas Hutchison, Alexei Levine, Kimberlee Schuler, Ellen Walker, Sheri Miller-Bedau
- 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

- 2022-000765-IT-ENF – Dismissed
- 2022-000768-IT-ENF – Refer to prosecutions
- 2022-000846-IT-ENF – Refer to prosecutions
- 2022-001136-IT-ENF – Refer to prosecutions

Settlements

- 2021-000873-IT-ENF - The Board reviewed the settlement offer
- 2021-000959-IT-ENF - The Board reviewed the settlement offer
- 2021-001019-IT-ENF - The Board reviewed the settlement offer

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

- The Board did not convene a Quasijudicial Session

At 10:32am, Motion to move to Closed Executive Session; So moved by Alexei Levine;
Seconded by Ellen Walker.

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

Executive Session [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.]

Motion to adjourn; So moved by Kimberlee Schuler; Seconded by Alexei Levine

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

Adjourned at 11:50am

Respectfully submitted,



Colleen Maloney, Interim Executive Director



Paul Andrews Board Chair

Approved at the Public Meeting of

List of Documents used in Public Session:

Massage Therapy Public Agenda 12.12.22

Draft Public Minutes 12.12.22

Draft Executive Session Minutes 12.12.22

Compliance reports:

2022-000765-IT-ENF

2022-000768-IT-ENF

2022-000846-IT-ENF

2022-001136-IT-ENF

Settlements:

2021-000873-IT-ENF

2021-000959-IT-ENF

2021-001019-IT-ENF