

**Board of Registration of Massage Therapy  
October 15, 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 Coté, Board Member

**DPL Staff:**

Ana Garcia, Executive Director  
John High, Board Counsel  
Anne Driscoll, Investigator  
Liam Powers, Investigator

**Not Present:**

Anne Marie Kennedy, Board Member

**Not Present:**

Christopher Lee, Investigator

**Item 1) 10:05 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) 10:07 a.m.    Board Meeting Business:**

- **Public Minutes from May 14, 2018** – Motion made by Ms. Coté to accept the minutes. Ms. Ruddock seconded. The motion passed unanimously.
- **Executive Minutes from May 14, 2018** – Motion made by Ms. Ruddock to accept the minutes. Ms. Coté seconded. The motion passed unanimously.
- **Public Minutes and Executive Minutes from September 24, 2018** – Tabled until 11/05/2018 meeting
- **Proposed Board Meeting Schedule** - Ms. Coté made a motion to accept the 2019 meeting schedule with a correction. Mr. Levine seconded. The motion passed unanimously.

**Item 3) 10:11 a.m.    Executive Director Report:**

- **Board Member Travel Reimbursement Forms** – Board members should be submitting them monthly rather than all of them at the end of the year.
- **Reminder on Ethics Disclosure and Travel Authorization Forms** – Have these forms submitted 60 days before attending a conference. If the DPL is paying submit both forms. If a Board member is paying their own way only submit the Ethics Disclosure form.

**Item 4) 10:16 a.m.    Sample Compliance Plan:** *Paul Andrews, Board Chair*

- The Board read the Sample Compliance Plan up to page 6 and made the following revisions, Chain of Command was removed on pg. 3, the Mission Statement on pg. 3 was removed, the first paragraph under Bodyworkers was removed from pg. 4, Inspectors will make at least two (2) attempts to visit the establishment before seeking to deny a license on pg. 5 was removed, the entire Expectations/Conduct and Hiring Due Diligence sections on pg. 5 were removed. The review stopped at pg. 6 and will continue at the next scheduled meeting.

**Item 5) 11:05 a.m.    Settlement Conference:** [closed session pursuant to MGL c. 112, §65C]

Ms. Ruddock 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. Coté seconded. The motion passed unanimously.

At the end of the closed session, the open meeting resumed

**Item 6) 11:10 a.m.    Candidate Interview:** [Executive Session – closed pursuant to G.L. 30A, §21 (1)]  
*to review character rather than competence:*

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

**Item 7) 11:59 a.m.    Investigative Conference: Review Cases:** [closed session pursuant to MGL. C. 112 §65C]

Ms. Ruddock made a motion to enter and exit open session and enter closed session for the purposes of conducting investigative conferences, adjudicatory conferences and settlement conferences pursuant to MGL c. 112, §65C; MGL. C. 30A, § 18, 5 (d). Ms. Sarmiento seconded. After a roll call vote, all “yes”, except for Ms. Coté who wasn’t in the room. The motion passed by majority vote.

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

- **2018-00461-IT-ENF [JC ]-Revoke right to renew license**
- **2018-000555-IT-ENF [YL]-Fwd to pros**
- **2018-000460-IT-ENF [WC]-Fwd to pros**
- **2018-000346-IT-ENF [DM]-Fwd to Pros**
- **2018-000463-IT-ENF [CG]- Fwd to Pros**
- **2018-000774-IT-ENF [TC] – Fwd to Pros**
- **2018-00218-IT-ENF [HXZ ] – Dismissed**
- **2018-000462-IT-ENF [PW] – Dismissed with Advisory Letter**
- **2018-000655-IT-ENF [IS] – Dismissed with Advisory Letter**

**Item 8) 12:35 p.m. Final Decision & Order:** *[Deliberative Session: closed session pursuant to G.L. c. 30A, §18, (5)(d)]*

At the end of the Quasi-Judicial session Ms. Ruddock moved to exit closed session to resume the open session. Ms. Côté seconded. Motion passed unanimously.

**Item 9) 12:45 a.m. Curriculum Review:**

- **New England School of Therapeutics – New MT Program-** Mr. Levine made a motion to approve the program as presented. Ms. Côté seconded. The motion passed unanimously.

- **Elizabeth Grady School of Esthetics and Massage Therapy – MT School Renewal -** Ms. Côté had a question regarding how the hours are counted for attending events. The hours shouldn't be counted as credit hours. It appears the program may be allowing attendance hours at events to be counted as clinic hours. Ms. Côté made a motion to have someone from Elizabeth Grady attend a Board meeting to clarify this. Ms. Ruddock seconded. The motion passed unanimously.

**Item 10) 12:58 p.m. Board member to attend a hearing:**

- Adjudicatory Hearing in the matter of 2018-000906-IT-ENF [JC] for November 1, 2018 – Ms. Côté will attend.
- Adjudicatory Hearing in the Matter of 2018-000926-IT-ENF [XLY] for November 5, 2018 – This conflicts with our regularly scheduled Board meeting. Executive Director Garcia will check on the time of the hearing.
- Adjudicatory Hearing in the Matter of 2018-000702-IT-ENF [BG] for November 7 & 8, 2018 – Ms. Ruddock can attend on the 7<sup>th</sup> but not the 8<sup>th</sup>.

**Item 11) 1:03 p.m. Adjournment**

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

Respectfully submitted,



Ana Garcia  
Executive Director