

Board of Registration of Allied Health Professionals
1000 Washington Street, Boston MA 02118
PUBLIC MINUTES

Date: February 23, 2017

Location: Room 1D

Time: 9:00 AM

BOARD MEMBERS PRESENT:

James "Zack" Zachazewski, AT, Chair
Annette Iglarsh, PT
Thomas Darisse, OTA
Chrys Peralta, OT
Jay Bernasconi, PT, Secretary
Stacy Potvin, PTA
Jamie L. Musler, AT, Vice-Chair
Lisa Ayles, AT
Nancy Lowenstein, OT

STAFF MEMBERS PRESENT:

Peter Kelley, Board Counsel
Colleen Cavanaugh, Assoc Exec Dir.
Sonia Jordan, Board Administrator
Anne Driscoll, Investigator
Ana Garcia, Exec. Dir.

9:00 AM - Housekeeping

- Meeting Called to order
- Facility Briefing (fire drill instructions) + Location of Exits and Restroom-Peter Kelley

9:05 AM - Board Business

- Approve Public and Executive Minutes for January

ACTION: James Zachazewski motions to accept January's minutes as amended, with second by Stacy Potvin. Motion passed by unanimous vote.

9:10 AM- Report from Board Counsel, Peter Kelley

No new information to present.

9:12 AM – Report from Associate Executive Director, Colleen Cavanaugh

- Compliance Monitoring
 - o AH-16-041 (GA) Continuing Educational Review

DISCUSSION: Board reviews request for approval of documentation and ethics courses.

ACTION: Board denied the ethics and documentation courses submitted. Approved the course for billing.

- o AH-13-024 (JC) Request to remove default

DISCUSSION: Petition to remove default presented to Board by Peter Kelley, as there are multiple cases, each with various options available. Board will review properly presented petition to remove default once received.

ACTION: James Zachazewski proposes sending these cases for sub-comm. review and analyses regarding multiple dockets. Second by Jamie Musler, passed by unanimous vote.

- o Dry Needling advisory opinion request update

9:25 AM - PTCO Waiver/Conference

(VT) PTCO Waiver – Proposed PTCO attending

DISCUSSION: Applicant presents her qualifications for consideration of a waiver to become PTCO of two facilities. Applicant has less than 1 yr. experience as a licensed PT, but 7 years as an owner.

ACTIONS: James Zachazewski motions to accept applicant as PTCO of both facilities as requested; Lisa Ayles seconds. Motion defeated 4-5 with Jamie Musler, James Zachazewski, Lisa Ayles and Tom Darisse voting in the affirmative and Chrys Peralta, Jay Bernasconi, Nancy Lowenstein, Stacy Potvin and Annette Iglarsh voting to deny waiver.

Second Motion made by Chrys Peralta to approve applicant as PTCO of only A-Z Physical Therapy, second by Stacy Potvin. This motion was approved 5-4 with Jamie Musler, Lisa Ayles, James Zachazewski, Tom Darisse, and Chrys Peralta voting in the affirmative. Annette Iglarsh, Jay Bernasconi, Stacy Potvin, Nancy Lowenstein voted to deny waiver.

9:55 AM - Discussion of Ethics Training as part of discipline by Jay Bernasconi

Continued education medical board Ethic courses from AZ, MO & OH

DISCUSSION: Jay Bernasconi presents the results of his inquiry as to the levels and types of remediation for ethics violations from 7/10 states polled. Annette Iglarsh comments as to her past experience on a national sub-committee on ethics remediation.

10:05 AM – Correspondence

- Email presented by Nancy Lowenstein regarding OT documentation and signing

DISCUSSION: New regulations require specific professional title, called 'designation', after name on clinical documentation and other professional documentation. The primary purpose of these designation requirements is that the consumer understands the license that the professional possesses. Clinical documentation identification must state the licensee's name, designation of specific professional title, and license number. All other professional designations must include name and designation of specific professional title. If any other information is to be included in such professional designation, it must follow the information required by the regulations.

- Email from Carolyn Cwalinski dated 2/1/17 regarding joint mobilization and PTA scope of practice.

DISCUSSION: The Board reiterates its previously stated determination that joint mobilization is not outside the physical therapy assistant scope of practice. Therefore, with proper evidenced based training followed by a period of supervised practice, PTAs can perform joint mobilization techniques.

- Email from Judith Walsh dated 1/27/17 INR finger stick and reporting results for interpretation

DISCUSSION: Board advises that these functions results are within scope of practice of physical therapy.

Break- 10:30am

- 10:40am • Email from Amy Mager dated 2/15/17 regarding dry needling advisory opinion request.

ACTION: As matter is under advisement, read and filed

10:30 AM- Motion by Lisa Ayles to enter closed session with second by Annette Iglarsh; passed by

unanimous vote. [Closed Session to conduct investigatory conferences pursuant to G.L. c. 112, §65C]: New Cases.

Review of Subcommittee Consent Calendar

- AH-17-000694 (DS)
- AH-17-000857 (All Access Physical Therapy)

While in closed session, the Consent Calendar was accepted.

Motion to return to open session by Jay Bernasconi; second by Stacy Potvin. Motion passed by unanimous vote.

10:45 Review of new regulations Questions & Answers.

Peter Kelley asks for feedback and clarification on documentation aspect of the new regulations. Board requests the following edits.

- 1) FAQ for 3.04 and 5.04 add the word "clinical" before documentation;
- 2) 259 CMR 4:05 AT- site, supervising AT "must be physically present" don't leave as a stand-alone item. Combine it with next bullet to avoid confusion.
- 3) In regards to co-signing; place the word "by", to replace a hyphen before the words, directing licensee.

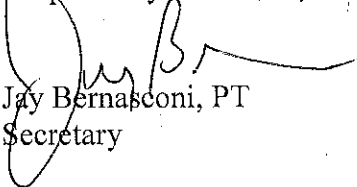
11:00 Review of draft of 259 CMR 5.00: Continuing Competence regulations

Tabled to March.

11:22 AM Motion to adjourn by Annette Iglarsh; second by Nancy Lowenstein, all in favor.

Adjourn: 11:22 AM

Respectfully submitted,



Jay Bernasconi, PT
Secretary