

**Board of Registration of Massage Therapy  
November 5, 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 Sarmiento, Board Secretary  
Anne Marie Kennedy, Board Member  
Saskia Coté, 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:**

Mindy Ruddock, 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) 10:06 a.m.    Board Meeting Business:**

A motion was made by Ms. Coté to table the Public and Executive Minutes from September 24, 2018 and October 15, 2018. Ms. Kennedy seconded. The motion passed unanimously.

**Item 3) 10:08 a.m.    Sample Compliance Plan: *Paul Andrews, Board Chair***

- The Board discussed the Sample Compliance Plan and whether the definition of massage on pg. 6 should be included in the plan. There was some disagreement on whether the massage definition should be included. Board motioned to table review and revisit later on in the meeting to discuss Item 4) Curriculum Review.

**Item 4) 10:33 a.m.    Curriculum Review:**

- **Elizabeth Grady School of Esthetics and Massage Therapy** – *tabled from September*  
Ms. Sandra Bell from Elizabeth Grady attended the Board meeting to clarify the offsite program. Ms. Bell explained that the offsite program is used as make-up hours. It does not count towards the 750 program hours. The students participate in the Pan Mass Challenge as well as the Boston Marathon. There are two instructors at the events. Mr. Levine expressed concern about the students being exploited and asked if it could be added to their program. The school would not make it a requirement to attend the outside events. If they have missed class hours they could go to the events to make up the class hours. Ms. Coté made a motion to approve the Elizabeth Grady curriculum as long as they take out the requirement for the offsite events and make it optional. Mr. Levine seconded. The motion passed unanimously.

**Item 5) 10:43 a.m. Sample Compliance Plan: *Paul Andrews, Board Chair***

The board resumed discussion regarding the Sample Compliance Plan. The Board discussed possibly having a definition section:

- **Linen Supplies:** On pg. 6 change to, Clean linens shall be used including a new headrest cover are used for each massage.
- **Dress Code and Conduct:** Remove the third paragraph.
- **Communication and Reporting:** Remove the second sentence.
- **Client Intake and Evaluation:** On page 8 remove “on a separate document.” Restructure the sentence starting with, the information kept in the client folders etc. to, Client records are confidential and no one except authorized personnel will have access to these records. On pg. 8 in the second paragraph remove, Only the Compliance Officer, Manager and Massage Therapists and change to authorized personnel. In the third paragraph remove the first sentence and add a sentence about clients being able to get their records.
- **Maintenance and Sanitation:** In the first sentence remove the first word, both. Change the first sentence to, the massage therapy rooms are equipped with standard massage equipment. In the second sentence change “stocked in the cabinets and drawers,” to stocked and available.

In the second paragraph in (a) remove, “by the top sheet.”

On pg. 9 remove paragraph (c). In paragraph (e) change the sentence to, At the end of the working day, the table surface and the face cradle must be sanitized and cleaned.

In the last paragraph change the first sentence to, Massage rooms and the waiting area are maintained regularly.

The Board stopped on pg. 9 at Complaints-Incidents. Mr. Andrews will send Executive Director Garcia changes to the plan.

**Item 6) 11:35 a.m. Investigative Conference: Review Cases: [closed session pursuant to MGL. C. 112 §65C]**

Ms. Coté 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. Kennedy seconded. After a roll call vote, all “yes.” The motion passed unanimously.

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

- **2018-00216-IT-ENF [EG] - Forward to Pros**
- Ms. Coté recused herself at
- **2018-00219-IT-ENF [RS] – Forward to Pros**
- Ms. Coté returned to the meeting at
- **2018-000525-IT-ENF [LS] – Forward to Pros**
    - **2018-000723-IT-ENF [LS] – Forward to Pros**
  - **2018-000793-IT-ENF [DH] – Forward to Pros**

**Item 7) 12:26 p.m. Investigative Conference: Appeal Cases:** [closed session pursuant to MGL. C. 112 §65C]

- **2018-203300-FI-ENF [MF] – Forward to Pros**
- **2018-203358-FI-ENF [ZZH] – Forward to Pros**

**Item 8) 12:34 p.m. Settlement Conference:** [closed session pursuant to MGL. C. 112 §65C]

The Board discussed settlement offers presented by prosecuting counsel.

At the end of the settlement conference, the closed meeting resumed.

**Item 9) 12:51 p.m. Final Decision & Order:** [Adjudicative conferences: 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 closed session Ms. Coté made a motion to exit closed session and resume the open meeting. Ms. Sarmento seconded. The motion passed unanimously.

**Item 10) 1:01 p.m. Correspondence:**

- Email dated 10/20/2018 from Stephanie Portner to the Board re: Compression Therapy

After a discussion the Board decided that Compression Therapy wasn't in the scope of practice.

**Item 11) 1:04 p.m. Board Member to attend a hearing:**

- **2018-000932-IT-ENF [ZD] November 28, 2018 at 10) a.m.** – Ms. Coté can attend. Executive Director Garcia is going to check to make sure it is a case that Ms. Coté can attend without recusing herself.

**Item 12) 1:01 p.m. Adjournment:**

Ms. Coté made a motion to adjourn. Mr. Levine seconded. The motion passed unanimously.

Respectfully submitted,



Ana Garcia  
Executive Director