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LAYLA D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Public Meeting Minutes

November 10, 2022
1000 Washington Street,
Boston, MA 02118-6110

<p>Members Present: Dr. Stephanie Kube, <i>Chair</i> Dr. Karen Patti, <i>Secretary</i> Dr. David Diamond, <i>Member</i> Dr. Rachel Orłowski, <i>Member</i> Dr. Candance Sloane, <i>Public Member</i></p>	<p>Administrative Staff Present: Esther Laine, <i>Deputy Commissioner</i> Tamara Smith, <i>Program Coordinator</i> Milla Lewis, <i>Admin Assistant</i> Jenna Hentoff, <i>Board Counsel</i></p>
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The meeting was called to order by the chair at 9:34 A.M.

1. Review public minutes of the meeting September 8, 2022. Dr. Orłowski made a motion, seconded by Dr. Diamond, to approve the minutes as presented. The motion passed unanimously.
2. Administrative Report
 - a. Update on application instructions and FAQs
 - Legal Counsel notified the Board that updated Application Instructions and related FAQs were included in the Board’s packet for review and members may communicate any comments to the Executive Director.

b. 2023 proposed Board meeting schedule

January 12	May 11	September 14
February 9	June 8	October 12
March 9	July 13	November 9
April 13	August 10	December 14

Dr. Patti made a motion, seconded by Dr. Orłowski, to cancel the July meeting and approve the rest of the schedule. The motion passed unanimously.

3. The Legal Counsel report was deferred to the discussion on regulations later in the meeting.

4. Board Correspondence Reviewed/Discussed

- Tufts Correspondence
 - Counsel discussed the email communications between the Executive Director and the Tufts representatives and updated the Board on their scheduled attendance at the Board’s January meeting.
- Licensee Karen Fine request for 5 CE credits on publishing a textbook.
 - After discussion, Dr. Patti made a motion, seconded by Dr. Orłowski, to award 5 CE credits for authorship of the textbook and 3 CE credits for participating as an instructor in a RACE approved workshop on the textbook. The motion passed unanimously.

5. Reviewed/Discussed

- Regulation Review
 - Counsel provided all the draft amendments to the Board’s regulations at 256 CMR 2.00, 3.00, 8.00 and 9.00 and discussed a minor amendment to 256 CMR 3.00 made since the last Board meeting.
 - The Board discussed Section 3.00 of its regulations.
 - Regarding reciprocity, Dr. Diamond noted the differences between the Board’s statute and the language in the regulation and requested the regulation be edited further to reflect the statutory language.
 - Dr. Orłowski inquired about the license display requirement in Section 3.00 and whether it is intended to apply to required licenses other than the Board issued license and whether the Board might want to amend the language accordingly. The Board members were in favor of amending the section so as not to require the display of all other required licenses.
 - Clarification was provided to the Board members regarding the history of Section 8.00 in the regulations.
 - The Board went on to discuss proposed amendments to Sections 4.00 and 5.00 of the regulations.

6. Matters not reasonably anticipated 48 hours in advance of the meeting.

- Dr. Patti asked to discuss establishing a VCPR in connection with “chill protocol.” The topic will be added to the Board’s December agenda.

7. Executive Session (M.G.L. c. 30A, §21 – Closed session) – No matters considered.

8. Investigative Conference (M.G.L. c. 112, § 65C – Closed session)

At 10:14 A.M. the Chair announced that the rest of the meeting will be for discussion of items in closed session, and upon conclusion, the Board would adjourn. Dr. Orłowski made a motion, seconded by Dr. Patti, to enter Investigative Conference. The motion passed unanimously.

a) Discussion of complaints prior to the issuance of an order to show cause

Docket	Determination	Recusal
2022-000660-IT-ENF	Dismiss w/o prejudice	Dr. Patti
2022-000414-IT-ENF	Forward for prosecution	
2022-000695-IT-ENF	Investigative follow-up	Dr. Orłowski
2022-000787-IT-ENF	Dismiss w/o prejudice + open new complaint	
2022-000724-IT-ENF	Dismiss w/o prejudice	
2022-000797-IT-ENF	Dismiss w/o prejudice + open new complaint	

b) Discussion of negotiated settlement(s) – no matters presented

9. Quasi-Judicial Session to discuss disciplinary decisions (Closed per M.G.L c. 30A, §18) – No matters considered.
10. Adjournment – the next scheduled meeting is December 8, 2022.
At 12:03 P.M., Dr. Orłowski made a motion, Dr. Sloane seconded, and the members unanimously voted to adjourn the meeting.

Meeting minutes signed by:



Board Chair, Dr. Stephanie Kube

List of Documents Used During the Public Meeting:

- Meeting Agenda
- September 8, 2022 Public Meeting Minutes
- Correspondences
- Draft Board regulations, 256 CMR 2.00, 3.00, 8.00 and 9.00