

**Massachusetts State Athletic Commission
MONTHLY BOARD MEETING**

1000 Washington Street, Boston

PUBLIC MINUTES

Date: February 21, 2019

Location: Rm. 1D

Time: 11:00 AM

COMMISSION MEMBERS PRESENT: STAFF MEMBERS PRESENT:

Commissioner Rod Walkey
Commissioner Paul Karger
Commissioner Bryan Lambert

Kevin Scanlon, Chief Legal Counsel
Matthew Keigan, Executive Director of Licensing
Guy Licciardi, Compliance Officer III
Wilfrid St-Hilaire, Compliance Officer III
Jennifer Fraga, Program Coordinator II

GUESTS PRESENT:

Sam Silverman, President of the Rondell Clark Foundation
Andrew Myerson, Haymakers for Hope
Julie Kelly, Haymakers for Hope
Douglas Robertson, Applicant
Bryan Noguera, Applicant
Dr. Edgar Ballenas, M.D., licensed Ringside Physician
Patrick Sullivan, Applicant
Dr. Peter Warinner, Chair of the Medical Advisory Board

Meeting called to order by Chair Rod Walkey at 11:01 AM.

1. Roll call

Commissioner Bryan Lambert
Chair Rod Walkey
Commissioner Paul Karger
Kevin Scanlon, Chief Legal Counsel
Matthew Keigan, Executive Director of Licensing
Jennifer Fraga, Program Coordinator
Guy Licciardi, Compliance Officer
Wilfrid St-Hilaire, Compliance Officer
Dr. Peter Warinner, Chair of the Medical Advisory Board

2. Approval of Minutes from January 18, 2019

Commissioner Lambert made a motion to approve the minutes from January 18, 2019, seconded by Commissioner Karger. Motion was passed by unanimous vote.

3. Application for MMA Matchmaker – Patrick Sullivan

Applicant Patrick Sullivan addressed the board detailing his ten year career in the boxing and mixed martial arts industry. Mr. Sullivan stated that he is currently licensed as a matchmaker in six other states.

Mr. Sullivan also stated that Classic Entertainment & Sports (CES) is presently under contract with UFC Fight Pass for an eight to ten event deal and would like to produce their next show in Massachusetts. After review of his application, Commissioner Karger made a motion to approve the application, seconded by Commissioner Lambert. Motion was passed by unanimous vote.

4. Applications for MMA Judge and Referee – Bryan A. Noguera

Applicant Bryan Noguera addressed both of his applications expressing his passion for the sport and stated that he trained in Mixed Martial Arts and Muay Thai. As a member of the military, he gained experience in boxing while he served. Mr. Noguera also stated that he trained under UFC fighter, Steve Thompson. Mr. Noguera completed and passed the MMA Judge and Referee course under ABC Instructor Kevin Macdonald. However he lacks live event experience in both positions. The board along with MSAC staff discussed ways in which Mr. Noguera could gain experience by shadowing experienced licensed officials during several live bouts. MSAC staff will email Mr. Noguera of upcoming shows that he may shadow under the supervision of licensed officials and will return before the board after further experience is gained.

Commissioner Karger made a motion to table the judge application pending the suggested shadowing of officials, seconded by Commissioner Lambert. Motion was passed by unanimous vote.

Commissioner Karger made a motion to table the referee application pending the suggested shadowing of officials, seconded by Commissioner Lambert. Motion was passed by unanimous vote.

5. Application for MMA Referee – Bryan A. Noguera

See item 4.

6. Variance Request from 523 CMR, Section 14.04 – No Boundary Fights

Via telephone, licensed Promoter Fred Belletin and licensed Matchmaker Mohamed Hadifi both of No Boundary Fight League, requested a variance from 523 CMR, Section 14.04 for their upcoming show in April of 2019. The variance would allow for two female unarmed combatants to compete more than one time in one evening. Mr. Belletin detailed to the board that four unarmed combatants would compete at the start of the night and the winners would compete against one another at the end of the night. The Muay Thai tournament style would allow for plenty of rest and hydration between matches. This variance was previously granted twice with both male and female participants on separate occasions. Mr. Hadifi stated that the selected participants are all of the same weight class and all are actively competing. In addition Mr. Hadifi and the board agreed that the ringside physicians would evaluate the participants; pre and post-fight for each bout to ensure fighter safety.

Commissioner Karger made a motion to grant the variance with the conditions stated, seconded by Commissioner Lambert. Motion was passed by unanimous vote.

7. Variance Request from 523 CMR for a Special Event Permit – J. Mark Porter

J. Mark Porter addressed the board requesting a variance from 523 CMR sections 6 – 14 and to obtain a special permit to hold an amateur boxing event that would fall outside the guidelines of USA Boxing and 523 CMR. Mr. Porter’s events raise funds for the cancer for the charity; Fighting Chance Foundation. This same variance request was approved during the board meeting on February 26, 2018.

Commissioner Karger made a motion to grant the variance and special permit pursuant to M.G.L. c. 147, section 46, seconded by Commissioner Lambert. Motion was passed by unanimous vote.

8. Update from Sub Committee on 523 CMR Regulation Review

Matthew Keigan, Executive Director of Licensing reviewed the progress made at the first sub-committee meeting established for regulation review and revision. Mr. Keigan stated that sections 6.00 through 12.00 of 523 CMR were reviewed and recommended changes will be presented to the board once 523 CMR in its entirety is reviewed.

9. Update from Medical Advisory Board (MAB)

Dr. Peter Warinner, Chair of the Medical Advisory Board presented to the board a proposed Informed Consent waiver for all amateur boxers in Massachusetts. This consent form would allow the amateur boxer to “waive” or opt out of the blood test obligation prior to participating. The form was voted on unanimously at the Medical Advisory Board meeting on February 20, 2019 and is recommended to adopt.

Commissioner Lambert made a motion to approve the Informed Consent Waiver, seconded by Commissioner Karger. Motion was passed by unanimous vote.

Dr. Warinner stated that the Medical Advisory Board voted unanimously to have Dr. Edgar Ballenas, M.D. return to the board as a member and requested the board appoint him a seat. Kevin Scanlon, Chief Legal Counsel advised the board that under 523 CMR, section 7.01, they may appoint Dr. Ballenas by majority vote and he shall serve for two years.

Commissioner Lambert made a motion to appoint Dr. Edgar Ballenas to the Medical Advisory Board, seconded by Commissioner Karger. Motion was passed by unanimous vote.

In addition, Dr. Warinner put forth a proposed fee change from the Ringside Doctors’ current fee schedule on behalf of the Medical Advisory Board. Dr. Warriner asked the board to consider a pay raise of \$625.00 from \$500.00 for each doctor working the event with the additional fee of \$250.00 for weigh-in services for one doctor.

Commissioner Lambert made a motion to approve the pay increase, seconded by Commissioner Karger. Motion was passed by unanimous vote.

Lastly, Dr. Peter Warinner recommended on behalf of the Medical Advisory Board that the commission put into effect a requirement for the unarmed combatants to test for the sickle cell trait. Dr. Warinner stated that by confirming if one does carry the trait, the risks of serious health issues and or death is elevated if weight cutting is practiced. Sam Silverman, President of the Rondell Clark Foundation concurred stating that this requirement is a basic step toward saving lives.

Mr. Silverman asked the board for an update on the regulation review specifically relating to the foundation's proposed regulation change on weight cutting and their efforts to eliminate the practice. Chair Walkey stated that the commission is working on regulation review and that the process can take time but the commission is very much aware of their concerns.

The board asked MSAC staff to reach out to other regulators to see what their plans are to help eliminate weight cutting and how they are regulating the practice. MSAC staff will report back at the next meeting.

10. **Approval of Medical Advisory Board (MAB) Minutes**

- March 23, 2018
- April 20, 2018
- January 23, 2019

The board reviewed the Medical Advisory Board minutes from March 23, 2018, April 20, 2018, and January 23, 2019.

Commissioner Karger made a motion to approve all three sets of minutes, seconded by Commissioner Lambert. Motion was passed by unanimous vote.

11. **Amateur Boxer Informed consent for Blood Test Requirement**

See item 9.

12. **2019 MSAC board Meetings and Upcoming Event Schedule**

The board reviewed the upcoming board meeting and event schedule.

13. **Matters not reasonably anticipated 48 hours in advance of meeting**

Douglas Roberts submitted his application as a Deputy Commissioner stating his desire to get involved in the industry of unarmed combat. Mr. Roberts expressed his enthusiasm to be a part of the State Athletic Commission and asked for consideration of his application.

Commissioner Karger made a motion to approve the application, seconded by Commissioner Lambert. Motion was passed by unanimous vote.

Commissioner Karger made a motion to adjourn the meeting, seconded by Commissioner Lambert. Motion was passed by unanimous vote.

Board Exhibits:

Draft minutes – January 18, 2019

Application – Patrick Sullivan

Applications – Bryan A. Noguera

Variance Request from No Boundary

Variance Request from J. Mark Porter

Dr. Edgar Ballenas, M.D. Resume

Proposed Fee Schedule – Ringside Physicians

MAB Draft minutes

Draft – Informed Consent

Upcoming Event and Meeting Schedule