

Board of Registration in Allied Health Professionals
1000 Washington Street, Boston MA 02118
Notice of Meeting and Topics

Date: November 15, 2018

Location: Room 1D

Time: 9:00 AM

Board Members Present:

Jay Bernasconi, Chair, PT
James Zachazewski, Secretary, AT
Stacy Potvin, PTA
Lisa Ayles, AT
Susan Higgins, OT
Jamie Musler, Vice Chair, AT
Stephanie Smith, OT

Staff Members Present:

Kevin Scanlon, General Counsel
Ana Garcia, Executive Director
Anne Driscoll, Board Investigator
Sonia Jordan, Board Administrator

Absent: Randy Jean, PT

9:00 AM - Housekeeping

- Meeting Called to order – 9:20 a.m.
- Facility Briefing (fire drill instructions) + Location of Exits and Restroom by Board Counsel John High

9:05 AM - Board Business

- Lisa Ayles recused for part of the meeting due to a conflict
- Review and Approve Public & Executive Minutes for November , 2018

Background Info	Public Minutes Discussed		
Motion	Approver Public Minutes		
Maker	Lisa Ayles	Second	Susan Higgins
Discussion	Change Board Counsel to John High; Edited Compliance maker & second		
Action	Minutes Approved		
Vote	Yea: Unanimous	Nay:	Abstain:

9:15 AM - Compliance Monitoring

- 2017-001339-IT-ENF [James Bucciarelli]- Discussion with proposed Monitor Robert Worden, PTA
 - Discussion of role as compliance monitor. Emphasis on meeting intent of consent agreement in quarterly monitoring reports as compliance monitor.
 - Board approved monitor.
 - Motion to approve Monitor – Jamie Mussler. Second Jay Bernasconi. Must practice under consent agreement, statute, rules and regulations of Commonwealth.
- AH-14-032 – Robin Wilder – Quarterly Updated Report #7
 - Some deficiencies noted. No corrective action plan submitted.
 - Accept report. Allow administrative staff to review action plan
 - Motion Jamie Musler, Second Susan Higgins – approved unanimously

9:40 AM – Correspondence – 12:00

- Email from Melanie Glynn dated 10/10/18 re dry needling for Occupational Therapy

- Taken under advisement. Board staff/legal counsel will review prior language used for PT relative to areas not mentioned under statute and regulations that allow practice provided appropriate education and training are demonstrated.
- Will bring back to board
- Email from Gregory Roth dated 11/5/18 regarding PT facilities license
 - Seeking exemption for facility licenses for some practices based on his type of practice. States majority of practice is education/ergonomic training in nature vs. practice of PT.
 - Must comply with regulations as written. Need to prove his practice/sites meet the regulations as written no license needed.
 - Letter to be written to licensee by board counsel summarizing discussion

10:09 AM Settlement Conference: *[closed session pursuant to MGL c. 112, §65C]*

Motion to go in to closed session for Settlement Conference at 10:10. Jay maker of motion. Stephanie second. Unanimous roll call vote.

During the Settlement Conference, board discussed settlement offers presented by prosecuting counsel.

11:55 a.m. Motion to come out closed session Stephanie Smith, Second Jay Bernasconi. Approved unanimously

12:06 PM -New Cases [Closed Session pursuant to G.L. c. 112, §65C]:

Motion to exit open session and into closed for investigatory conference at 12:05: Jay Bernasconi, second Stephanie Smith. Roll call unanimous.

During the closed session investigatory conferences, the Board voted to take the following action:

- 2018-0760-IT-ENF [CHY]-**Fwd to pros**
- 2018-001078-IT-ENF[JD]- **Fwd to pros**
- 2018-000970-IT-ENF [EH]-**Dismiss w/o prejudice**
Jamie Musler recused himself from the room.
- 2018-001030-IT-ENF [AB]- **Dismiss w/o prejudice.**
Jamie Musler returned to the room.
- 2018-001001-IT-ENF [APG]- **Fwd to pros**
- 2018-000958-IT-ENF [MA]- **Fwd to pros**

12:15 p.m. Motion to come out of closed session made by Jay Bernasconi. Jamie Musler second. Roll call unanimous.

11:00 AM- New Business:

- Open Session for Topics not reasonably anticipated by the Chair 48 hours in advance of meeting
 - Sonia and Anne – to present penalty grid with proposed fines for unlicensed practice

- Executive Director to report back on Missing Committee Member report for public member and OTA
- Next scheduled meeting 12/20/18

12:06 PM-Adjournment:

Motion to adjourn by Jay Bernasconi, Second Stacy Potvin. Unanimous approval.

Respectfully Submitted,

A handwritten signature in black ink that reads "Ana Garcia". The signature is written in a cursive style with a large, stylized "A" and "G".

Ana Garcia
Executive Director

Reasonable accommodations or modifications will be provided to individuals with disabilities to participate in the Board of Registration in Allied Health Professionals meeting. All requests should be directed to *Cheryl Yebba* by calling 617-727-4992 or TTY/TDD: (617) 727-2099 by no later than November 14, 2018. While the Division of Professional Licensure will attempt to honor all requests, those requests received by November 14, 2018 may not be provided due to feasibility.