

**Board of Registration of Massage Therapy  
September 24, 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  
Mindy Ruddock, Board Member  
Saskia Côté, Board Member

**DPL Staff:**

Ana Garcia, Executive Director  
John High, Board Counsel  
Anne Driscoll, Investigator  
Liam Powers, Investigator  
Christopher Lee, Investigator  
Denise Quintiliani, Board Administrator

**Not Present:**

Anne Marie Kennedy, Board Member

**Item 1) 10:06 a.m.    Meeting called to order:**

**Housekeeping and Evacuation Procedures**-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.

**10:07 a.m. Ms. Côté made a motion to exit open session and enter closed session for the purpose of settlement conference pursuant to MGL c.112, §65C. Ms. Ruddock seconded. The motion passed unanimously.**

**Item 2) 10:08 a.m.    Settlement Conference:** [closed session pursuant to MGL c. 112, §65C]-*Fayette Mong*

Board discussed settlement offers presented by prosecuting counsel.

At the end of the closed session, Mr. Levine made a motion to exit closed session and to resume the open meeting. Ms. Kennedy seconded. The motion passed unanimously.

10:14 a.m. Mr. Levine made a motion to exit closed session and enter into open session. Ms. Côté seconded. The motion passed unanimously.

**Item 3) 10:15 a.m.    Board Meeting Business:**

- **Public Minutes from August 13, 2018** – Motion made by Mr. Levine to accept the minutes as corrected. Ms. Ruddock seconded. The motion passed unanimously.
- **Executive Minutes from August 13, 2018** – Motion made by Mr. Levine to accept the minutes as corrected. Ms. Sarmento seconded. The motion passed unanimously.

- **FSMTB Resolutions** – Motion made by Mr. Andrews to vote the following decisions at the FSMTB Annual Meeting; Resolution 1, abstain; Resolution 2, vote yes; By-law #1, vote no; By-law #2, vote no. Ms. Sarmento seconded. The motion passed unanimously.
- **November 12, 2018 MT Board Meeting** – The Board agreed to change meeting to November 5, 2018.

**Item 4) 10:32 a.m. Board Counsel Report:** - Attorney John High will be filling in for Attorney Kelley through December 2018.

**Item 5) 10:34 a.m. Sample Compliance Plan:** *Paul Andrews, Board Chair*

Mr. Andrews requested the Board read the sample compliance plan and any proposed changes will be discussed at the next meeting. Tabled discussion for the October 15, 2018 board meeting.

**Item 6) 10:38 a.m. Candidate Interview:** [Executive Session – closed pursuant to G.L. 30A, §21 (1)] *to review character rather than competence:*

Ms. Coté 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 competence of applicants for licensure. Ms. Ruddock seconded. After taking a roll call vote (all “yes”), motion passed unanimously.

At the end of the executive session, the closed meeting resumed.

Mr. Andrews moved to exit executive session and enter into 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. Coté seconded. After a roll call vote, all “yes.” The motion passed unanimously.

**Item 7) 11:58 a.m. Investigative Conference: Review Cases:** [closed session pursuant to MGL. C. 112 §65C]

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

- 2017-001549-IT-ENF [DC] – **Forward to Prosecutions**
- 1: 58 p.m. Ms. Cote recused herself
- 2017-00014450-IT-ENF [DC] – **Forward to Prosecutions**
    - 2018-000010-IT-ENF
- 2:15 p.m. Ms. Cote returned to the meeting
- 2018-000066-IT-ENF [JB] – **Dismiss w/o prejudice**
  - 2018-000221-IT-ENF [JHL] – **Forward to Prosecutions**
    - **2018-000220-IT-ENF-Forward to Prosecutions**
  - **Summary Suspensions-Update by ED**
    - **13688-MT-MT [JC]**
    - **14598-MT-MT [JZ]**
    - **15220-MT-MT [TD]**
    - **2112-MT-MM [OM]**

**Item 8) 1:49 p.m. Investigative Conference: Appeal Cases:** [closed session pursuant to MGL. C. 112 §65C]

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

- **2018-202945-FI-ENF [DD] – Uphold fine**

**Item 9) 1:51 p.m. Final Decision & Order:** [*Deliberative Session: closed session pursuant to G.L. c. 30A, §18, (5)(d)*]

The board reviewed cases in closed session to conduct quasi-judicial deliberations.

At the end of the deliberative session, the closed meeting resumed.

**Item 10) 1:53 p.m. Compliance Monitoring-Executive Session** [*closed pursuant to G.L. c. 30A, §21(a) (7) to comply with G.L. c. 66, § 10, G.L. c. 4, § 7, ¶ 26 (c) (medical record information)*]:

Ms. Coté moved to enter into Executive session pursuant to G.L. c. 30A, §21(a) (7) to comply with the public record law G.L. c. 66, § 10, and preserve the confidentiality of medical record information, G.L. c. 4, § 7, ¶ 26 (c). Ms. Ruddick seconded. After taking a roll call vote (all “yes”), the motion passed unanimously.

1:55 p.m. Ms. Coté moved to exit closed executive session and enter into open session. Ms. Ruddock seconded. The motion passed unanimously.

**Item 11) 1:55 p.m. Application Review**

- **2018-424-MT-MT-APP [MH]-** Application reviewed before the board as applicant notified that school was closed. No repository in existence to obtain an official sealed copy. The only proof was a copy of the final transcript.

Mr. Levine made a motion to accept applicant’s unsealed transcript and approve to move forward with the initial licensure process. Ms. Coté seconded. The motion passed unanimously.

**Item 12) 1:56 p.m. Curriculum Review:**

1:57 p.m. Ms. Ruddock recused herself and left the meeting.

- **Spa Tech Institute** – Board reviewed current curriculum submitted for school renewal with Occupational Schools.

After review and discussion, Mr. Levine made a motion to approve the massage program curriculum for license renewal with Occupational Schools. Ms. Coté seconded. The motion passed unanimously.

**Item 13) 2:00 p.m. MT Establishment Inspection Forms:**

- MT Establishment Inspection Forms- Board reviewed proposed revised inspection forms for Massage Therapy Establishment which were provided by the Office of Inspections. Ms. Garcia suggested it should say on the top of the form New Establishment instead of New Shop.

Motion made by Ms. Coté to approve with corrections. Mr. Levine seconded. The motion passed unanimously.

**Item 14) 2:02 p.m. Board member to attend a hearing:**

- Adjudicatory Hearing in the matter of 2018-000656-IT-ENF [Jason Morin] for October 3 & 4, 2018- **Ms. Cote volunteered to attend hearing.**
- Adjudicatory Hearing in the matter of 2018-000932 & 933-IT [Du Zhang] for October 18, 2018- **Ms. Ruddock will check her schedule.**

**Item 15) 2:05 p.m. Adjournment**

Ms. Coté made a motion to adjourn. Mr. Levine 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