

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

Date: April 27, 2017

Location: Room 1D

Time: 9:00 AM

BOARD MEMBERS PRESENT:

Jay Bernasconi, PT, Chair
Annette Iglarsh, PT
Thomas Darisse, OTA
Chrys Peralta, OT
James Zachazewski, PT, AT, Secretary
Lisa Ayles, AT, Vice-Chair
Jamie Musler, AT
Nancy Lowenstein, OT

STAFF MEMBERS PRESENT:

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

MEMBERS NOT PRESENT

Stacy Potvin, PTA

9:02 AM - Housekeeping

- Meeting Called to order
- Facility Briefing (fire drill instructions) + Location of Exits and Restroom.
Completed by Colleen Cavanaugh

9:05 AM - Board Business

- Approve Public and Closed Session Minutes for March

ACTION: Minutes not yet available. Tabled until May

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

DISCUSSION:

- A. Call from attorney general's office (Michael Wong) in last 10 days from the health care division regarding Dry Needling. Updated office regarding prior history on the issue between DPL BOAH and DPH BORM Acupuncture Committee. Meeting being set up for 5/4 with BORUM, DPH and Peter Kelley and Kevin Scanlon to discuss pending dry needling issues. AG office appreciates that DPL and DPH are trying to resolve concerns internally. Annette Iglarsh has analysis of PT schools across the Commonwealth and how they are instructing students in this within existing and proposed curricula changes. Annette will share this with Peter Kelley
- B. Refresh education of Board members regarding procedures/types of sessions
 - a. Open session, Exec Session, Closed (invest, settlement and adjudicatory conferences)

9:10 AM –PCS Application Review/Conference

- (Peter Droste)

DISCUSSION: individual in FL cited for not taking HIV education course as part of CE requirement. Had monetary fee to pay. Took course and paid fee. Recommend approval

MOTION: Jay Bernasconi: Motion to allow candidate to continue with licensure process

SECOND: Lisa Ayles

ACTION: Approved unanimously.

VOTE: YEA 8 NAY 0 ABSTAIN 0

- (John Bernardo)

DISCUSSION: JB has requested to apply PTA license in MA. Applicant has taken the NPTE and is licensed in other states based on those states' criteria. Applicant instructed that they needed FCCPT review as in MA statute PTA course of study/degree required.

MOTION: Lisa Ayles - Deny licensure due to non-complying degree SECOND: Annette Iglarsh

ACTION: Denial letter to issue

VOTE: YEA - 8 NAY - 0 ABSTAIN - 0

9:17 AM Reinstatement of Lapsed License Conference

- (Sheryl Weitz) OTA license

DISCUSSION: Applicant came before board regarding similar issue for OT license in March and was instructed that she must retake OT license examination because expiration exceeds 5 years. Asks if she can reinstate OTA license which has lapsed since 2006. Board discussion – based on statute, regulations and policy the applicant must retake OTA license if needed

MOTION: Nancy Lowenstein– Must retake OTA license exam to reinstate OTA license

SECOND: Chrys Peralta

ACTION: Board staff will communicate to SW

VOTE: YEA 8 NAY 0 ABSTAIN

9:20 AM – Compliance Monitoring Report from Associate Executive Director, Colleen Cavanaugh

- AH 13 052 Michael Reinhold Termination of Suspension

DISCUSSION: Submitted CE required. Board discussed and agreed that MR must come before board to petition. Ethics required (6 CEU) must be above and beyond normal CEU requirements for BOC certification. MR must submit to BOAH that he has met the BOC CEU requirement of 50 CEUs plus the 6 in ethics (for MA BOAH as detailed in consent agreement). MR must submit current BOC certification to board or letter to BOAH from BOC that he is eligible pending MA agreement that he has satisfied conditions of consent agreement.

MOTION: Lisa Ayles– MR to appear before the board and submit current BOC certification and CE certificates for that reporting period. SECOND: Annette Inglarsh

ACTION: Approve motion. Board to contact MR

VOTE: YEA 8 NAY 0 ABSTAIN 0

- o AH 16 041 Gordan Anderson Continuing Education Approval

DISCUSSION: Additional CE submitted for approval. Those hours submitted were not specific to PT. GA must submit to the Board courses sponsored or approved either by APTA or FSBPT to satisfy any remaining continuing education.

MOTION: Jay Bernasconi Deny request and GA must submit 1 hours of APTA or FSBPT approved billing courses and 1 hour of APTA or FSBPT approved ethics courses. SECOND: James Zachazewski

ACTION: Board staff to communicate to GA

VOTE: YEA 8 NAY 0 ABSTAIN 0

- o Farrokh Najafi

DISCUSSION: Letter from Affiliated Monitors stating Mr. Najafi would like to have 10 charts reviewed from a previous job.

ACTION: Board wants 10 new files to review. This will be communicated to Affiliated Monitors.

10: 13 AM – Correspondence

- Email from Jillanna Simon dated 3/27/17 regarding Athletic Trainers

DISCUSSION: #1 – To prevent significant or catastrophic injury, illness or allergic reaction the AT may maintain custody of prescription medications (such as epi-pens or inhalers) on behalf of the athlete on a temporary basis during the practice or event in which the athlete is engaged. The AT may not store the prescription medication for the athlete.

MOTION: James Zachazewski - Board to communicate to Ms. Simon the preceeding scope of practice statements.

SECOND: Jay Bernasconi

ACTION: Board staff to communicate this to Jillanna Simon

VOTE: YEA 7 NAY 0 ABSTAIN 1

DISCUSSION #2 – This question is presented, dogs and other pets are not addressed in the statue or regulations regarding athletic training.

MOTION: Lisa Ayles Board to communicate to JS the above regarding pets. SECOND: Jamie Musler

ACTION: Board staff to communicate to Ms. Simon.

Vote: YEA 8 NAY 0 ABSTAIN 0

- Email from Bayani Anastacio dated 4/3/17 regarding spinal manipulations

DISCUSSION: Spinal manipulations within scope of PT practice. Endorsed by unanimous consent.

ACTION: Board staff to communicate this to Bayani Anastacio

- Email from Michael Uzar dated 4/12/17 regarding Golf PT and fitness

DISCUSSION: Physical therapists must practice within their scope. They must clearly identify and communicate to their patient or clients the capacity in which they practice in communication, documentation, and provision of services. No opinion as to personal training inquiries.

MOTION: Jay Bernasconi as per discussion SECOND: Lisa Ayles

ACTION: Board staff to communicate discussion to Michael Uzar.

VOTE: YEA 8 NAY 0 ABSTAIN 0

10:55 AM - Executive Session (closed pursuant to General Laws c. 30A, § 21(a)(7) to comply with the confidentiality protections for criminal record information, G. L. c. 66, § 10; G. L. c. 4 § 7, ¶ 26(a), G. L. c. 6, § 172

Motion: Jay Bernasconi to enter Executive Session; Second A. Iglarsh. Roll Call Vote Unanimous to enter Executive Session.

Motion: J. Bernasconi to exit Executive Session; Second by T. Darisse. Roll Call Vote Unanimous to exit Executive Session.

Motion: Jay Bernasconi to enter Closed Session pursuant to G.L. c. 112, §65C. Second Lisa Ayles. Passed by unanimous vote.

While in closed session, the Consent Calendar was adopted.

Motion to return to open session by Jay Bernasconi. Second: Lisa Ayles. Passed by unanimous vote.

11:09 AM Review of draft of 259 CMR 5.00: Continuing Competence regulations

DISCUSSION: Lengthy discussion overall on issues of jurisprudence, ethics and number of points, and how they would be distributed. Agreement of 24 points. Discussion of distribution about carving out 2 for jurisprudence and ethics for 2 each.

Motions discussed:

- 24 Points: 20 Clinical, 2 Ethics, 2 Jurisprudence – recommended not required.
 - VOTE: YEA 3 NAY 4 ABSTAIN: 1 – Motion Fails
- 24 Points: Clinical 2 Ethics 2 Jurisprudence Required
 - VOTE: YEA 4 NAY 4 ABSTAIN 0– Motion Fails.
- 24 Points: 24 points with no further stipulation.
 - VOTE: YEA 4 NAY 4 ABSTAIN 0– Motion Fails.

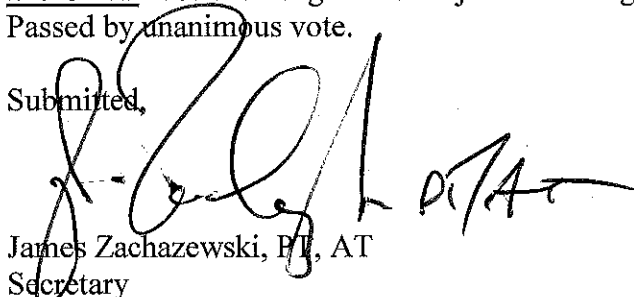
Tabled to May.

New Business

- Jay Bernasconi - Require 1 page synopsis when prosecutor comes before the Board to preferably be included in board packet or at a minimum of 48 hours before meeting. Lisa Ayles – Second.
VOTE: YEA 8 NAY 0 ABSTAIN 0; Motion carries. Staff to communicate to prosecutor's office
- Update of AT license application – Anticipated available mid-May

12:25 PM Motion: A. Iglarsh to adjourn meeting. Second: J. Musler
Passed by unanimous vote.

Submitted,


James Zachazewski, P.T., A.T.
Secretary