

**Board of Registration of Massage Therapy
May 14, 2018, Public Session Meeting Minutes
Location: 1000 Washington St., Boston, MA 02118, Room 1D**

Present:

Board members:

Paul Andrews, Board Chair
Alexei Levine, Vice Chair
Sheri Sarmento, Board Secretary
Saskia Coté, Board Member
Mindy Ruddock, Board Member

DPL Staff:

Ana Garcia, Executive Director
Peter Kelley, Board Counsel
Chris Lee, Investigator
Anne Driscoll, Investigator

Not Present:

Anne Marie Kennedy, Board Member

Item 1) 10:04 a.m. Meeting called to order:

Housekeeping and Evacuation Procedure – Executive Director Garcia detailed the evacuation plan to be followed in the event of an emergency. Do not use the elevators, exit down the stairwell and go across Harrison St. to Whole Foods parking lot.

Item 2) 10:05 a.m. Board Meeting Business:

- **Public Minutes from March 19, 2018-** Motion made by Ms. Coté, to accept the Public Minutes as corrected, seconded by Ms. Sarmento. The motion passed unanimously.
- **Public Minutes from April 9, 2018 –** Motion made by Ms. Ruddock to table the minutes from April 9, 2018 until the next meeting. Ms. Coté, seconded, motion passed unanimously.

Item 3) 10:08 a.m. Board Counsel Report:

Nothing to report

Item 4) 10:08 a.m. Executive Director Report:

• **Update on E-mail from Leah Gay re: Compliance Officers at multiple locations** – She was just asking the question if it was possible to have one compliance officer for six locations. There will be an item on the next meeting's Agenda regarding developing a policy about the number of establishments a compliance officer can serve.

Item 5) 10:11 a.m. Curriculum Review:

- **Cape Cod Massage Academy-[Sarah MacDonald] *tabled from April*** – Mr. Andrews wanted to know what it meant in the curriculum regarding the students working alongside allied health professionals. Ms. MacDonald stated they would be teaching treatment plan development. Mr. Andrews asked if the students would be going to the allied professionals' office. She said no, they would be coming on campus. They would be teaching targeted goals and learning objectives. There would be a target population with a common injury and they would talk about the key objectives regarding what you would do for a particular client. For example, they would teach what a massage therapist would do for a client with a hip replacement. Mr. Andrews asked if there would be a clinical scenario and a lecture and then someone with that condition would come in. Ms. MacDonald said yes.

Mr. Levine asked if every student would be hands on with the same client. She said that she only is taking on four students so she would find four people with hip replacements. Mr. Levine asked about giving credit for the clinic. She stated that 76.6 hours will be hands on and the students would be expected to come up with a treatment plan and then execute it. Mr. Levine asked if the allied professional would be licensed. She said yes, and would make sure there were no issues with their respective board.

Ms. Coté, asked if this would be an advance techniques class. She doesn't know how it would fit. Ms. MacDonald described the stages of her classes and the clinical portion. Ms. Coté asked about the students going to community events and asked if that counted as clinical hours. She stated the community events piece is important especially in the Cape to expose people to massage in a more relaxed setting. It also helps the students get used to talking to strangers.

Mr. Levine wanted to know if it would be an issue because the physical space at community events isn't approved. Board Counsel Kelley equated this to going to outpatient calls.

Ms. Coté asked how the students were going to get their required hours because she has talked to people who have done their clinic hours outside of the facility and there was a lot of standing around. She stated that the time and the customer's name will be documented and signed off by a teacher. Mr. Andrews reminded her that students need to make sure they know their scope when working with other allied professionals.

Mr. Levine made a motion to conditionally approve the license Ms. Coté seconded. The motion passed unanimously.

Item 6) 10:55 a.m. Compliance Monitoring

- **20140219MT093-IT-ENF through 20140219MT098-IT-ENF [Susan Coffey & Christine Rose]**

Ms. Coté recused herself and left the room.

Ms. Susan Coffey couldn't attend the meeting. Ms. Lopes attended with Ms. Rose.

Mr. Andrews asked Ms. Rose if Ms. Lopes had exposed her to the agreement and asked if she felt comfortable with it. Ms. Rose stated yes, she feels comfortable with it. Mr. Levine asked Ms. Rose if she had a background in insurance billing. She said, no. Mr. Andrews stated that Ms. Rose was going to focus on ethics and the other regulations and Ms. Lopes would submit her insurance billing to him to oversee. Mr. Andrews explained to Ms. Rose what is expected of her and that she is to submit quarterly reports for two years. Board Counsel Kelley explained what should be included in the reports.

Ms. Rose wanted to know her liability. Mr. Andrews explained that she is acting as the eyes and ears of the board. If something concerns her she should let us know before the report is due. Ms. Lopes asked what she is supposed to give Ms. Rose to review. Mr. Andrews stated that Ms. Rose can look at anything she wants and should inspect a random sample.

Ms. Ruddock made a motion to approve Ms. Rose as the compliance monitor. Mr. Levine seconded. The motion passed by majority vote with one recusal.

Item 7) 11:11 a.m. Investigative Conference: Review Cases: [Closed session pursuant to MGL. c. 112 §65C]

Ms. Sarmiento made a motion to exit open session and enter closed session for the purpose of conducting Investigative conferences, adjudicatory conferences and settlement conferences pursuant to MGL c.112, §65C; MGL. C. 30A, § 18 (5) d. Ms. Ruddock seconded. The motion passed unanimously.

11:12 a.m. Ms. Coté returned to the meeting.

During investigative conference the Board voted to take the following action:

- **2017-001549-IT-ENF [DC] -Tabled**
- **2018-000085-IT-ENF [YJB]-Tabled**
- **2018-000086-IT-ENF [H&R]-Tabled**
- **20151208NT084-IT-ENF [FC] -No action. (VSA by licensee)**
- **2016-001143-IT-ENF [Ewald] –Tabled**

11:25 a.m. Mr. Levine made a motion to come out of open session and enter into closed executive session pursuant to G.L.30A §21(1) to discuss the character rather than the competence of an applicant for licensure. Ms. Coté seconded. After taking a roll call vote (all “yes”), the motion passed unanimously.

At the end of the investigatory conference the closed meeting resumed.

11:50 a.m. Ms. Coté made motion to exit executive session to take a lunch break. Ms. Ruddock seconded. The motion passed unanimously

Item 10) 11:50 a.m. Break

12:47 a.m. Ms. Ruddock made a motion to enter and exit open session and enter closed session for the purpose of conducting investigative conference, adjudicatory conferences and settlement conferences pursuant to MGL c.112, § 65C; MGL. C. 30A, § 18, 5 (d). Mr. Levine seconded. The motion passed unanimously.

Item 11) 12:47 p.m. Investigative Conference: Review Cases: [Closed session pursuant to MGL. c. 112 §65C]

During investigative conference the Board voted to take the following action:

- **2017-000869-IT-ENF [TC]-Fwd to prosecutions**

Item 12) 1:38 p.m. Adjournment

Ms. Côté made a motion to exit closed session and Adjourn. Ms. Ruddock seconded. The motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ana Garcia", with a stylized, cursive script.

Ana Garcia
Executive Director