

Division of Professional Licensure

Commitment to Excellence...



***Commonwealth of Massachusetts
Office of Consumer Affairs and Business Regulation
Division of Professional Licensure***

***Governor Mitt Romney
Lt. Governor Kerry Healey
Director Beth Lindstrom
Director Anne L. Collins***

***Fiscal Year 2003
Annual Report***

*Dedicated to William Gates Wood
Director 1991-2003*



After 12 years of faithful service to the Division of Professional Licensure, Director Bill Wood has departed to pursue other business opportunities. The staff of the Division thanks Bill for his dedication to them and the consumers of the Commonwealth. We will miss him very much, and we wish him the best in all future endeavors.

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A Message from the Director

*His Excellency Mitt Romney
Governor of the Commonwealth*

*Beth Lindstrom, Director
Office of Consumer Affairs and Business Regulation*

Honorable Members of the Massachusetts Legislature

FY 03 was a year of dramatic improvements and changes for the Division of Professional Licensure. The Division has long faced demands that have out-stripped its resources and resulted in delays in taking action on consumer complaints. To eliminate this burdensome backlog and to be able to identify a new and strategic approach for the future, the Division engaged in an unprecedented enforcement effort to resolve cases. Boards held additional meetings, new improved processes were put in place, and staff logged extra hours. As a result, the Division closed 49 percent more cases than in FY 01, 34 percent more than in FY 02 and took disciplinary action in 949 cases, a 199 percent increase over FY 01 results and 64 percent increase over FY 02. The number of refunds obtained on behalf of consumers increased 49 percent over last year to \$49,460.00 and the number fines of assessed increased 54 percent over last year to \$29,225.00. Going forward, the number of pending cases has been reduced by 40 percent.

The most significant change of FY 03 occurred in January when the Legislature reorganized the Division, reducing the number of boards of registration within the Division from 36 to 29. Seven Boards were transferred under the auspices of the Department of Public Health. Thanks to the diligent effort and careful planning of Division staff, this change was implemented without disruption in service delivery to the public. The Division continues to handle certain important core operations to support all boards and best serve the public.

The second big change for the Division was the departure of Director William G. Wood. After twelve years of faithful service and leaving a legacy of positive improvements in the agency, Bill decided to pursue his own equestrian business relocating with his family out of state. With Bill's departure mid-year, I was pleased to be appointed Director of the Division and to rededicate the work of the boards and staff toward eradicating the backlog of consumer complaints and increasing consumer protection.

The key to future Division success will be developing new, strategically targeted methods of enforcement. The assembly line approach of the past that treats each complaint equally, if slowly, is failing to meet the demands of the public. Going forward, the Boards must shift their emphasis from case by case enforcement to establishing enforcement priorities and using new tools to address those priorities. By increasing levels of outreach and education to both licensees and consumers, increasing the number of spot inspections, and reserving full investigation and prosecution for those cases involving the most egregious misconduct, the boards can have greater impact. The Division will continue to push for fining power for all boards and the ability to prosecute unlicensed practice so that swift and appropriate consequences can be realized when misconduct is proven. Most consumer encounters with licensed professionals are mutually satisfactory. With these new approaches, the Division hopes to raise the level of service consumers receive from all licensees.

Sincerely,

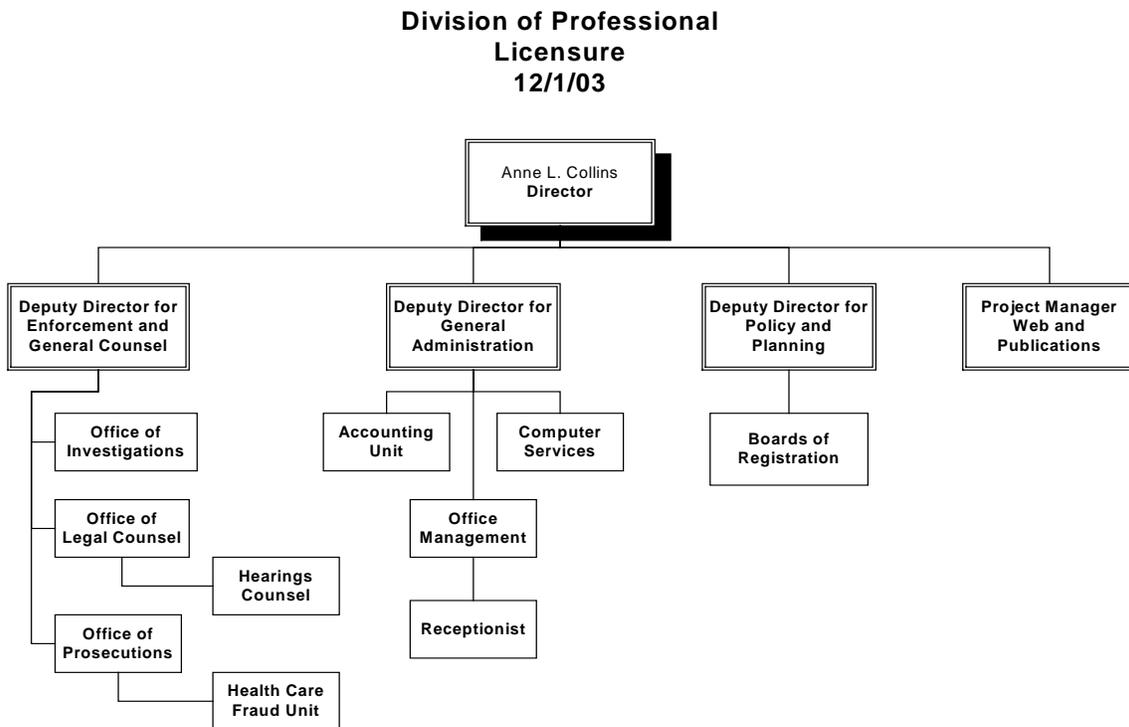
Anne L. Collins
Director

About the Division

The Division of Professional Licensure (formerly the Division of Registration) is an agency within the Office of Consumer Affairs and Business Regulation. The Division of Professional Licensure is responsible for ensuring the integrity of the licensure process for 50 trades and professions regulated by 36 boards of registration, the continual updating of licenses for approximately 530,000 licensees, and the maintenance of the multiple databases related to licensing, enforcement, and revenue collection. This work is accomplished through the combined efforts of the members of the Boards of Registration and the staff of Board Offices, Computer Services, Fiscal Services, the Office of Legal Counsel, the Office of Prosecutions, the Office of Investigations, and the Administrative Office. January 1, 2003, the Division transferred oversight of seven healthcare boards to the Department of Public Health. Since this report covers accomplishments of the entire year, only the 29 Division boards are included.

Our Mission

The Division works to protect the public health and safety by issuing licenses to qualified individuals who provide services to consumers, and by providing fair and consistent enforcement of the statutes and regulations of the boards of registration.



General Administration

The Division operates as a business providing services to the Boards and the service units. The Division centralizes services and achieves economies of scale providing technical and operational support and direction, coordinating budget (see Appendix A) and administrative functions, completing capital projects, and providing accounting and computer services.

The Director's Office coordinates and prioritizes the separate missions of the 29 boards and allocates resources to maximize the benefit to the public.

Computer Services

Computer Services acts as a liaison between the State's Information Technologies Division (ITD), lock box vendor, testing companies, and other vendors. It develops and maintains license renewal applications, produces licenses, and maintains more than 1,000,000 license records. Computer Services establishes production schedules to coordinate the smooth flow of license and renewal productions, records maintenance, and testing information. It works closely with the accounting unit to electronically process fee collection information.

Computer Services consists of three sections – Network Services, Data Processing and Web Services.

Network Services is charged with maintaining the Division's information technology and telecommunications systems. Computer Services manages the information technology needs within the Division by developing information systems and providing support for the Agency's Windows 2000 Active Directory Network and desktop applications. It is also responsible for ensuring that electronic licensee records are secure and that Division employees have continuous access to resources that protect consumers of the Commonwealth.

Data Processing is responsible for maintaining the electronic records of Division licensees. Responsibilities include processing over 200,000 renewals, 3,000 new licenses, and 75,000 record changes per year. Additionally, Data Processing is responsible for honoring requests for public information about licensees.

Web Services is responsible for maintaining the Division's Internet and Intranet site. Web Services publishes daily updates to the Web sites and ensures that licensee information posted to the Web site is accurate and up to date.

Intranet

The Division redesigned its Intranet site this year, making it more accessible, employee-friendly and content-rich. The site features a continually updated calendar, Division and State policies, glossaries of Division-specific terms and codes, forms and news items. This initiative assists Division staff by enhancing the cooperative, community spirit amongst employees and serving as a central location where critical information may be accessed. It was designed to increase employee productivity by providing a single, paperless repository of all, necessary research information and forms commonly used by employees. It has also been used to reduce agency costs by including links

to reference sites that have reduced employee use of 411 calls, and decreased returned mail by linking to the US Post Office site to provide correct zip codes.

Public Information Requests

In order to better serve consumers, the Division began to offer customizable, detailed license databases on CD-ROM this year. For a small fee, media professionals, business owners, professional organizations and consumers can now request these disks, which conveniently organize licensee information, including name and mailing address, Board of Registration, license type, number, issue date, expiration date and status. Database files are available for all professions licensed by the Division and contain all records for each profession.

Fiscal Services

Fiscal Services performs all revenue functions for the 29 Boards of Registration within the Division of Professional Licensure, as well as the seven Boards of Registration that are now being overseen by the Department of Public Health, a total of 36 Boards. Individual Boards must record revenue, and each Board has two revenue accounts: Lockbox Revenue, which primarily consists of license renewal fees, and Over-the-Counter (OTC) Revenue, which includes application fees, original license fees and miscellaneous fees. The total estimated revenue ranges between 14 and 19 million dollars annually. These figures include both General Fund and Trust Fund revenue. There is one MMARS Trust Fund revenue account for all Boards. (MMARS is the statewide electronic accounting system).

The Division contracts with Fleet Bank using a “lockbox” system to process all license renewal applications and revenue received from renewals for the 36 Boards of Registration.(see Appendix F) The annual revenue deposited and processed through the lockbox ranges from \$11 million to \$16 million. Approximately 200,000 to 220,000 coupons are processed annually. Renewal coupons are printed and mailed monthly, the volume ranging from 8,000 to 47,000 per month. The lockbox system enables the Division to update the licensee database and revenue information within 24 hours.

Fiscal Services is also responsible for a number of daily and miscellaneous reports for revenue projection and collection, renewal estimates and other statistical data. These reports include daily accounting summary and automatic fee reports for recording lockbox revenue and Trust Fund revenue, as well as a Revenue Warehouse Report, which is used for renewal revenue projections and which can be generated on a daily basis.

Revenue Collection for Fiscal Year 2003 (see Appendix F for Breakdown)

Division Boards	\$12,243,688.
General Fund	\$10,400,183.
Trust	\$1,843,504.

Consumer Outreach and Communications

Speaker's Bureau

Consumer organizations, schools, government agencies, professional organizations and interest groups can request that a representative from the Division address an upcoming seminar, dinner, meeting or other event. The Division offers a host of professionals prepared to speak on numerous subjects of concern to consumers involving the Boards of Registration and the licensed professions. More information and a Speaker Request Form are available on the Division Web site at www.mass.gov/reg/Consumer/SpeakersBureau.htm.

Check A License

Licensing of certain professions serves both to protect and to benefit consumers. Professional licensure ensures that a license holder has met certain minimum requirements – usually education, experience and examination – for competent practice of that profession. Licensing then holds that professional to certain standards of practice and levels of experience and knowledge. To keep a license, these practitioners must continue to adhere to the ethical guidelines, standards of practice, educational requirements and regulations pertaining to their professions. Consumers can check the status of a practitioner's license and whether or not there has been disciplinary action by visiting the Divisions Web site at www.mass.gov/reg/ and selecting the “Check A License” option.

Press Releases

The Division issued 15 press releases highlighting disciplinary actions by the boards and important consumer awareness tips. Copies of the press releases can be found on the Web site at www.mass.gov/dpl/press.htm.

Visiting Speaker Series

In June 2003, the Division launched a Visiting Speaker Series, envisioned and created by Linda Grasso, General Counsel and Deputy Director for Enforcement. Open to open to all employees and interns of the Division, Ms. Grasso also invited interns and staff from the Executive Office of Consumer Affairs. The Division was honored to have several esteemed and well known members of the legal profession from both the private and public sector speak to the Division concerning various relevant topics including the role of the government agency in the legal system.

The speakers included **The Honorable Suzanne V. DelVecchio**, Chief Justice of the Superior Court; **The Honorable J. Owen Todd**, former superior court justice, founding partner of Todd and Weld LLP, fellow of the American College of Trial Lawyers; distinguished civil rights and criminal lawyers **Max D.Stern**, also a fellow of the American College of Trial Lawyers and the American Board of Criminal Lawyers. Stern was named one of the most influential lawyers of the preceding century by Lawyers Weekly; former United States Attorney and Chief Counsel to the Governor **Donald K. Stern** who served as Chief of the Government Bureau for the Attorney General, **Camille F. Sarrouf**, former president of the Massachusetts Bar Association,

also a fellow of the American College of Trial Lawyers, legal ethicist **Arnold J. Rosenfeld** who served as Bar Counsel for the Board of Bar Overseers and now is private practice, and the current United States Attorney **Michael J. Sullivan**.

Massachusetts Professional Recovery System

The Massachusetts Professional Recovery System (MPRS), a program managed by the Division of Professional Licensure, was established in 1997 to assist state-licensed professionals who have drug and alcohol problems. MPRS has received support from professional societies and organizations such as the Massachusetts Pharmacy Association, the Massachusetts Dental Society, and the Massachusetts Veterinarians Association. The goal of MPRS is to provide monitoring and rehabilitative services to the professionals licensed by thirty-five boards of registration operating within the Division. (The Board of Registration in Nursing operates its own substance abuse program for nurses). Presently, MPRS consists of two volunteer committees and serves 23 Boards.

The second committee was established in 2000 and serves the following Boards: Psychology, Social Work, Allied Health, Allied Mental Health, Chiropractors, Respiratory Care, Cosmetology, Optometry, Dispensing Opticians, Health Officers, Audiology/Speech Pathology, Engineers, Nursing Home Administrators, Electrologists, Drinking Water Operators and Perfusionists.

Information about the Massachusetts Professional Recovery System is available at the Division's Web site at www.mass.gov/reg/services/MPRS.htm

Enforcement

The Office of Investigations, Office of Legal Counsel, and the Office of Prosecutions conduct enforcement of the statutes and regulations governing the practice of the professions regulated by the boards in conjunction with the boards.

Working cooperatively, the members of the Enforcement Units insure that the public is protected by assisting the Boards in identifying and investigating professional misconduct, settling consumer complaints, and imposing discipline on unethical, incompetent or unprofessional licensees.

The Enforcement staff also works with other law enforcement and regulatory agencies to ensure a comprehensive approach is taken in protecting the public.

Office of Investigations

The Office of Investigations provides the Division's front line of consumer protection. The formal consumer complaint process is generally initiated with this office. (see Appendix B). Investigators handle hundreds of telephone calls per week assisting consumers in determining the disciplinary status of licensees, filing complaints, resolving disputes, pursuing legal redress in the courts, and filling requests for public information. They also respond to the questions and problems of licensees, attorneys, and representatives of various state agencies.

The office conducts investigations into allegations of professional misconduct and inspections of business premises licensed by the boards. The office also handles all state plumbing inspections for the Commonwealth and electrical inspections for the state transportation agencies.

Office of Legal Counsel

The Office of Legal Counsel serves two basic functions. Administrative Counsel assist the Boards in developing policy and regulations, advise the Boards on the propriety of proposed actions, negotiate with testing services and provide legal opinions regarding matters affecting the Boards, the professions, and the Division. Hearings Counsel assist in expediting the disciplinary hearing process by advising the Boards on the legal and evidentiary issues involved in conducting adjudicatory hearings, drafting recommended decisions, and in some cases, serving as the Boards' designated hearings officers.

Office of Prosecutions

The Prosecuting Counsel assist the Boards and the Office of Investigations in determining which consumer complaints against licensed professionals suggest professional misconduct. They prosecute disciplinary cases against licensees before the Boards and coordinate prosecution of board disciplinary action with other law enforcement agencies. (see Appendix C)

The Health Care Fraud Unit (HCFU) is a permanent unit within the Office of Prosecutions. The HCFU works to combat insurance fraud perpetrated by health care providers licensed by the Boards.

The HCFU participates in a referral network with law enforcement agencies including the Office of the Attorney General, the FBI, and the U.S. Attorneys Office as well as with private insurance companies. It has established a database to track trends in health care fraud and serves as an educational resource to public and private entities through its ongoing presentation of seminars on healthcare fraud and abuse.

FY 03 Enforcement Achievements

Case Backlog cut by 40%

The Division has long struggled with enforcement demands that, due to lack of resources and volume of complaints, have often proved difficult to fulfill. The “case backlog” developed historically because the number of new cases received each year exceeded the Division’s available resources to process these cases. In order to eliminate the backlog, the Division embarked upon a singularly focused effort throughout FY 03 to resolve cases, the results of which were remarkable.

In FY 03, the Division received 2,396 complaints and resolved 3,232 cases from this and previous fiscal years. This is a 49 percent increase over FY 01 and a 34 percent increase over FY 02. In addition, the Division took disciplinary action in 949 cases, a 199 percent increase over FY 01 and a 64 percent increase over FY 02. The number of refunds that the Division facilitated on behalf of consumers increased 49 percent over last fiscal year to \$49,460 and the number of fines assessed increased 54 percent over last fiscal year to \$29,225. (see Appendix D) Between February 1, of 2003 and June 30, 2003, the Division reduced by 40% the number of cases pending.

Sexual Misconduct Guidelines Established

Board Executive Director Bette Lindberg worked closely with Division staff to establish a new set of standards to ensure that allegations of sexual misconduct by a licensed professional are properly handled by the boards of registration and enforcement staff. The new guidelines require that these types of allegations be given first priority status and that investigators receive special training to deal with sensitive issues related to these types of cases. The Division is also in the process of developing a list of competent, outside professionals to aid the board in evaluating a licensee’s fitness for practice when allegations of sexual misconduct are proven or admitted.

Triage Plan Developed

The Division is piloting a new intake process designed to streamline the complaint process. Commonly referred to as the Triage Plan, the Division now reviews applications for complaints prior to opening and docketing a complaint against a licensee. This process is designed to assist consumers with questions or problems concerning their experience with licensed professionals. When someone calls or contacts the Office of Investigations with a grievance concerning a licensed professional, the Intake Coordinator will respond promptly to that inquiry and attempt to identify the problem. Many problems can be resolved by providing information to the consumer, calling the licensee, or suggesting alternative ways of resolving the dispute. An application for a complaint form will be sent immediately where serious unethical or improper conduct appears to be involved. The Intake Coordinator cannot provide legal assistance but in many instances can direct the inquiry to other resources for assistance.

The Boards of Registration

Each Board of Registration is separately established by its own enabling legislation. Boards of Registration have been in existence since 1885 and, in general, have the following duties:

- Evaluate the qualifications of applicants for licensure
- Grant licenses to those who qualify
- Establish rules and regulations that ensure proper standards of ethics and technical competence of licensees
- Take appropriate disciplinary action against those whose conduct does not meet the accepted standards of the profession
- Hold informational public hearings to determine appropriate standards of practice.
- Update rules and regulations and examination procedures to keep standards appropriate over time.
- Review consumer complaints and remove incompetent and unethical licensees from practice, obtain relief for consumers or provide guidance for other actions.
- Perform inspections of facilities under their jurisdiction to ensure safe and appropriate operations.

The 29 Boards within the Division govern more than 43 trades and professions. General provisions applying to most Boards of Registration are set forth in Chapters 13 and 112 of the Massachusetts General Laws. Each Board publishes regulations in a separate chapter of the Code of Massachusetts Regulations. (see Appendix E)

Board members are licensed professionals as well as members of the public who are appointed by the Governor and serve as volunteers. Upon appointment to a specific term as provided in the General Laws, Board members take an oath of office and become "public officers."

There are 203 volunteer Board members who make up the boards. Boards generally meet once per month or as needed to carry out their duties.

The Boards

Allied Health Professions

www.mass.gov/reg/boards/ah/

Creation of Board

M.G.L. chapter 13, section 11A

Rules and Regulations

259 CMR 2.00 - 5.00

Licensing Provisions

M.G.L. chapter 112, sections 23A to 23Q

Board Members

Paul N. Petrone, OTR/L

Chair

Richard Burr, LATC Licensed Athletic Trainer Certified

Vice-Chair

Richard Despres, COTA

Member

Katherine H. Barnes, PT

Member

Denise Sargent, LATC/PT

Member

Rhonda Meyer, PT

Member

Charles Redmond, LATC/PT

Member

Sharon Roberts, PTA

Member

The Board of Registration of Allied Health Professions

The professions regulated by the Board of Registration of Allied Health are occupational therapists and assistants, athletic trainers, and physical therapists and assistants. Occupational therapists are health professionals who use occupational activities with specific goals to help people of all ages prevent, lessen or overcome physical, psychological or developmental disabilities. Athletic trainers work with clients who are preparing for, or participating in, sports activities. They work to treat, rehabilitate and prevent athletic injuries. Physical therapists provide rehabilitative care for patients with physical disabilities or dysfunction.

The Board of Registration of Allied Health Professions evaluates applicants for licensure and grants licenses to those who qualify. It establishes rules and regulations to ensure the integrity and competence of licensees. The Board is the link between the consumer and the allied health professional and, as such, promotes the public health, welfare and safety.

Facts & Figures

The Allied Health Board licenses 19,096 occupational therapists, athletic trainers, and physical therapists in the Commonwealth. In fiscal year 2003, the Board received 24 complaints and resolved 24 complaints from this and previous fiscal years. It held one investigative conference, entered into

nine consent agreements, suspended six licenses, placed two licenses on probation, and issued four reprimands.

Accomplishments

For the past three years, the Board has been in the process of discussing and reviewing its requirements for implementing mandatory continuing education for license renewal. This year, recognizing that the majority of complaints the Board receives are in some way related to a lack of knowledge of, or compliance with, the Board's regulations, Board members determined that they would investigate the possibility of having a jurisprudence examination developed and implemented as a licensure requirement. Two test development vendors made presentations to the Board, which is continuing to examine all options.

One of the Board's major initiatives this year was to increase awareness of licensure requirements for athletic trainers. The Board promoted several sports news articles regarding unlicensed individuals holding themselves out as physical therapists, and targeted both professional and semi-professional teams for mailings to educate them about the importance of employing licensed professionals. The Board met with unlicensed practitioners to discuss the legal implications and potential consequences of their practices prior to approving their applications.

Activities and Committees

The Board formed a committee to review the Board's regulations concerning athletic trainers and make recommendations for an update. Board members Richard Burr, Charles Redmond and Denise Sargent served on this committee.

Future Issues

The Board will discuss implementation of a jurisprudence examination.

Architects

www.mass.gov/reg/boards/ar/

Creation of Board

M.G.L. chapter 13, sections 44A TO 44D

Rules and Regulations

231 CMR 2.00 - 4.00

Licensing Provisions

M.G.L. chapter 112, sections 60A to 60O

Board Members

Douglas Engebretson

Chair

John Miller

Vice-Chair

Vito Caolo

Secretary Treasurer

Peter Steffian

Member

Rogina Jeffries
Public Member

The Board of Registration of Architects

Architects provide professional services in connection with the design, construction, enlargement or alteration of buildings including consultations, investigations, evaluations, preliminary studies, aesthetic design, the preparation of plans, specifications and contract documents, the coordination of structural and mechanical design and site development, administration of construction contracts, and any other similar services or combination of services in connection with the design and construction of buildings.

The Board of Registration of Architects protects the public through regulation of the practice and the title of Architect in the Commonwealth of Massachusetts in accordance with the statutes. The Board establishes the conditions and qualifications required for architectural registration and determines eligibility for admission to examinations. It investigates complaints of possible violations of the laws applying to the practice of architecture and takes appropriate disciplinary action against registrants found to have violated its regulations.

Facts & Figures

The Board of Registration of Architects licenses 6,428 professionals in the Commonwealth. In fiscal year 2003, the Board received ten complaints and resolved 21 complaints from this and previous fiscal years. The Board held two investigative conferences, entered into two consent agreements and suspended one license.

Accomplishments

The National Council of Architectural Registration Boards is now providing direct registration services at no cost to the Commonwealth. These services will expedite the registration process and eliminate the cost of the previous service provider.

The Board altered its policy on educational requirements and will now require Continuing Education Credits for the year ending 8/31/04.

Activities and Committees

Board member John Miller served as coordinator of the Construction Documents and Services Sub-Committee of the National Council of Architectural Registration Boards (NCARB) Architectural Registration Exam Committee.

Board Secretary and Treasurer Vito Caolo served on NCARB's Broadly Experienced Architect Committee.

Board Legal Counsel Christopher Carroll, Board members and attorneys from the law firm of Donovan and Hatem presented a mock trial at Build Boston. The trial was very well attended and was repeated at the Fall meeting of the New England Council of Architectural Registration Boards.

New Rules and Regulations

Revisions of 231 CMR 2.0, 231 CMR 3.0 and 231 CMR 4.0 were adopted in September of 2002.

Awards

Board member Peter Steffian, past President of NCARB, was elected to the Board of Directors of the National Architectural Accreditation Board (NAAB).

Board Chair Doug Engebretson, past Region One Director on the NCARB Board of Directors, was elected Secretary of the NCARB Board of Directors.

Board member John Miller has been elected to the Region One seat on the NCARB Board of Directors.

Future Issues

The Board intends to develop procedures for auditing its new Continuing Education requirements.

The Board will work with NCARB to resolve reciprocal licensure issues. The new regulations closely mirror NCARB's model law, which, if adopted by all jurisdictions, would eliminate most barriers to reciprocity. The Board will also work with NCARB to facilitate a fair and equitable process for foreign architects to practice in the Commonwealth and for Massachusetts's architects to practice in foreign countries.

The Board will work with the Boston Society of Architects' Alien Architects Committee to promote a better understanding of the process for foreign students to qualify for the architectural registration exam.

In addition, the Board will consider the role of ethics in the Rules and Regulations governing the practice of architecture.

Special Recognition

The Board would like to recognize the National Council of Architectural Registration Boards (NCARB), which represents regulatory boards of all 50 states, plus Puerto Rico, the District of Columbia, Guam, the Virgin Islands and the Northern Mariana Islands. Past and current State Board members have been proud to serve NCARB in many capacities.

The Board would also like to recognize Board member John Miller for his recommendations to the Board regarding open complaint files. Mr. Miller's dedication to reviewing these cases allowed for a significant reduction in the Board's backlog of cases.

Barbers

www.mass.gov/reg/boards/br/

Creation of Board

M.G.L. chapter 13, sections 39 to 41

Rules and Regulations

232 CMR 2.00

Licensing Provisions

M.G.L. chapter 112, sections 87F to 87S

Board Members

Nancy West

Chair

Anthony Alibrandi

Member

Robert Yesue

Member

The Board of Registration of Barbers

Barbers provide haircutting, hairstyling, facial shaving, permanent waving, hair coloring and facial services to the general public, but primarily to men.

The Board of Registration of Barbers protects the public through regulation of barbering in the Commonwealth. The Board oversees all barbers, barber shops, and barber schools licensed in the state.

Facts & Figures

The Barber Board licenses 4,509 barbers and 1,303 barbershops in the Commonwealth. In fiscal year 2003, Board investigators inspected 681 barbershops, checking 1,900 licenses and inspected 100 new shops, checking 253 licenses. The Board received 40 complaints and resolved 41 complaints from this and previous fiscal years. The Board suspended 26 licenses.

Accomplishments

The Barber Board has continued to support its licensees by collaborating with practitioners on the “Barber to Barber” program. Anthony Coviello, a prominent Springfield-area barber, initiated this non-profit association, which is designed to educate barbers in areas that benefit and protect consumers. Part of the goal of the association is to train licensees in modern sanitation and sterilization techniques by holding seminars on new products that protect the public while maintaining the condition of equipment. Mr. Coviello is currently involved in promoting awareness of the program and membership in the association by opening a dialogue with professional organizations, speaking at Board meetings and making himself very available to barbers with questions or suggestions.

The Board has also established a new investigative policy to enhance consumer protection. Licensees who have had more than one problem with investigators will appear before the Board in an investigative conference. This policy is designed to discourage licensees from engaging in all types of unsafe or unethical practices, even if those practices do not necessarily merit formal discipline.

Future Issues

The Board will be discussing additional methods of controlling sanitation and sterilization issues in barbershops and improving investigation and discipline of unlicensed practice in this field.

Special Recognition

The Board would like to recognize George Moriello, owner of George's BarberShop in Saugus. George's BarberShop recently celebrated 100 years in business and has been owned by five generations of the Moriello family.



Chiropractors

www.mass.gov/reg/boards/ch/

Creation of Board

M.G.L. chapter 13, sections 64 to 66

Rules and Regulations

233 CMR 2.00 - 4.00

Licensing Provisions

M.G.L. chapter 112, sections 89 to 97

Board Members

Edward J. Barowsky, D.C.

Chair

Thomas R. De Vita, D.C.

Vice-Chair

Wayne A. Comeau, D.C.

Secretary

Joseph M. Boyle, D.C.

Member

David W. Taylor, D.C.

Member

Kirk J. Shilts, D.C.

Member

Lisa A. Grant, Esq.

Public Member

The Board of Registration of Chiropractors

Chiropractors provide health care services to consumers for musculoskeletal and neuromuscular conditions. They are concerned with improving and maintaining the integrity of the biomechanical systems of the body.

A number of studies over the past few years, including the United States Department of Health and Human Services' Agency for Health Care Policy and Research (AHCPR), the Manga Report, funded by the Ontario Administry of Health, and the Rand Study on Low Back Pain, all expound on the effectiveness of spinal manipulation as performed by chiropractors.

The Board of Registration of Chiropractors regulates the practice of chiropractic in the Commonwealth of Massachusetts. The Board works to maintain high standards of practice and to protect the health and welfare of the public by establishing qualification requirements for licensure, reviewing applicant credentials, and administering licensing examinations. The Board also monitors the practice of its licensees to ensure compliance with state laws and the Board's rules and regulations. The Board resolves consumer complaints against licensees by investigating charges and taking appropriate disciplinary action when necessary.

Facts & Figures

The Board of Chiropractors oversees 1,930 licensees in the Commonwealth. In fiscal year 2003, the Board received 46 new complaints and resolved 55 complaints from this and previous fiscal years. The Board held nine investigative conferences, entered into 10 consent agreements, suspended six licenses, issued four stayed suspensions and placed 12 licenses on probation.

Accomplishments

The Board has witnessed a 74% decrease in complaints filed against newly licensed chiropractors in the past four years since implementing their New Licentiate Interview Program. All applicants for a MA chiropractor license are required to attend a meeting with the Board as the final step in the licensure process. At the Interview, Board members review the Board's regulations, discuss pitfalls that all new licensees should be aware of when entering practice and offer attendees an opportunity to ask questions and clarify concerns about establishing a practice in the Commonwealth.

The Board presently has 12 licensees whose compliance with Probation Consent Agreements are being monitored with Clinical Monitors who conduct practice reviews based on criteria established by the Board and who provide regular reports to the Board. The program's success is demonstrated by the positive clinical and administrative practice changes adopted by licensees who undergo this stringent monitoring.

Over the past four years, the Board has also engaged in an aggressive program to monitor compliance with its continuing education (CE) regulations. In the first three years, compliance, based on random audits, was approximately 50%. This past year has shown a significant 15% improvement in compliance, which the Board attributes to its focus on publicizing its efforts within the profession.

Activities and Committees

Board members have developed a continuing education program on chiropractic record-keeping and regulatory compliance, which they presented twice during the year for continuing education credit, in cooperation with the MA Chiropractic Society.

New Rules and Regulations

The Board developed a new Policy Guideline addressing the topic of Practice Compliance Programs. This informative and useful guideline outlines what a chiropractic compliance program is and describes a typical model. A Practice Compliance Program serves to protect the public from

unnecessary costs to the health care system through improper billing and coding, unnecessary and unreasonable services and improper inducements, kickbacks and referrals.

Future Issues

The Board is in the process of developing new regulations that will strengthen the requirements for initial licensure. The Board is concentrating renewed effort on preventing and enforcing against insurance fraud.

Special Recognition

The Board would like to recognize Dr. Thomas DeVita, Vice-Chair of the Board. At the 2003 Annual Meeting of the Federation of State Licensing Boards, held in Florida, Dr. DeVita presented a program on the Board's new licentiate program. The presentation was developed in collaboration with the entire Board. The new program has been instrumental in decreasing the number of complaints filed against newly licensed chiropractors throughout the Commonwealth



Dispensing Opticians

www.mass.gov/reg/boards/do/

Creation of Board

M.G.L. chapter 13, sections 48 to 50

Rules and Regulations

235 CMR 2.00 - 3.00

Licensing Provisions

M.G.L. chapter 112, sections 73C to 73L

Board Members

John Simko

Chair

Daron Kahn

Vice-Chair

Carol Russell

Secretary

William Carleton

Member

Shirley Silton

Public Member

The Board of Registration of Dispensing Opticians

Dispensing Opticians fit and dispense prescription ophthalmic eyewear including eyeglasses and contact lenses. Members of this profession measure and duplicate existing ophthalmic prescriptions and fabricate eyeglasses.

The Board of Registration of Dispensing Opticians protects the public through regulation of the practice by testing candidates and licensing those who are qualified, insuring compliance with state statutes and the Board's rules and regulations, and conducting hearings and facilitating resolutions to consumer complaints. The Board manages apprenticeship-training programs, approves educational standards for school-based opticianry programs, and monitors the continuing education requirements of licensees. The Board also works with opticianry boards in other states and professional organizations in furthering the qualifications of opticians.

Facts & Figures

The Board of Dispensing Opticians licenses 1,854 opticians in the Commonwealth. In fiscal year 2003, Board investigators inspected 20 opticianry offices, checking 44 licenses. The Board received four new complaints and resolved 18 complaints from this and previous fiscal years. The Board entered into one consent agreement, suspended one license, accepted the voluntary surrender of three licenses and placed two licenses on probation. The Board facilitated the refund of \$630 in total.

Accomplishments

The Board altered its policy on apprentices, instructing all licensed dispensing opticians that as of June 1, 2003, they may no longer grant credit to an apprentice for time worked prior to that apprentice becoming properly registered as such.

The Board also reviewed an on-line Associate's Degree program established by Holyoke Community College in order to offer an additional resource for potential licensees.

Activities and Committees

The Board has established the Regulations Committee to carefully examine and review the Board's current rules and regulations.

Awards

Harry Jilson, former Chair of the Board, received the Dispensing Optician of the Year Award from the Massachusetts Dispensing Opticians Association.

New Rules and Regulations

The Board is currently working on a complete revision of its rules and regulations.

Future Issues

The Board will be reviewing its apprentice programs and developing methods to ensure a greater examination passing rate.

Special Recognition

The Board recognized Harry Jilson, former Chair of the Board, for his 20 years of service to the Board by presenting him with a citation.



Operators of Drinking Water Supply Facilities

www.mass.gov/reg/boards/dw/

Creation of Board
M.G.L. chapter 13, section 66B
Rules and Regulations
236 CMR 2.00 - 5.00
Licensing Provisions
M.G.L. chapter 112,
sections 87CCCC to 87DDDD

Board Members

James Holeva
Chair
Alfred Melien
Vice-Chair
William C. Salomaa
Secretary
Michael Celona
Member
Robert Hoyt
Member
Peter Karalekas
Member
John Nelson
Member

The Board of Certification of Operators of Drinking Water Supply Facilities

Operators of drinking water supply facilities are employed by local water distribution and treatment facilities. They are responsible for chemically treating and then distributing our drinking water.

The Board of Certification of Operators of Drinking Water Supply Facilities regulates and licenses all operators of these facilities to ensure that the highest safety standards are adhered to in the treatment and distribution of drinking water.

The Board encourages licensees to maintain a high level of competence in the industry and assists them in enrolling in seminars and training programs. The board holds high standards of quality and service in the industry for the protection of the public's health and safety. The Board offers nine levels of licensure from basic employment to management in drinking water facilities.

Facts & Figures

The Operators of Drinking Water Supply Facilities Board licenses 4,648 operators and distributors in the Commonwealth. In fiscal year 2003, the Board received 17 new complaints and resolved eight complaints from this and previous fiscal years. The Board held six formal hearings, entered into two consent agreements, accepted the voluntary surrender of one license, and placed one license on probation.

Accomplishments

The Board worked closely with the Association of Boards of Certification (ABC) to establish internet-based examinations for very small water systems. As a result, Massachusetts became the first state in the nation to offer the ABC examination for drinking water operators.

Activities and Committees

Board Chair James Holeva participated in several examination development workshops and examination question reviews. Mr. Holeva was also instrumental in developing a drinking water operators training program with the JFY Networks in Boston.

Board members Robert Hoyt and John Nelson participated in the national annual ABC examination development workshop held in Anaheim, CA. Mr. Hoyt, in conjunction with New England Water Works Association and Massachusetts Water Works Association, has taught several courses on drinking water operations. Mr. Hoyt and Board member Peter Karalekas drafted examination questions for the national drinking water examination bank. Mr. Karalekas is editor for the *Journal of New England Water Works Association* and has taught drinking water related courses throughout the country.

Awards

Board Chair James Holeva received a Certificate of Appreciation on January 21, 2003, from the Association of Boards of Certification. Mr. Holeva and Board member Alfred Melien received recognition from New England Water Works Association for their commitment to the association.

Future Issues

The Board will continue to review and develop questions for the ABC examination and consider offering additional Internet exams, as well as revising all applications and forms.

The Board will also review its process for reviewing a licensure applicant's criminal history.

Special Recognition

The Board would like to recognize Shawn Bradford of Southbridge Water Supply Company, Eric Ryder and Steve Duchesne from the City of Lowell Water Department, and Paul Riendeau of New England Water Works Association for their commitment to the industry.



Electricians

www.mass.gov/reg/boards/el/

Creation of Board

M.G.L. chapter 13, sections 32, 32A

Rules and Regulations

237 CMR 2.00 - 8.00

Licensing Provisions

M.G.L. chapter 141, M.G.L. chapter 143,
sections 3L to 3P

Board Members

Peter Senopoulos

Chair

James D. Baker

Member

Kevin J. Bulman

Member

David W. Aragona

Member

Geraldine M. Culver

Public Member

Donald F. Drew

Member

Richard Pedone

Member

Anthony R. Iovanna

Member

William R. Plamondon

Member
Jeffrey J. Wheeler
Member

The Boards of State Examiners of Electricians and Electricians' Appeals

The professionals licensed by the Examiners include Master Electricians (A), Journeyman Electricians (B), Fire Warning and Security System Contractors (C) and Fire Warning and Security System Technicians (D). The Examiners also handle appeals from licensees and wiring inspectors through the Board of Electricians' Appeals.

The primary mission of the Examiners is to protect the citizens of Massachusetts by establishing minimum standards for persons performing electrical installations. They accomplish this mission by examining and licensing candidates and by enforcing the regulations and general laws relative to electrical installations in Massachusetts. The Examiners also prosecute those found to be working without a license, either through the Office of the Attorney General or directly in the courts of the Commonwealth.

The Board of Electricians' Appeals issues informal opinions and conducts formal hearings in matters of dispute based upon decisions rendered by local wiring inspectors.

The Examiners also perform fire investigations under the direction of the State Fire Marshal to determine if electricity could have contributed to the cause. While performing these fire investigations, the Examiners check the installation(s) for code compliance and possible licensee misconduct.

Facts & Figures

The Board of Electricians licenses 33,238 electricians and security/fire alarm installers in the Commonwealth. In fiscal year 2003, Board investigators conducted 930 inspections. The Board received 246 new complaints and resolved 429 complaints from this and previous fiscal years. The Board held 96 investigative conferences and 177 formal hearings, entered into 86 consent agreements, revoked 70 licenses, suspended 74 licenses, issued 11 stayed suspensions and placed three licenses on probation. The Board collected \$1,525 in fines and facilitated the refund of \$6,897 in total.

Accomplishments

The Board enhanced its Continuing Education Program by implementing new technical tools for tracking provider information and continuing education history and enforcement. Using a returnable data CD, a database program was developed with a user interface for providers to complete data entry and issue seminar certificates.

The Board also drastically reduced its backlog of cases and closed 429 cases for this fiscal year.

Activities and Committees

The Board's Legislative sub-committee keeps the Board informed of pending legislative activities and is instrumental in the development of new legislation.

The Hearings sub-committee moves cases forward to the entire Board for disciplinary actions, final decisions and closings.

The Education sub-committee reviews all education-related regulations as well as examination and course content in accordance with CMR requirements.

The Regulations sub-committee discusses CMR revisions and facilitates public hearings for CMR revision approvals.

New Rules and Regulations

The Board recently revised its CMRs and held public hearings in Boston and Springfield to hear suggestions from industry members.

Future Issues

The Board will be considering the implementation of fines in accordance with the Massachusetts General Laws.

Special Recognition

The Board would like to recognize Board members Donald Drew, Jeffrey Wheeler and Kevin Bulman for their contributions to the Board and the electrical industry.



Embalmers and Funeral Directors

www.mass.gov/reg/boards/em/

Creation of Board

M.G.L. chapter 13, sections 29 to 31

Rules and Regulations

239 CMR 2.00 - 4.00

Licensing Provisions

M.G.L. chapter 112, sections 82 to 87

Board Members

Kathy Cartmell-Sirrico

Chair

John Kazlauskas

Secretary

Karen Bonney
Member
Ralph Barile
Member
Judith McCarthy
Public Member

The Board of Registration of Embalmers and Funeral Directors

The Funeral Services profession provides services for the deceased and their families. Members of this profession prepare the bodies of the deceased through embalming, arrange for crematory services, and provide services of assistance for family members of the deceased. They are committed to follow all health-related rules as set forth by the Board and local health departments.

The Board of Registration of Funeral Directors and Embalmers oversees the licensing of these professionals and their apprentices through examination. The Board also inspects the facilities of licensed embalmers and funeral directors.

Facts & Figures

The Board of Registration of Embalmers and Funeral Directors licenses 2,714 embalmers and funeral directors in the Commonwealth. In fiscal year 2003, Board investigators inspected 18 funeral service establishments, checking 30 licenses. The Board received 186 new complaints and resolved 222 complaints from this and previous fiscal years. The Board held one investigative conference and three formal hearings, entered into 34 consent agreements, suspended three licenses, accepted the voluntary surrender of six licenses and issued 34 reprimands.

Accomplishments

The Board created a database to track pre-need funeral accounts, which allowed the Board to enhance its protection of consumers from fraudulent activities of funeral directors.

Activities and Committees

Board Administrative Assistant Kim Scully participated in the International Conference of Funeral Service Examining Boards, which allowed her to learn about the business practices of Boards of Registration in other states.

The Board formed a committee to explore issues regarding pre-need funeral expenses and services.

Awards

Board member John Kazlauskas was elected President of the International Conference of Funeral Service Examining Boards (ICFSEB).

New Rules and Regulations

The Board drafted new pre-need regulations which will be heard and implemented in FY 2004.

Future Issues

The Board will hear testimony and implement reforms in the area of pre-need funeral contracts.

Special Recognition

The Board would like to recognize Board member John J. Kazlauskas for his dedication to educating the Board regarding funeral services issues throughout the United States, Canada and Europe.



Engineers and Land Surveyors

www.mass.gov/reg/boards/en/

Creation of Board

M.G.L. chapter 13, sections 45 to 47

Rules and Regulations

250 CMR 2.00 - 6.00

Licensing Provisions

M.G.L. chapter 112, sections 81D to 81T

Board Members

H. William Flood, PE

Chair

Dennis Drumm, LS

Vice-Chair

Philip A. Jenks, Esq.

Secretary

Robert W. Hall, PE

Member

Kay Krekorian, PE, PLS

Member

Arjun Rao, PE

Member

Paul D. Turbide, PE, PLS

Member

The Board of Registration of Professional Engineers and Land Surveyors

Members of the engineering and surveying professions provide services to consumers as defined by the statutes and described in the regulations. Engineers practice in many areas, including

(but not limited to) chemical, civil, environmental, electrical, mechanical, structural, agricultural, aeronautical/aerospace, fire protection, manufacturing, industrial, nuclear, petroleum and safety.

The Board of Registration of Professional Engineers and Professional Land Surveyors establishes, monitors and enforces qualifying standards for the engineering and land surveying professions. The Board works to insure that persons practicing in these professions are competent to practice and are not endangering the life, health, safety and welfare of the public.

The Board regulates the practice of licensed Professional Engineers and Professional Surveyors through the Code of Regulations, which includes the Rules of Professional Responsibility. The Board has successfully applied strict standards of education and experience for its licensees, as well as for administering examinations in Fundamental Knowledge and Principles and Practice to determine a candidate's competence to practice engineering and land surveying. It has aggressively pursued taking disciplinary action against licensees for the protection of the public.

The Board and its sub-committees review, evaluate and act on applications for licenses. The Board conducts interviews and oral examinations to verify an applicant's qualifications. The written examinations administered by the Board provide a final screen of an applicant's qualifications. Board members are members of the National Council of Examiners for Engineering and Surveying (NCEES). This council prepares national examinations for the regulated professions, develops uniform standards for comity registration among the states, and acts as a clearinghouse for the law enforcement activities of its member boards.

Facts & Figures

The Board of Registration of Professional Engineers and Professional Land Surveyors licenses 17,030 professionals in the Commonwealth. In fiscal year 2003, the Board received 29 new complaints and resolved 75 complaints from this and previous fiscal years. The Board entered into 13 consent agreements, suspended three licenses, accepted the voluntary surrender of one license, placed three licenses on probation and issued seven reprimands.

Activities and Committees

The Board formed a committee, lead by Board Chair H. W. Flood, to draft a comprehensive revision of CMR 250. This committee is also comprised of Vice-Chair Dennis Drumm and six additional engineers and land surveyors.

The Board also established a complaint committee, comprised of Vice-Chair Dennis Drumm, Secretary of the Board Phil Jenks and Board member Paul Turbide, as well as a member of the Division's investigative staff. This committee meets monthly, usually in Springfield, to review incoming complaints and to characterize as many cases as possible before referring them to the full Board. This procedure has been successful in reducing the backlog of unresolved cases. Christopher Carroll, the Board's Legal Counsel, has also recently begun to participate in the committee's efforts.

Awards

Board Chair H. William Flood was inducted into the Academy of Chemical Engineers at the University of Missouri-Rolla on April 24, 2003. Mr. Flood graduated with a B.S. in Chemical Engineering in 1943.

New Rules and Regulations

Although no new regulations were promulgated, the Board has developed a number of Administrative Rulings, Policy Statements and Frequently Asked Questions for posting on the Board's Web site, all of which are designed to assist the public, licensees and licensure applicants to understand the Massachusetts General Laws and 250 CMR.

Future Issues

The Board is anxious to have a mechanical Engineer added to replace Mel Marks.

Special Recognition

The Board would like to recognize Dennis Drumm, Vice Chair of the Board. Mr. Drumm has been extremely active in developing criteria for the practice of land surveying and leading the Board's efforts to deal with surveying complaints, which represent a major portion of the complaints coming before the Board.

Electrology

www.mass.gov/reg/boards/et/

Creation of Board

M.G.L. chapter 13, sections 58 to 60
Rules and Regulations
238 CMR 2.00 - 3.00

Licensing Provisions

M.G.L. chapter 112,
sections 87EEE to 87OOO

Board Members

Edna Moroz,
Chair
Paula Wright
Secretary
Dr. Richard Brown
Member
Charlotte Bosco Fitzpatrick
Member

The Board of Registration of Electrologists

Electrologists perform services for consumers through the permanent removal of hair from the body. Electrolysis involves the application of an electrical current through a needle to the hair follicle.

The Board of Registration of Electrologists protects the public through regulation of the practice in the Commonwealth of Massachusetts in accordance with the statutes and Board regulations and code of conduct.

The Board issues licenses to practice as qualified electrologists and qualified instructors when applicants meet the Board's education and experience requirements and pass a Board administered examination. The Board also licenses schools of electrology after inspection and approval.

Facts & Figures

The Electrology Board licenses 767 electrologists in the Commonwealth. In fiscal year 2003, Board investigators inspected 29 electrology offices, checking 29 licenses. The Board received one new complaint and resolved one complaint.

Accomplishments

Beginning with the present renewal cycle, the Board initiated the enforcement of mandatory continuing education for all registered electrologists. Licensees are now required to complete 10 hours of continuing education courses relative to the practice of electrology.

The Board has worked closely with Board Counsel Christopher Carroll to update current rules and regulations. This process has been ongoing for several years and was finally completed early this year.

New Rules and Regulations

The Board has completed revisions for its rules and regulation. New continuing education requirements are among the modifications to the regulations.

Special Recognition

The Board would like to recognize retired Board member Edna Moroz for her dedicated service to the Board throughout multiple terms.



Cosmetology

www.mass.gov/reg/boards/hd/

Creation of Board

M.G.L. chapter 13, sections 42 to 44

Rules and Regulations

240 CMR 2.00 - 7.00

Licensing Provisions

M.G.L. chapter 112, sections 87T to 87KK

Board Members

Anthony Moossa

Chair

Catherine Hinds

Member

Daniel Abraham

Member

Charlotte Marchese

Member

Karen Bonney

Secretary

Belinda Morrone

Member

The Board of Registration of Cosmetologists

The Cosmetology profession includes hairdressers, manicurists and aestheticians. All these professionals work closely with the public and are regulated by the Board of Registration of Cosmetology. The Board also sets the curricula requirements and regulates the schools that train candidates in these occupations. The Board protects the health and safety of the public by maintaining high standards for the industry.

Facts & Figures

The Board of Registration in Cosmetology licenses 52,432 cosmetologists and 7,161 cosmetology shops in the Commonwealth. In fiscal year 2003, Board investigators inspected 1,142 shops, checking 2,357 licenses, and inspected 918 new shops, checking 1,867 licenses. The Board received 90 new complaints and resolved 152 complaints from this and previous fiscal years. The Board held two investigative conferences and 29 formal hearings, entered into 29 consent agreements, revoked two licenses, suspended 15 licenses and placed 30 licenses on probation. The Board fined five cosmetologists and 42 shops for a total of \$26,700 and facilitated the refund of \$422 in total.

Accomplishments

The Board hosted a meeting with the Healthy Cosmetology Committee to discuss air quality, toxic waste and sanitation issues in salons. The outcome of this meeting was that the Board would participate in a training session to be held in the fall.

The Board met with representatives from the Chelsea Board of Health to discuss sharing common space in salons.

The Board also developed new policies and added new information to the Frequently Asked Questions (FAQ) page published on its Web site.

Activities and Committees

Board member Dan Abraham has been invited to be the guest speaker at the Massachusetts Vocational Teachers conference. Mr. Abraham is Editor in Chief of the Massachusetts Cosmetology Chronicle, a monthly publication.

Board Executive Director Helen Peveri was a guest speaker at the Massachusetts Health Officers Annual Conference. Ms. Peveri is a member of the Healthy Cosmetology Committee.

Future Issues

The Board will explore ways to discipline unlicensed salons across the Commonwealth.



Hearing Instruments Specialists

www.mass.gov/reg/boards/he/

Creation of Board

M.G.L. c. 13, sections 93 to 95

Rules and Regulations

265 CMR 2.00 - 10.00

Licensing Provisions

M.G.L. c. 112, sections 196 to 198

Board Members

Rudy Szady, BC-HIS, ACA

Chair

Loleata Wigall, M.S. CCC-A

Secretary

Donald Gross, Jr., BC-HIS

Member

Elizabeth J. Campbell

Public Member

James P. O'Donnell
Consumer Member

The Board of Registration of Hearing Instrument Specialists

Hearing Instrument Specialists are individuals who engage in the practice of dispensing or fitting hearing aids. The practice of fitting and dispensing hearing aids means the measurement of human hearing solely for the purpose of making selections, adaptations or sales of hearing aids intended to compensate for impaired hearing. The Board of Registration of Hearing Instrument Specialists protects the public through regulation of the practice and the title of Hearing Instrument Specialist in the Commonwealth of Massachusetts in accordance with the statutes.

Facts & Figures

The Hearing Instrument Specialists Board licenses 146 specialists in the Commonwealth. In fiscal year 2003, the Board received six new complaints and resolved 12 complaints from this and previous fiscal years. The Board facilitated the refund of \$155 in total.

Accomplishments

The Board enhanced discipline of unlicensed practice by utilizing the Division's Health Care Fraud Unit (HCFU) as a resource.

The Board also reviewed its policy on fining licensees who engage in unlawful business practices. The Board anticipates that this policy will be implemented during fiscal year 2004.

Activities and Committees

Board member Elizabeth Campbell formed the Silver Hair Committee to educate senior citizens regarding hearing instrument issues.

The Board participated in the Mass Medicare Committee and the Mass Health Committee, both of which were formed to help defray the cost of hearing aids.

Board Chair Rudy Szady participated in the Academy of Audiology and Pathology, which reviewed a variety of educational subjects, including education of the International Hearing Society.

New Rules and Regulations

The Board reviewed the language of 265 CMR 6.06 in order to improve regulations regarding mail order contacts.

Future Issues

The Board will consider the problem of unlicensed practice and continue to develop and participate in community outreach initiatives.

Special Recognition

The Board would like to recognize Board member Elizabeth Campbell of the Silver Hair Association. Ms. Campbell has been actively pursuing media attention in order to educate senior citizens on the uses of hearing devices and the importance of seeking out licensed specialists.

The Board would also like to recognize Board member Jim O'Donnell for his work with the Boston Guild for Hearing Aids.



Home Inspectors

www.mass.gov/reg/boards/hi/

Creation of Board

M.G.L. Chapter 13, Sections 96

Rules and Regulations

266 CMR 1.00 - 11.00

Licensing Provisions

M.G.L. Chapter 112, Sections 222 to 226

Board Members

Matthew C. Simpson

Chair

John Digby

Vice-Chair

Jeffrey T. LaVergne

Member

Michael McDowell

Member

Peter Vitale

Member

The Board of Registration of Home Inspectors

The Board of Registration of Home Inspectors is charged with evaluating the qualifications of applicants for licensure and granting licenses to those who qualify. It establishes rules and regulations to ensure the integrity and competence of licensees. The Board promotes public welfare through regulation of the home inspectors in accordance with the state statutes and board regulations.

The Board is responsible for insuring that licensed home inspectors have proper training and experience through an associates program and meet minimum inspection requirements in each inspection performed. Applicants are required to pass a board-approved examination prior to licensure and fulfill continuing education for license renewal. In addition, the board publishes a code of ethics for home inspectors.

Home Inspectors are required to carry a minimum of \$250,000 in insurance so that consumers will be able to seek compensation if they endure losses that are a result of an inspector's error. In addition, real estate brokers are required to distribute a brochure produced by the Office of Consumer Affairs and Business Regulation about home inspections to homebuyers. They are prohibited from directly recommending a home inspector. Brokers may provide a list of licensed inspectors in the state upon request. This will help eliminate the conflict of interest that exists when a real estate broker recommends a specific home inspector.

Facts & Figures

The Board of Home Inspectors licenses 601 inspectors in the Commonwealth. In fiscal year 2003, the Board received 44 new complaints and resolved 24 complaints from this and previous fiscal years.

Accomplishments

The Board has continued to work toward implementation of the hearing and fining process for those who engage in unlicensed practice, as well as implementation of the mandatory Continuing Education Program for Home Inspectors.

Activities and Committees

The Board formed a complaint committee in order to review cases that come before the Board.

Future Issues

The Board will be reviewing its license renewal process, which will be implemented by May 31, 2004.

Special Recognition

The Board would like to recognize Board members Jack Digby, Jr. and Michael McDowell, who represented the Massachusetts Home Inspectors Board at conferences on both the state and national level.

Health Officers

www.mass.gov/reg/boards/ho/

Creation of Board

M.G.L. chapter 13, sections 70 to 72

Rules and Regulations

241 CMR 2.00 - 4.00

Licensing Provisions

M.G.L. chapter 112,
sections 87WWW to 87ZZZ

Board Members

Joanne Scott,

Chair

Howard Wensley, C.H.O.
Vice-Chair
Everett Penney, Jr., C.H.O.
Secretary
Bruce G. Murphy, C.H.O.
Member
John M. Canning, C.H.O
Member
Richard Solano
Public Member
David E. Kaplan, Ph.D.
Member
Joseph G. McCarthy
Member

The Board of Certification of Health Officers

Certified Health Officers (CHOs) are generally the administrative officers of a health department or board of health. Several are presently serving as administrators to the State Department of Public Health or State Department of Environmental Protection. The Health Officer evaluates the community's health issues and develops programs to address the community's needs and the prevention and control of health and/or environmental problems.

The health officer must be knowledgeable of state, federal and local sanitary codes and regulations including other public regulations addressing the public health and the environment, as well as those issues referencing communicable disease control, Title V septic system design and approval, housing, food service, public swimming pools and beaches, hazardous waste control and environmental pollutants, massage and tanning establishments, animal and rabies control, and other public health issues that are governed by regulations. The CHOs perform field inspections, respond to complaints, follow up on consumer requests, and deal with issues associated with public health and environmental regulations that affect the community and the Commonwealth.

The Board of Certification of Health Officers works to maintain a high level of professionalism among the CHOs by monitoring and enforcing its regulations and policies, amending its regulations as necessary, and reviewing practitioners' records to ensure fulfillment of continuing education requirements. The Board's intent is to establish a base of knowledgeable health officers who will be able to better serve the community as well as the Commonwealth in meeting the consumers' needs relative to public health and environmental issues.

Facts & Figures

The Board of Certified Health Officers certifies 133 health officers in the Commonwealth.

Accomplishments

Board members have been reviewing the current licensure exam and study materials in order to update them and ensure that potential licensees are familiar with new technologies in the industry.

This process is ongoing, as the industry experiences frequent changes in technology, but it will continue to enhance consumer protection.

The Board has also met with the Board of Registration of Sanitarians. These two boards, which practice in the same field at different levels, will begin meeting regularly in order to discuss the functions of each level of licensure and how the boards can combine their efforts to better serve consumers.

Future Issues

The Board will focus on unlicensed practice and discuss ways to ensure that licensure becomes mandatory in order to practice in this field. The Board's major concerns are the lack of knowledge and experience of unlicensed individuals and the decreased level of consumer protection that these insufficiencies cause. The Board will be working to educate the public as to the function of health officers within the community.



Landscape Architects

www.mass.gov/reg/boards/la/

Creation of Board

M.G.L. chapter 13, sections 67 to 69

Rules and Regulations

242 CMR 2.00 - 3.00

Licensing Provisions

M.G.L. chapter 112, sections 98 to 107

Board Members

Marion Pressley

Chair

Charles S. Doty

Vice-Chair

Richard Anderson

Secretary

Pamela Shadley

Member

Francis Fields

Public Member

The Board of Registration of Landscape Architects

Landscape Architects provide services to consumers as defined by the statutes and described in the regulations. The Board of Registration of Landscape Architects protects the public through regulation of the practice and the title of Landscape Architect in the Commonwealth of Massachusetts in accordance with the statutes.

Facts & Figures

The Board of Registration of Landscape Architects licenses 811 professionals in the Commonwealth. In fiscal year 2003, the Board received one new complaint and resolved four complaints from this and previous fiscal years. The Board entered into one consent agreement.

Activities and Committees

The Board formed a sub-committee to develop additional questions to Section 8 of the Massachusetts portion of the Landscape Architect Registration Exam (L.A.R.E.).

The Board also formed a sub-committee to clarify all Board literature, including Web publications, forms and applications.

Awards

Pressley Associates, where Board member Marion Pressley is a principal, received the 2003 City of Pittsburgh & the History Review Commission Historic Preservation Award, the 2003 Allegheny Commons Park Master Plan in Pittsburgh, the 2002 Massachusetts Recreation and Park Association Design Award for the Pope John Paul II Park in Boston's Neponset River Reservation, and the 2002 Massachusetts Horticultural Society Gold Medal Award.

Future Issues

The Board will continue revising Section 8 of the L.A.R.E. and will also continue to focus on coordinating with the Council of Landscape Architectural Registration Board (CLARB), which administers the exam.

Special Recognition

The Board would like to recognize Francis Fields and welcome him to the Board as a representative of the public.

Allied Mental Health Professions

www.mass.gov/reg/boards/mh/

Creation of Board

M.G.L. chapter 13, sections 88 to 90

Rules and Regulations

262 CMR 2.00 - 9.00

Licensing Provisions

M.G.L. chapter 112, sections 163 to 172

Board Members

Lisa M. Taleghani

Chair

I. Scott Cohen

Member

Richard Goodman

Member

Mary Anna Hanley

Member

Marigold Louis

Member

Lisa Matrundola

Member

Gordon Benson

Member

Teresa Davis

Member

Fred Brustman

Public Member

Suzanne Greenberg

Public Member

The Board of Registration of Allied Mental Health and Human Services Professions

Allied Mental Health and Human Services Professions encompass the fields of Mental Health Counseling, Marriage and Family Therapy, Rehabilitation Counseling, and Educational Psychology.

Mental Health Counselors render professional services to individuals, families or groups. They apply principles, methods and theories of counseling and psychotherapeutic techniques to define goals and develop a treatment plan of action aimed towards the prevention, treatment and resolution of mental and emotional dysfunction and intra or interpersonal disorders in persons diagnosed as nonpsychotic.

Licensed marriage and family therapists apply principles, methods and therapeutic techniques to individuals, family groups, couples or organizations for the purpose of resolving emotional conflicts, modifying perceptions and behavior, enhancing communication and understanding among all family members, and the prevention of family and individual crises. Individual marriage and family therapists may also engage in psychotherapy of a nonmedical nature with appropriate referrals to psychiatric resources and research and teaching in the overall field of human development and interpersonal relationships.

Licensed rehabilitation counselors apply principles, methods and therapeutic techniques of their profession such as client assessment, job analysis, vocational assessment, counseling, and job development. Rehabilitation counselors work to maximize or restore the capacities of physically or mentally handicapped individuals for self-sufficiency and independent living, including vocational and social functioning, and to create conditions favorable to this goal. The objectives of rehabilitation counseling are to assist individuals, families or groups, serve an advocacy role with communities or groups toward the provision or implementation of rehabilitation services, research and teaching in the field of rehabilitation counselor education.

An educational psychologist provides professional services to individuals, groups, organizations or the public. These services include applying psychological principles, methods and procedures in the delivery of services to individuals, groups, families, educational institutions and staff, and community agencies for the purpose of promoting mental health and facilitating learning. The services may be preventive, developmental, or remedial and include psychological and psychoeducational assessment, therapeutic intervention, program planning and evaluation, research, teaching in the field of educational psychology, consultation and referral to other psychiatric, psychological, medical and educational resources when necessary.

The Board of Allied Mental Health and Human Services Professions licenses candidates who meet the statutory and regulatory requirements developed for rehabilitation counselors, mental health counselors, marriage and family therapists, and educational psychologists.

In carrying out its mission, the Board administers and enforces the regulations related to the educational criterion necessary for a person to be licensed and contracts with test vendors to provide the licensing examinations. Of equal importance, the Board seeks to protect consumers by exercising its authority to discipline those licensed individuals who violate licensing laws and regulations.

Facts & Figures

The Board of Registration of Allied Mental Health and Human Service Professions licenses 5,538 professionals in the Commonwealth. In fiscal year 2003, the Board received six new complaints and resolved 13 complaints from this and previous fiscal years. The Board held one investigative conference, entered into nine consent agreements, accepted the voluntary surrender of three licenses and placed one license on probation.

Accomplishments

The Board will begin processing all Licensed Mental Health Counselor (LMHC) applications “in-house” rather than through a vendor. This alternate method will reduce application fees by 50 percent.

New Rules and Regulations

In January 2003, the Board held public hearings for its proposed revisions of 262 CMR. Professional associations and graduate schools offered a great deal of feedback on the new regulations. The proposals have since been forwarded to the Office of Administration and Finance for final approval. The proposed regulations include the following improvements to the Board’s licensure requirements:

- An increase in the number of direct client contact hours required to become a Licensed Mental Health Counselor.
- An increase in the number of LMHC direct supervision hours required to become a LMHC.
- A specification of the number of internship hours required to become a Licensed Marriage and Family Therapist
- Inclusion of the American Mental Health Counselors Association (AMHCA) Code of Ethics in Board regulations.

Future Issues

The Board will review the American Association of State Counseling Boards’ proposal to establish full reciprocity among many states. The Board will work with the association to ensure that this proposal meets the needs of licensees in the Commonwealth.

Special Recognition

The Board would like to recognize former Board member Rosemarie Winstanley, LMFT, who passed away in April 2003 at the age of 73. Ms. Winstanley served the Board very effectively as Chair from 1997 to 2000 and earned the respect of all her colleagues. She advanced the efforts of the entire mental health industry through her work on several policies and procedures. As Chair of a relatively new Board, Ms. Winstanley took steps to establish the credibility of mental health professionals through coordination and standardization. Her contributions to the Board resulted in higher levels of protection for consumers of mental health services throughout the Commonwealth.

Nutritionists/ Dietitians

www.mass.gov/reg/boards/nu/

Creation of Board

M.G.L. chapter 13, section 11D

Rules and Regulations

268 CMR 1.00 - 6.00

Licensing Provisions

M.G.L. chapter 112, sections 196-202

Board Members

Jane Folkman

Chair

Peter W. Gazzillo, Jr.

Vice-Chair

Maxine Pestronk

Member

Nancy Anderson

Member

Joyce Morrison

Member

Pamela J. Carabba

Member

Kenneth W. Samonds, Ph.D.

Member

The Board of Registration of Dietitians and Nutritionists

Human Dietetics/Nutrition is the science concerned with the relationship between foods and human health. The focus is on nutrients in food, their actions/interactions and the balance of health, disease, socioeconomic, cultural, and psychological factors. This field requires the application of biochemistry, physiology, social sciences and physical sciences toward the achievement of optimal human health.

The Board of Registration of Dietitians/Nutritionists grants licenses to qualified individuals who comply with the requirements of the statute. The Board monitors licensees to insure that the services provided are in accordance with the Massachusetts General Laws and Board rules and regulations. The Board also insures that licensees have complied with continuing professional education requirements necessary to maintain current knowledge and renew their licenses.

Facts & Figures

The Board of Dietitians and Nutritionists licenses 2,057 professionals in the Commonwealth. In fiscal year 2003, the Board received one new complaint.

Accomplishments

In June 2003, the Board's first renewal cycle began. The Board was actively involved in streamlining this process and setting standards for future renewal requirements. Additionally, the Board has worked to promote awareness in the industry regarding expectations for licensure renewal.

Activities and Committees

The Board presented an information seminar at the Massachusetts Dietetic Association's annual meeting in March 2003. The presentation offered information regarding licensure, continuing education requirements and license renewal expectations. Board members also addressed the many questions licensees have regarding the benefits of licensure.

The Board formed a committee to address licensee questions regarding continuing education requirements. The Committee has worked closely with professional organizations to effectively communicate and clarify all standards and regulations.

Future Issues

The Board will consider conducting a continuing education audit after the initial renewal cycle has passed.

Special Recognition

The Board would like to recognize Board member and former Chair Maxine Pestronk. Ms. Pestronk has played an instrumental role in the formulation of the Board, authoring its rules and regulations and helping to establish Board processes. She has volunteered a great deal of personal time and energy to initial licensure issues. As Board Chair, Ms. Pestronk's commitment to the Board and consumer protection set the tone for all other Board members.



Optometry

www.mass.gov/reg/boards/op/

Creation of Board

M.G.L. chapter 13, sections 16 to 18

Rules and Regulations

246 CMR 2.00 - 6.00

Licensing Provisions

M.G.L. chapter 112, sections 66 to 73B

Board Members

Bruce L. Rakusin, O.D.

Chair

Stewart J. Ginsberg, O.D.

Secretary

Richard C. Erickson, O.D.

Member

Neil I. Schram O.D

Member

Scott D. Peterson

Public Member

The Board of Registration of Optometrists

Licensed doctors of optometry are independent primary health care providers who examine, diagnose, treat, and manage diseases and disorders of the visual system, the eye and associated structures. The scope of optometric care ranges from vision testing and correction to diagnosing, managing and treating complex eye and vision problems such as glaucoma.

The Board of Registration in Optometry licenses all new optometrists, and renews licenses for established optometrists. The Board both proposes and reviews legislation, as well as new rules and regulations affecting the profession. It maintains high standards in the field and protects consumers by investigating and resolving complaints against optometrists. It also works to maintain the educational standards of the profession by reviewing and either approving or rejecting continuing education and postgraduate courses for Massachusetts's licensees.

Facts & Figures

The Board of Registration of Optometrists licenses 1,525 optometrists in the Commonwealth. In fiscal year 2003, Board investigators inspected nine optometry offices, checking 10 licenses, and inspected seven new optometry certifications, checking nine licenses. The Board received 12 new complaints and resolved 14 complaints from this and previous fiscal years. The Board held one investigative conference, entered into three consent agreements, placed one license on probation and issued two reprimands.

Accomplishments

The Board met with representatives of the Massachusetts Society of Optometrists (MSO) to discuss a bill that the association filed during the current legislative session designed to enhance the optometric scope of practice. In 1997, optometrists expanded their scope of practice with the passage of the "Therapeutics" bill. This bill allowed optometrists licensed at the highest level to offer patients a variety of services that they had not previously been authorized to perform. Likewise, the scope of practice bill filed by MSO in the current legislative session will allow optometrists who meet certain requirements to treat glaucoma, prescribe oral medications and apply other agents to the eye and surrounding tissue. The legislation will enable consumers to receive a variety of additional treatment options and services from their local optometrist.

The Board conducted an audit of more than 200 licensees' compliance with the continuing education requirements.

New Rules and Regulations

The Board drafted regulations for optometrists' insurance requirements for Limited Liability Companies and Limited Liability Partnerships. The Board anticipates that these regulations will be promulgated in fiscal year 2004 after public hearings are held.

Future Issues

The Board will continue to monitor the development of the Board of Dispensing Opticians' regulations related to providers of contact lenses that are purchased on-line. Internet and mail order issues relating to 1-800 CONTACTS and the requirements for verification of a valid prescription will also be closely monitored.

In addition, the Board will continue to utilize its Web site to provide consumers with information regarding optometric care.



Public Accountancy

www.mass.gov/reg/boards/pa/

Creation of Board

M.G.L. chapter 13, sections 33 to 35

Rules and Regulations

252 CMR 1.00 - 4.00

Licensing Provisions

M.G.L. chapter 112, sections 87A to 87E

Board Members

Melvin A. Holland, CPA

Chair

Sherman H. Starr, CPA

Secretary

Dean F. Hanley, Esq.

Member

Robert H. Temkin, CPA

Member

Dorothy H. Kelly, CPA

Member

The Board of Registration in Public Accountancy

Practitioners in public accountancy provide services to the public, which involve the use of accounting or auditing skills. These include one or more kinds of management advisory or consulting services, preparing tax returns or furnishing advice on tax matters.

The Board of Registration in Public Accountancy grants certificates and licenses to practice public accountancy to qualified individuals who comply with chapter 112, section 87A-E½ and 252 CMR. After these individuals have been granted licenses, the Board monitors their practice of public accountancy to ensure the public that they have complied with all of the continuing educational requirements and quality report reviews necessary to renew their licenses. The Board also monitors the practice of public accountancy to ensure that the services provided to the public are done in accordance with professional and ethical standards law and rules and regulations.

The Board's objective is to provide quality service to its licensees in their service to the public. It administers the national Uniform CPA exam twice a year to more than 3,000 candidates and evaluates each successful candidate's experience in order to determine his or her competency to be granted a license. It coordinates the 60 plus phone inquiries received each day and provides professional guidance to each inquiry.

Facts & Figures

The Board of Registration in Public Accountancy licenses 12,914 professionals in the Commonwealth. In fiscal year 2003, the Board received 22 new complaints and resolved 26 complaints from this and previous fiscal years. The Board held one investigative conference, revoked one license, suspended one license, accepted the voluntary surrender of one license and issued one censure. The Board collected a total of \$1,000 in fines.

Accomplishments

The Board advocated for and achieved modification to M.G.L. c. 112, section 87A-E½ to allow non-CPAs to own a minority interest in CPA firms. The CPA industry and trade organizations in particular had requested this opportunity for experienced professionals skilled and knowledgeable in financial services related to the practice of public accountancy to become owners of CPA firms so that the firms could better retain these unlicensed, but qualified professionals. The Board provided input on consumer protection issues throughout the crafting of new legislation and related rule changes to 252 CMR. The public is served by the amendment in that the Board now has more control over non-CPAs and their related services, which had been previously provided by unlicensed firms in association with the CPA firms.

The Board has followed the development and implementation of a Computer Based Test (CBT), which will be the only CPA examination available to qualified candidates after April 2004. Throughout the past two years, negotiations were conducted among the fifty-four states and jurisdictions of CPA Boards, which resulted in an agreement upon a computerized exam. Examination materials and conditions will be altered and Board statute and rules must be amended prior to April 2004 to provide for the modified examination. The CBT will allow candidates the opportunity to study and sit for the exam on a year-round basis. Also, the conditional credit format for completion of the examination has been revised to better accommodate candidates' schedules, which are heavily restricted by the workload pressure of the CPA industry.

Activities and Committees

The Board formed an Educators' Credential Committee to provide oversight for the newly mandated increase in educational requirements for first-time CPA exam applicants. Serving on the

Board are Committee Chair Dennis Hanno, CPA, Associate Dean for Undergraduate Matters at UMass-Amherst's Isenberg School of Management, Professor Elliot Levy of Bentley College and Professor Paul Janell of Northeastern University. During the past year, the committee has met several times and has developed a Web site to explain the complicated education requirements of the new rule. The committee has also reviewed various accounting programs and course coverage issues and has been a great asset to the Board in ensuring compliance with the new criteria.

New Rules and Regulations

252 CMR 4.01 was amended to require increased insurance coverage for new business corporations and LLCs and LLPs. Business corporations and other limited liability companies practicing public accountancy are now required to keep at least two million dollars in insurance coverage for claims against each firm in the aggregate. This increased insurance further protects the public in potential malpractice situations.

Future Issues

In FY04, the Board will fully implement the Computer Based Test for CPA exams conducted after April 2004 and coordinate administration and record keeping procedures for candidate grades and license applications. The Board will also consider standardizing its regulations with regards to firm names and the unlicensed owners of these firms.



Podiatrists

www.mass.gov/reg/boards/pd/

Creation of Board

M.G.L. chapter 13, sections 12A to 12C

Rules and Regulations

249 CMR 2.00 - 6.00

Licensing Provisions

Board Members

Leroy J. Kelley, III, D.P.M.

Chair

Raymond Dubois, D.P.M.

Secretary

David Campbell, M.D.

Member

Raymond Murano, D.P.M.

Member

Marshall P. Feldman

Public Member

The Board of Registration in Podiatry

Podiatry deals with medical and surgical treatment of foot disorders. The Board of Registration in Podiatry evaluates the qualifications of applicants for licensure and grants licenses to those who qualify. It establishes rules and regulations to ensure the integrity and competence of licensed podiatrists. The Board promotes the public health, welfare and safety.

Facts & Figures

The Board of Registration in Podiatry licenses 580 professionals in the Commonwealth. In fiscal year 2003, Board investigators inspected four podiatry offices, checking five licenses. The Board received 21 new complaints and resolved 21 complaints from this and previous fiscal years. The Board entered into one consent agreement and placed one license on probation.

Accomplishments

The Board established the Commission on Diabetic Foot Care, a multi-disciplinary group comprised of all Board members and leading members of the Massachusetts medical community who specialize in Diabetes. The Commission assisted the Board in developing policy guidelines on standards of care for the delivery of podiatry services to diabetic patients in the Commonwealth. This policy is available to the public via the Board's Web site.

The Board also collaborated with the Cosmetology Board by providing information for that Board to share with its licensees regarding the screening of pedicure clients who are at high risk for medical complications related to foot care procedures.

Future Issues

The Board intends to develop the Frequently Asked Questions (FAQ) section of its Web site to provide pertinent consumer information regarding proper podiatric care, as well as work with DPL staff to develop Consumer Fact Sheet(s) regarding podiatric care.



Plumbers and Gas Fitters

www.mass.gov/reg/boards/pl/

Creation of Board

M.G.L. chapter 13, sections 36 to 38

Rules and Regulations

248 CMR 2.00 - 7.00

Licensing Provisions

M.G.L. chapter 142, sections 1 to 22

Board Members

William T. Callahan

Chair

Rudolph Banks

Member

Howard S. Wensley

Member

Joseph McNamee

Member

Edward F. Cruz

Member

Gail Barmakian

Public Member

Bahig Kaldas

Member

Paul Kennedy Sr.

Member

Joseph Kosh

Member

The Board of State Examiners of Plumbers and Gas Fitters

Plumbers work with materials and fixtures used in the installation, removal, maintenance, extension and alteration of plumbing systems for piped fixtures, fixed appliances and accessories. They perform this work in connection with sanitary drainage, storm drainage, special waste, venting systems and public or private water supply systems within or adjacent to a building or structure. Gas Fitters pipe fuel gases, low pressure or elevated, to appliances and accessories and insure the installation of vent piping for flue gases and makeup air. Licensed plumbers may also perform gas fitting.

The Board of Registration of Plumbers and Gas Fitters regulates these occupations in the Commonwealth of Massachusetts in accordance with the state laws and Board regulations. The Board promulgates the uniform state plumbing and gas fitting codes. It holds examinations and issues licenses for Journeyman and Master Plumbers, Journeyman and Master Gas Fitters, and Liquefied Petroleum Gas Installers (LP) and Limited Liquefied Petroleum Gas Installers (LTD). It registers apprentice Plumbers and Gas Fitters and issues corporate and partnership certificates for plumbing and gas. The Board holds public hearings for code amendments, grants variances, and approves dual and elevated gases and plumbing and gas products.

Facts & Figures

The Board of State Examiners of Plumbers and Gas Fitters licenses 23,579 plumbers and gas fitters in the Commonwealth. In fiscal year 2003, Board investigators inspected 642 premises, checking 588 licenses. The Board received 118 new complaints and resolved 260 complaints from this and previous fiscal years. The Board held one investigative conference, entered into one consent agreement, revoked 28 licenses, suspended 58 licenses and issued three stayed suspensions and one reprimand. The Board facilitated the refund of \$9,278 in total.

Accomplishments

The Board has completed the first year of continuing education classes for plumbing and gas fitting inspectors mandated by regulations adopted under Senate Bill 386. This legislation requires all inspectors to accrue 12 credited class hours per year over a two-year cycle (24 hours total), compatible with the Board's license renewal period. The purpose and benefits of these classes are that inspectors are always aware of current or new code regulations and uniform code interpretations throughout the Commonwealth. These classes will enhance consumer protection and eliminate contracting issues.

The Board has compiled an electronic online list of plumbing and gas products that are approved for installation within the Commonwealth. This list has been posted on the Board's Web site and will assist inspectors, contractors and consumers by helping them to avoid installing non-approved products.

Activities and Committees

The Board formed an Education Committee, Chaired by Board member George Murphy, to establish a continuing education program to comply with Senate Bill 386.

The Board also formed a Gas Sub-Committee, Chaired by Board member Paul Kennedy, to review any gas code issues. The sub-committee is currently reviewing the installation of CSST Gas Piping Systems.

Awards

On June 14, 2003, The Massachusetts PHCC, (Plumbing Heating Cooling Contractors) held its annual awards night. Board Chair William Callahan received the Sinott Award, which is the most prestigious award granted to a non-contractor member who has made a significant contribution to the industry for an extended period of time. Other members who received awards were former Board Chair Louis Stefano, former Executive Secretary Louis Visco, former Board members Frederic Barker, George Murphy and Joseph Harold III, and retired Board Administrative Assistant Eileen Reilly.

New Rules and Regulations

The Board is in the process of drafting its new regulations.

Future Issues

The Board would like to extend its continuing education program as a requirement for all licensed plumbers and gas fitters, as well as review its apprenticeship program.



Psychologists

www.mass.gov/reg/boards/py/

Creation of Board

M.G.L. chapter 13, sections 76 to 79

Rules and Regulations

251 CMR 1.00 - 4.00

Licensing Provisions

M.G.L. chapter 112, sections 118 to 129A

Board Members

Ward J. Cromer, Ph.D.

Chair

Olivia Moorehead-Slaughter, Ph.D.

Vice-Chair

Richard T. Monahan, Ph.D.

Secretary

Mary Walsh, Ph.D.

Member

Carmen Brenes Jette, Ph.D.

Member

John Stahl, Ph.D.

Member

Sheila O'Keefe, Ed.D.

Member

Kevin J. Bulman

Public Member

John Cline

Public Member

The Board of Registration of Psychologists

Psychologists provide mental health services to consumers, as well as teach and perform research. The Board of Registration of Psychologists licenses qualified people to practice psychology and regulates that practice in the Commonwealth of Massachusetts, as defined by the statutes and described in the regulations.

The Board protects the public health and welfare through regulation of the practice. It receives, investigates, and adjudicates complaints against licensed practitioners.

Facts & Figures

The Board of Registration of Psychologists licenses 5,151 psychologists in the Commonwealth. In fiscal year 2003, the Board received 26 new complaints and resolved 44 complaints from this and previous fiscal years. The Board held seven informal conferences, entered into four consent agreements, accepted the surrender of four licenses and placed two licenses on probation.

Accomplishments

In May 2003, the Board met with Dr. Stephen Beukhe from the American Psychological Association (APA) Ethics Office to discuss revisions and updates in the APA Code of Ethics, which are by regulation part of the Board's Code of Ethics.

New Rules and Regulations

In December 2002, after the Board held public hearings and considered input from consumers and members of the industry, new regulations were published. The changes to 251 CMR eliminated the "waiver" category for projected post-doctoral hours, due to the fact that exams are now computerized and offered daily. The revisions also clarified certain sections of the computerized exam, as well as Health Service Provider and continuing education requirements.



Real Estate Appraisers

www.mass.gov/reg/boards/ra/

Creation of Board

M.G.L. chapter 13, section 92

Rules and Regulations

264 CMR 1.00 - 12.00

Licensing Provisions

M.G.L. chapter 112, sections 173 to 195

Board Members

William Pastuszek, Jr.

Chair

Richard Cohen

Member

Augustine "Gus" Pesaturo

Public Member

William Barney

Member

David Murphy

Member

The Board of Registration of Real Estate Appraisers

Real Estate Appraisers, through their contracts with clients, provide land and commercial and residential property appraisal services.

The Board of Registration of Real Estate Appraisers licenses qualified professional appraisers in compliance with the mandates of Title XI, Federal Financial Institution Reform, Recovery and Enforcement Act (FIRREA) of 1989. The Board insures the integrity of its licensees through fair and consistent enforcement of the statutes and regulations.

Facts & Figures

The Board of Registration of Real Estate Appraisers licenses 4,070 appraisers in the Commonwealth. In fiscal year 2003, the Board received 36 new complaints and resolved 35 complaints from this and previous fiscal years. The Board held one investigative conference, entered into six consent agreements, suspended six licenses, accepted the voluntary surrender of four licenses and placed four licenses on probation.

New Rules and Regulations

Board staff member Neal Fenochietti and the Division legal staff completed a redraft of all Board regulations. Mr. Fenochietti authored original and substantive drafts of the regulations and coordinated the Board's participation and input. The redraft has been approved by the Board and will be filed by Legal Counsel Gail Gabriel.

Activities and Committees

The Board's Education sub-committee has worked toward keeping the Board's 12-hour continuing education curriculum relevant to licensed real estate appraisers. In particular, the Board is planning to include two new two-hour subject matter areas on technology and ethics.

Future Issues

The Board will seek to simplify its course approval process.

Special Recognition

The Board would like to recognize staff member Neal Fenochietti for his service to the Board and dedication to revising the Board's regulations.

The Board would also like to recognize Board members William Barney and Richard Cohen for their dedication to performing preparatory tasks related to consumer complaints and appraisal reviews.



Real Estate Brokers and Salespersons

www.mass.gov/reg/boards/re/

Creation of Board

M.G.L. chapter 13, sections 54 to 57

Rules and Regulations

254 CMR 2.00 - 7.00

Licensing Provisions

M.G.L. chapter 112, sections 87PP to 87DDD1/2

Board Members

Ann Blackham

Chair

Richard W. Neitz

Member

L. Bradley Hutchinson

Member

Fred Koed

Public Member

Fred Razzaboni

Public Member

The Board of Registration of Real Estate Brokers and Salespersons

Licensed real estate brokers and salespersons assist consumers wishing to purchase, sell, lease or exchange real property. This assistance encompasses a host of services including evaluating property for basic valuations, negotiating purchase, sale or lease agreements, maintaining escrow accounts and advertising.

The Real Estate Board licenses only those candidates who meet the statutory and regulatory requirements for real estate brokers and salespersons. In carrying out its mission, the Board regulates real estate schools and curriculum and contracts with a testing vendor to provide the agent examination. Of equal importance, the Board seeks to protect consumers by exercising its authority to discipline those real estate agents that violate licensing laws and regulations.

Facts & Figures

The Real Estate Board licenses 74,433 real estate brokers and salespersons in the Commonwealth. In fiscal year 2003, Board investigators inspected 10 real estate offices, checking 153 licenses. The Board received 359 new complaints and resolved 434 from this and previous fiscal years. The Board held one investigative conference and nine formal hearings, entered into 16 consent agreements, revoked 25 licenses, suspended 58 licenses and issued three stayed suspensions and one reprimand. The Board facilitated the refund of \$26,845 in total.

Accomplishments

The Board has moved aggressively to reduce its number of cases pending prosecution and has developed a more expedient default procedure in adjudicatory matters. The Division has adopted the new default notice, the template for which was designed by Board Executive Director Joe Autilio along with the Division's legal counsel.

Future Issues

The Board will consider ways to provide pre-licensing and continuing education services online, as well as continue working on the Massachusetts E-Licensing (MEL) project.

Special Recognition

The Board would like to recognize staff member Colleen DiGirolamo, who has willingly and successfully taken on the work of retired long-term staff member Ofelia Bacca.



Sanitarians

www.mass.gov/reg/boards/sa/

Creation of Board

M.G.L. chapter 13, sections 51 to 53

Rules and Regulations

255 CMR 2.00 - 5.00

Licensing Provisions

M.G.L. chapter 112, sections 87LL to 87OO

Board Members

Peter Mirandi

Chair

Sharon Cameron

Secretary

Greg Erickson

Member

Vartkes Karaian

Member

Dr. David Kaplan

Public Member

Sharon Cameron

Member

Jennifer Lamb-Sullivan

Member

The Board of Registration of Sanitarians

Sanitarians administer environmental and health programs for both public and private agencies and organizations in food protection and safety, water quality, air quality, noise, industrial and land

pollution, sewage disposal, hazardous and toxic substances, solid waste management, and institutional health.

The Board of Registration of Sanitarians protects the public health and welfare through regulation of the profession in accordance with the state statutes and board regulations. The Board maintains a registration program for persons meeting the established educational, experience and examination requirements. It determines eligibility for admission to the examination and conducts both written and oral exams. The Board maintains registration records, issues certificates of registration, holds meetings, adopts new regulations, and determines continuing education requirements. In enforcing the laws in the fields of environmental and public health, the Board is qualified to perform public health and environmental inspections and related administrative duties. The Board investigates reports of violations in rules and regulations, conducts hearings and takes disciplinary action when required.

Facts & Figures

The Board of Registration of Sanitarians licenses 403 professionals in the Commonwealth. In fiscal year 2003, the Board received one new complaint and resolved eight complaints from this and previous fiscal years. The Board held one investigative conference.

Accomplishments

The Board successfully cleaned up its backlog of continuing education cases and closed many newer cases.

The Board also held several meetings with the Board of Registration of Health Officers to explore a collaboration between the two boards.

Activities and Committees

Board member Greg Erickson taught computer courses at the Massachusetts Health Officers Annual Conference.

Board member Sharon Cameron conducted an annual training session for the Massachusetts Environmental Health Association.

Awards

Board member Sharon Cameron was promoted to Assistant Director of the Massachusetts Childhood Lead Poisoning Prevention Program.

Future Issues

The Board will continue to discuss collaborating with the Board of Registration of Health Officers.

Special Recognition

The Board would like to recognize Dr. David Kaplan and welcome him to the Board.

The Board would also like to recognize Greg Erickson and Sharon Cameron for their dedication to educating licensees.

Speech-Language Pathology and Audiology

www.mass.gov/reg/boards/sp/

Creation of Board

M.G.L. chapter 13, sections 85 to 87

Rules and Regulations

260 CMR 1.00 - 9.00

Licensing Provisions

M.G.L. chapter 112, sections 138 to 147

Board Members

Garie Morgenstern-Stein, MS, CCC-SLP

Chair

Susan Bankoski, MA, CCC-A

Vice-Chair

Terry Henderson, MA, CCC-SLP

Secretary

Sharon Libbin, MS, CCC-A

Member

The Board of Registration of Speech-Language Pathology and Audiology

Speech-Language Pathologists screen, identify, assess and interpret, diagnose, rehabilitate and work to prevent disorders of communication. These disorders can include articulation, fluency, voice and language.

Audiologists work with peripheral and central audiological systems and vestibular dysfunction. Audiologists screen, identify, assess and interpret, diagnose, rehabilitate and work to prevent communication disorders.

The Board of Registration in Speech-Language Pathology and Audiology works to license those applicants meeting its qualifications, to uphold standards within the professions, and to protect the health, safety and welfare of the public.

Facts & Figures

The Speech-Language Pathology and Audiology Board licenses 4,409 professionals in the Commonwealth. In fiscal year 2003, the Board received three complaints and resolved two from this and previous fiscal years.

Accomplishments

The Board met with school officials and attorneys who represent unlicensed speech and language providers to educate them about licensure and the fact that unlicensed providers must not be employed in the capacity of a licensed Speech Language Pathologist in the school systems.

Future Issues

The Board will continue to promote pending legislation to regulate Speech-Language Pathology and Audiology Assistants. The Board will continue to reach out to the Department of Education to continue the dialogue regarding licensure and certification of Speech Language Pathologists and Audiologists working in the schools.



Social Workers

www.mass.gov/reg/boards/sw/

Creation of Board

M.G.L. chapter 13, sections 80 to 84

Rules and Regulations

258 CMR 1.00 - 31.00

Licensing Provisions

M.G.L. chapter 112, sections 130 to 137

Board Members

Walton B. Stamper

Chair

Mary C. Chin, LICSW

Vice-Chair

Dale L. Van Meter, LICSW

Secretary

Aida Bruns, LICSW

Member

Leticia Hermosa

Public Member

The Board of Registration of Social Workers

Licensed Social Workers provide services to consumers as defined by the statutes and described in the regulations. Generally, social work professionals provide counseling to individuals, couples, families, and groups directed toward specific goals. They assist individuals or groups with difficult day-to-day problems, such as finding employment, locating sources of assistance, or organizing community groups to work on a specific problem.

The Board of Registration of Social Workers protects the public through regulation of the practice in the Commonwealth of Massachusetts. It determines eligibility for admission to examinations for social work, conducts examinations and licenses qualified individuals at one of four levels of licensure (Licensed Independent Clinical Social Worker, LICSW; Licensed Certified Social Worker, LCSW; Licensed Social Worker, LSW; Licensed Social Work Associate, LSWA). The Board holds meetings, hears complaints, and takes action as required with the assistance of the Division's legal counsel and investigators.

Facts & Figures

The Board of Registration of Social Workers licenses 20,572 social workers at various licensure levels in the Commonwealth. In fiscal year 2003, the Board received 45 new complaints and resolved 70 from this and previous fiscal years. The Board held two investigative conferences, entered into three consent agreements, suspended one license, accepted the voluntary surrender of two licenses and placed two licenses on probation.

Accomplishments

The Board has fully instituted a Supervisory/Therapeutic Clinical Panel, which will provide troubled social workers and probationers with supervision, therapy and evaluations for a length of time to be determined by the Board. The purpose of the panel is to assess impairments and assist members of the social work profession through careful discussion and understanding of their issues in conjunction with the Board's disciplinary policies.

The Board is also working with the National Association of Social Workers (NASW), Massachusetts Chapter, to present new legislation to the Senate Committee on Human Services and Elderly Affairs. This legislation is intended to revise the current educational requirements for Licensed Social Workers (LSW) and modify the Licensed Social Worker Associate (LSWA) level of licensure.

Awards

Board member Aida Bruns received the first Dr. Martin Luther King Jr. Distinguished Service Award from Bridgewater State College, where she was a faculty member from 1985 to 1992. Ms. Bruns was honored at the school's Martin Luther King Day celebration. As professor emeritus, Ms. Bruns remains an active supporter of diversity in the school and the local community.

New Rules and Regulations

The Board has approved updated versions of 258 CMR 1:00-31:00. These new regulations, which will change the CEU and supervision requirements for social workers, have moved forward for administrative approval. Public hearings for the regulations were held in both Boston and Springfield. The Board consulted with professional organizations as well as sister-state agencies to construct the new regulations.

Future Issues

Once the new regulations are promulgated, the Board will work towards notifying the public about the changes in CEU requirements and standards for supervision.

Special Recognition

The Board would like to recognize Board Chair Walter B. Stamper for his dedicated service to the Board as a representative of the public. Mr. Stamper is also Director at Large for the Board's primary regulatory association, the Association of Social Workers (ASWB) and has served ASWB for the past one and a half years.

The Board would also like to recognize Board member Leticia Hermosa, who has taken an active role in serving ASWB, recently becoming a member of the association's by-laws committee. Dr. Hermosa's experience with the legal aspects of health care make her an asset to both the Board and ASWB.



Radio and Television Technicians

www.mass.gov/reg/boards/tv/

Creation of Board

M.G.L. chapter 13, sections 61 to 63

Rules and Regulations

253 CMR 2.00

Licensing Provisions

M.G.L. chapter 112, sections 87PPP to 87VVV

Board Members

Robert Ayan

Chair

George Chalikis

Vice-Chair

Rene V. Fagnant

Secretary

Gilbert P. Clark

Member

Frank Serra

Member

Michael Desesa

Member

The Board of Registration of Radio and Television Technicians

Radio and television repair technicians must be licensed by the Commonwealth to perform repairs on radio and television equipment. The Board of Registration of Radio and Television Technicians protects the public through regulation of the trade and by providing a source of assistance to consumers who have complaints about repairs or service. The Board imposes high standards for quality and service on those technicians working in the field of radio and television repair.

Facts & Figures

The Board of Registration of Radio and Television Technicians licenses 1,542 technicians in the Commonwealth. In fiscal year 2003, the Board received two new complaints and resolved 12 complaints from this and previous fiscal years. The Board suspended one license and facilitated the refund of \$93 in total.

Accomplishments

The Board has worked towards broadening the scope of licensure for this profession. Legislation was filed to change the name of the Board of Registration of Radio and Television Technicians to the Board of Registration of Consumer Electronics in order to more accurately reflect the work that members of this profession do, as well as to bring additional licensees under the Board's current licensing law.

The Board also created a Consumer Guide to educate the public regarding the radio and television profession.

Activities and Committees

The Board formed a complaint committee in order to review cases.

Board members are active in the Electronic Technicians Guild of Massachusetts, the National Electronics Dealers Associations, the International Society of Certified Electronic Technicians, and National Standard Exams of Technical Certification.

Awards

The Electronics Guild Association recognized Board member Frank Serra for his service to the Association.

Future Issues

The Board will continue to consider additional licensure of Consumer Electronics.

Special Recognition

The Board would like to recognize Frederic Paradis, CSM of Dave's Radio & T.V. in Ashland and President of the Electronics Guild Association, as well as Brian Gibson, member of the Board of Directors of the Electronics Guild Association. Mr. Gibson was voted Vice-President of the National Electronic Service Dealers Association and Mr. Paradis was voted Treasurer of the Association.

Veterinarians

www.mass.gov/reg/boards/vt/

Creation of Board

M.G.L. chapter 13, sections 26 to 28

Rules and Regulations

256 CMR 2.00 - 8.00

Licensing Provisions

M.G.L. chapter 112, sections 54 to 60

Board Members

Robert M. Davis, DVM

Chair

Gertrude Lanman

Public Member & Secretary

Edward A. Leonard, DVM

Member

Steven W. Atwood, VMD

Member

Edward A. Zullo, DVM

Member

The Board of Registration in Veterinary Medicine

Veterinarians generally diagnose, treat, and prescribe for disease, pain or injury in animals. The Board of Registration in Veterinary Medicine licenses those applicants who have received a doctor's degree in veterinary medicine from an approved school and pass the national exams and the state's jurisprudence exam with grades considered satisfactory by the Board.

The Board protects the public by monitoring the practices of the veterinarians it licenses to insure that they practice according to the laws of Massachusetts and the Board's established standards and code of conduct. The Board works to recognize and address the needs and demands of the profession in a timely fashion.

Facts & Figures

The Veterinary Board licenses 2,675 professionals in the Commonwealth. In fiscal year 2003, Board investigators inspected one veterinary clinic, checking three licenses. The Board received 85 new complaints and resolved 69 complaints from this and previous fiscal years. The Board held five investigative conferences, entered into three consent agreements, suspended one license, issued one stayed suspension and placed one license on probation.

Accomplishments

The Massachusetts Board of Veterinary Medicine, established in 1903, is celebrating 100 years of service to licensees and consumers throughout the Commonwealth.

In January 2002, the Board ended its contract with its vendor, and the application process became "in house". The change in services saves the applicant \$109, and the Board has successfully streamlined this process since that time.

Board meetings have been held at alternative sites, in order to include various constituents in the meetings. Meetings are held at the Division, but also at Tufts School of Veterinary Medicine in North Grafton, the Massachusetts Veterinarian Association in Marlborough and the New England Aquarium in Boston.

New Rules and Regulations

On October 25, 2002 the Legislature adopted Chapter 355 of the Acts of 2002, which had two results:

1. The timeframe for applicants to sit for the exam was expanded, giving students additional testing dates. Previously, students were only able to sit for the exam 45 days prior to graduation, which offered them only one testing date prior to graduation. Chapter 355 expanded the window so that Veterinary Medicine applicants are now able to sit for the exam 210 days prior to graduation. Massachusetts requirements now more closely follow those of most states.

2. The MGLs were amended to include Continuing Education (CEU) Requirements for all licensed veterinarians. The Board is in the process of amending its regulations to reflect this statutory change. In conjunction with feedback from Legal Counsel and professional associations, the Board has since adopted a policy to specify the statutes' CEU requirements.

Future Issues

The Board will consider revision of current regulations to incorporate CEU changes and will organize and execute a complete audit of CEUs for the next renewal cycle (February 2004).

Division of Professional Licensure

Administration

William G. Wood – Director (until Feb. 2003)
Anne L. Collins – Director (begins Feb. 2003)
Stacey Whelan - Executive Assistant to the Director
Robert Stone - Deputy Director for General Administration and Finance
Linda Grasso - Deputy Director for Enforcement and General Counsel
Stephen Nemmers - Deputy Director for Policy and Planning
Linda White - Administrative Services Coordinator
Corrina Balash - Web Publications Specialist

Accounting Unit

Susan Dolabany - Fiscal Services Manager
Greg Hall - Mail Clerk II
Orlando Abreu – Accountant II
Wilma Kennon – Accountant II
Rose Nguyen – Accountant III

Computer Services

Ken Peterson - MIS Director
Arthur Chidlovski - Webmaster
Latasha Cooper - EDP Systems Operator
Julia Ruiz - EDP Systems Operator III
Paul Squatrito - EDP Systems Analyst I
Angie Mullins - Public Information Specialist
Gerard Galvin - Program Coordinator III
George Ulrich - Programmer
Steven Whittredge - Network Coordinator

Office of Investigations

Phillip Smith - Chief Investigator
Jerry DeCristofaro - Assistant Chief Investigator
Anne Driscoll - Program Coordinator III
Kelly Monaco - Program Coordinator III
Steven Smith - Program Coordinator III
Robert Risner - Program Coordinator III
Theresa Buckley - Administrative Assistant II
Karen Marsden - Administrative Assistant I

Compliance Officers:

John Bresnahan
Joan Bristol
Colleen Cotter
Shawn Croke
Mark Duverger

Hubert Gray
Christopher Lee
Gretchen Lucas
Alexander Mastorakos
Joseph Moran
Richard Paris
Taylor Roth
Salvatore Sansone
Frank Shea
Robert Sinkiewicz
AnnMarie Staunton
Catherine Stec
Alan Van Tassel
Paul Taylor
Gary Williamson

Office of Legal Counsel

Gail Gabriel - Chief Counsel
James Anliot - Administrative Counsel II
Christopher Carroll - Administrative Counsel II
Annie Colleton - Hearings Counsel II
Maria Silva - Paralegal

Office of Prosecutions

George Weber - Chief Prosecutor
Deborah Kravitz - Prosecuting Counsel
Jennifer Murphy - Prosecuting Counsel
Marc Tonaszuck - Prosecuting Counsel
James Read - Prosecuting Counsel
Timothy Horan - Investigator, Health Care Fraud Unit
Pasqua Scibelli - Prosecuting Counsel, Health Care Fraud Unit
Amy Riordan - Administrative Assistant

Boards of Registration

Joseph Autilio - *Executive Director* - Real Estate Brokers and Salespersons - Real Estate Appraisers

Staff:

Gladys Clifton
Joanne Daly
Colleen Digirolamo
Neal Fenchietti
Maria Vicente

Leo Bonarrigo - *Executive Director* - Public Accountants

Staff:

Victoria Fernandes
Michelina Martignetti

Erin Arnold - *Executive Director* - Allied Mental Health Professions – Dietitians and Nutritionists -
Health Officers - Psychologists - Social Workers - Veterinary Medicine

Staff:

Jodi Bornstein
Joseph LaFrazia
Karen Schwartz

Richard Fredette - *Executive Director* - Electricians

Staff:

Sandra Figueroa
Clementina Mazzotta
Dalisna Noel
Dolores Powers
Tamara Smith

Bette Lindberg- *Executive Director* - Allied Health - Chiropractors -
Optometrists - Podiatry - Speech & Language Pathology and Audiology

Staff:

Jill Keirstead
Michael Power

Helen Peveri - *Executive Director* - Architects - Cosmetologists -
Operators of Drinking Water Supply Facilities - Electrologists - Engineers and Land Surveyors -
Embalmers and Funeral Directors - Landscape Architects - Sanitarians

Staff:

Ruth Brown
Colleen Cavanaugh
John Doherty
Christine Garner
Deborah Milliken
Kim Scully

Zane Skerry - *Executive Director* - Barbers - Dispensing Opticians - Hearing Instrument Specialists

Staff:

Paula King

Joseph Peluso - *Executive Director* - Plumbers and Gas Fitters

Staff:

Ann DeRuosi
Cynthia Johnson
Louis Visco

Employee Performance Recognition Awards

The Commonwealth's Performance Recognition Award recognizes those employees who demonstrate exemplary work performance for achieving a more effective and concerned government.

Division employees receiving the Performance Recognition Award are nominated by their co-workers. Nominations are reviewed by a selection team composed of Division employees. Nomination and selection are based on an employee's ability to act as a part of a team working toward achieving the Division's objectives and a demonstrated commitment to improving the Division's customer focus.

2003 Recipients



Jodi Bornstein is an Administrative Assistant for the Boards of Registration of Veterinary Medicine and Allied Mental Health Professionals. She is always eager to help others and applies her knowledge with enthusiasm and cheerfulness on a daily basis.



Sandra Figueroa Rodriguez is a Clerk for the Board of State Examiners of Electricians. She is very dedicated to the Board and is always willing to work outside of her job description in order to serve the Division, its licensees and consumers.



Tamara Smith is an Administrative Assistant with the Board of State Examiners of Electricians. She is committed to serving the Board and its licensees in a polite and friendly manner, and she is always eager to accommodate anyone who needs her help.

Second Lieutenant Chris Lee and Sargent Steven Whittredge



Division employees Bob Risner, Steven Whittredge and Chris Lee were called to active duty. Steve and Chris, both soldiers in the Army Reserve, are currently stationed in Iraq as part of the War on Terrorism. The staff of the Division of Professional Licensure thanks Bob, Chris and Steve for their dedication to this country and hopes for their safe and speedy return home.

Appendix A

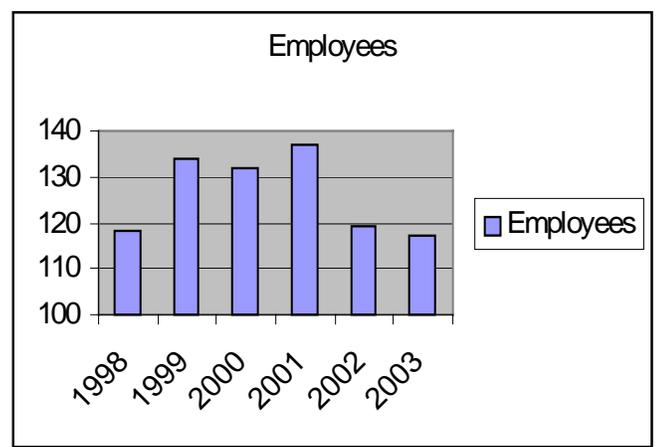
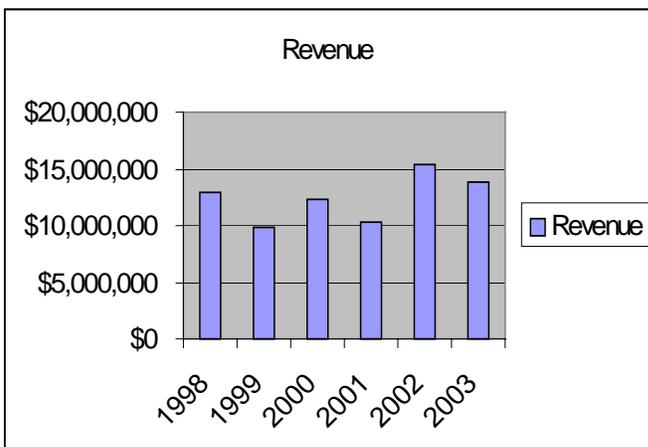
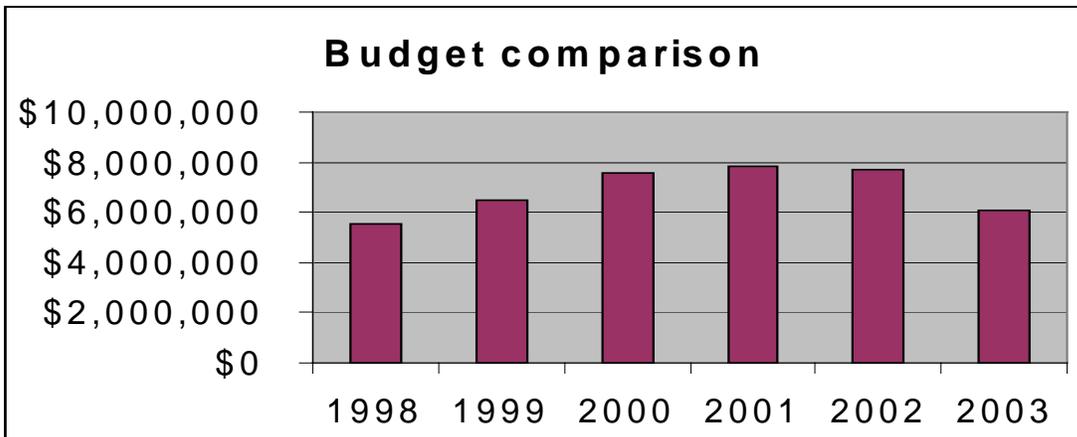
Resources, FY 98 through FY 03

Fiscal Year	Budget	Revenue	Employees
1998	\$5,572,880	\$12,879,841	118
1999	\$6,503,860	\$9,824,931	134
2000	\$7,564,744	\$12,349,497	132
2001	\$7,859,443	\$10,243,667	137
2002	\$7,692,363	\$15,418,504	119
2003	\$6,066,389***	\$13,772,576.21*	117**

* The Division earned a total of \$13,772,576.21 in revenue during fiscal year 2003. Of that amount, the 29 DPL boards collected a total of \$12,243,688.21. The seven DPH boards collected \$1,528,888.

** This amount represents all employees before the January 2003 transfer of the seven health care boards to the Department of Public Health. Thirty-two employees were transferred to DPH with the boards.

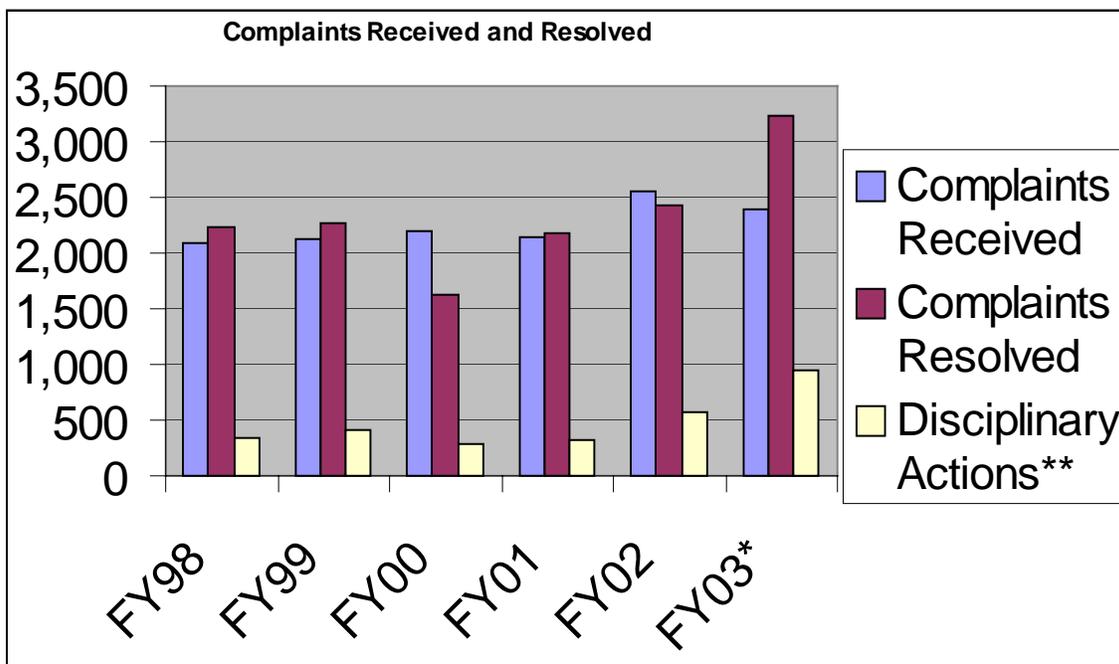
***Includes the line item from the general fund of \$4,222,885 and the amount retained in the trust \$1,843,504



Appendix B

Complaints Received and Resolved, FY 98 through FY 03

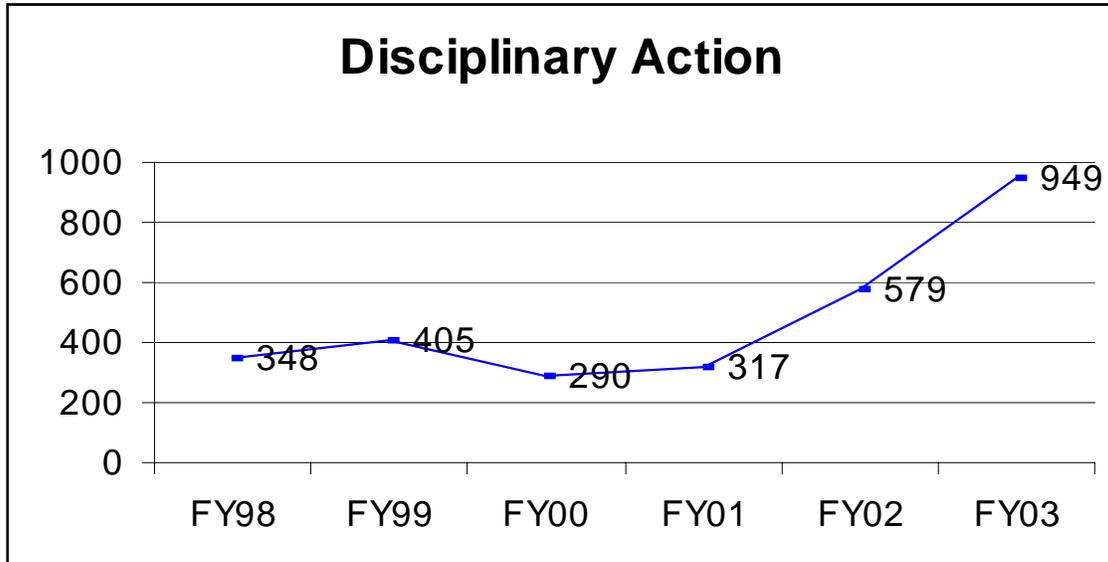
	FY98	FY99	FY00	FY01	FY02	FY03*
Complaints Received	2,093	2,117	2,196	2,142	2,549	2,396
Complaints Resolved	2,228	2,268	1,625	2,172	2,429	3,232
Disciplinary Actions**	348	405	290	317	579	949
Notes:						
* For FY03, the complaint totals include both Division of Professional Licensure and Department of Public Health cases.						



Appendix C

Disciplinary Actions, FY 98 through FY 03

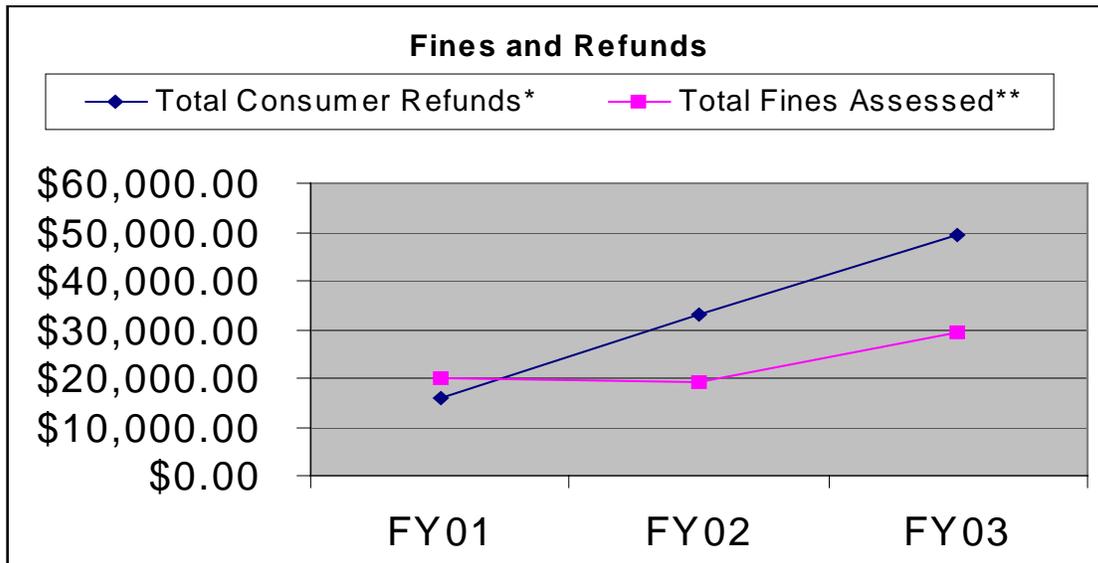
	FY98	FY99	FY00	FY01	FY02	FY03
Revocations	32	33	35	36	64	184
Voluntary Surrenders	54	82	55	59	67	123
Suspensions & Stayed Suspensions	132	53	41	34	251	333
Probations	48	151	70	98	111	139
Reprimands**	9	7	22	2	33	122
Censures and Warnings**	2	1	11	1	0	1
Licensees Fined***	71	78	56	87	53	47
Totals	348	405	290	317	579	949
Notes:						
* Multiple disciplinary actions may have been taken against the same licensee.						
** Reprimands, censures and warnings do not affect the status of a license.						
*** Not all boards have authority to levy fines.						



Appendix D

Fines and Refunds, FY 01 through FY 03

	FY01	FY02	FY03
Total Consumer Refunds*	\$16,000.50	\$33,086.00	\$49,460.00
Total Fines Assessed**	\$20,200.00	\$19,000.00	\$29,225.00
Notes:			
* Licensing boards do not have the authority to demand refunds. All refunds are voluntary and result from negotiations between the investigative and board staff and the licensee.			
** Not all boards have the authority to levy fines.			



Appendix E

BOARDS OF REGISTRATION	C.13	C.112	CMRS
Board of Registration of Architects	s. 44A	ss 60-O	231
Board of Registration of Barbers	s. 39	ss 87F-S	232
Board of Registration of Chiropractors	s. 64	ss 89-97	233
Board of Registration of Dispensing Opticians	s. 48	ss 73C-73L	235
Board of Certification of Operators of Drinking Water Supply Facilities	s. 66B	ss 87 CCCC -DDDD	236
Board of State Examiners of Electricians and Board of Electricians Appeals	s. 32	C.141 ss 1-10 C.143 ss 3L-3P	237
Board of Registration of Electrologists	s. 58	ss 87 EEE-000	238
Board of Registration in Embalming and Funeral Directing	s. 29	ss 82-87	239
Board of Registration of Hairdressers	s. 42	ss 87T-87KK	240
Board of Certification of Health Officers	s. 70	ss 87 WWW-ZZZ	241
Board of Registration Landscape Architects	s. 67	ss 98-107	242
Board of Registration in Optometry	s. 16	ss 66-73B	246
Board of State Examiners of Plumbers and Gas Fitters	s. 36	C. 142 ss 1-22	248
Board of Registration in Podiatry	s. 12A	ss 13-22	249
Board of Registration of Professional Engineers and Land Surveyors	s. 45	ss 81D-81T	250
Board of Registration of Psychologists	s. 76	ss 118-129	251
Board of Public Accountancy	s. 33	ss 87 A-E	252
Board of Registration of Radio and Television Technicians	s. 61	ss 87 PPP-VVV	253
Board of Registration of Real Estate Brokers and Salesmen	s. 54	ss 87 PP-DDD1/2	254
Board of Registration of Sanitarians	s. 51	ss 87-LL-00	255
Board of Registration in Veterinary Medicine	s. 26	ss 54-60	256
Board of Registration of Social Workers	s. 80	ss 130-137	258
Board of Registration of Allied Health Professions	s. 11A	ss 23A-Q	259
Board of Registration of Speech-Language Pathologists and Audiologists	s. 85	ss 138-147	260
Board of Registration in Respiratory Care	s. 11B	ss 23R-23BB	261
Board of Registration of Allied Mental Health Professionals	s. 88	ss 163-172	262
Board of Real Estate Appraisers	s. 92	ss 173-195	264
Board of Registration of Hearing Instrument Specialists	s. 93	ss 196-200	265
Board of Registration of Home Inspectors	s. 96	ss 222-226	266
Board of Registration of Dietitians and Nutritionists	s. 11d	ss 201-210, 274	267

Appendix F

Division of Professional Licensure
 July 18, 2003
 Actual Revenue Collections FY 2003
 General Fund & Trust Fund

OTC = Over-the-Counter Revenue
 LOC = Lockbox Revenue

**DPL Revenue includes 7 Boards 7/1/02 thru 12/31/02. Transferred to DPH effec. 1/1/03

Board	General Fund		Total General Fund Board Revenue	Trust Fund		Total Trust Fund Board Revenue	Total OTC Revenue - General Fund and	Total LOC Revenue - General Fund and	Total REG Revenue - OTC and LOC General Fund
	OTC	LOC		OTC	LOC		Trust Fund Revenue	Trust Fund Revenue	and Trust Fund Revenue
Directors Acct./Misc.	208,281	0	208,281	0	0	0	208,281	0	208,281
Architects	54,647	266,215	320,862	7,108	50,641	57,749	61,755	316,855	378,610
Allied Health Professionals	40,437	13,288	53,725	5,552	1,898	7,450	45,989	15,186	61,175
Barbers/Barber Shops	16,948	15,142	32,090	3,238	2,691	5,929	20,185	17,833	38,018
Chiropractors	15,219	145,928	161,147	2,595	29,012	31,607	17,814	174,939	192,753
**Dentists/Dental Hygienists	63,639	17,660	81,299	11,947	2,658	14,605	75,586	20,318	95,904
Dispensing Opticians	3,349	41,645	44,994	323	8,250	8,573	3,671	49,895	53,566
Drinking Water Operators	428	21,881	22,308	73	4,393	4,465	500	26,273	26,773
Electricians/Fire Alarm Installers	96,258	28,972	125,229	17,335	3,845	21,179	113,592	32,816	146,408
Electrologists	995	19,419	20,414	178	3,864	4,042	1,173	23,283	24,456
Embalmers/Funeral Serv	8,246	115,715	123,960	1,530	23,299	24,828	9,775	139,013	148,788
Engineers/Land Surveyors	63,470	49,166	112,636	10,858	9,933	20,791	74,327	59,099	133,426
Hairdressers/Salons	302,576	1,106,720	1,409,296	52,529	223,047	275,576	355,105	1,329,767	1,684,872
Health Officers	181	4,884	5,065	31	974	1,005	211	5,858	6,069
Landscape Architects	1,704	28,740	30,444	266	5,792	6,058	1,970	34,531	36,501
**Nurses/RN,LPN	251,534	2,025,452	2,276,986	28,363	373,529	401,892	279,896	2,398,981	2,678,877

**Nursing Home Administrators	1,273	4,494	5,767	222	631	853	1,495	5,124	6,619
Optometrists	3,882	50,764	54,646	651	10,023	10,674	4,532	60,787	65,319
**Pharmacists/Drug Stores	100,818	437,468	538,286	19,710	89,404	109,114	120,527	526,872	647,399
Plumbers/Gasfitters	173,881	81,958	255,839	7,829	14,644	22,472	181,709	96,602	278,311
Podiatrists	2,462	29,006	31,468	0	91	91	2,462	29,097	31,559
Psychologists	18,007	81,188	99,195	970	15,656	16,626	18,977	96,844	115,821
Public Accountants	169,996	536,910	706,906	32,707	106,749	139,456	202,703	643,659	846,362
Radio/TV Technicians	32	21,575	21,607	3	4,358	4,361	35	25,932	25,967
Real Estate Brokers/Salespersons	627,324	1,600,522	2,227,847	84,271	288,502	372,772	711,595	1,889,024	2,600,619
Sanitarians	923	13,184	14,107	188	2,787	2,975	1,110	15,971	17,081
Social Workers	83,960	680,972	764,932	15,800	137,267	153,067	99,759	818,239	917,998
Speech Language Pathologists/Aud	10,746	4,668	15,414	1,742	566	2,308	12,488	5,233	17,721
Veterinarians	30,470	124,103	154,573	5,432	24,842	30,274	35,902	148,945	184,847
**Respiratory Therapists	8,113	3,427	11,540	1,388	697	2,085	9,501	4,123	13,624
Allied Mental Health Professionals	7,537	27,108	34,645	1,136	4,628	5,764	8,673	31,736	40,409
**Physician Assistants	11,698	100	11,798	2,258	0	2,258	13,955	100	14,055
Real Estate Appraisers	233,945	141,320	375,265	43,574	30,173	73,746	277,518	171,493	449,011
Hearing Instrument Specialists	3,783	8,889	12,672	255	1,764	2,019	4,038	10,653	14,691
Home Inspectors	7,220	0	7,220	1,438	0	1,438	8,657	0	8,657
Dietitian/Nutritionists	11,463	15,788	27,251	2,204	3,113	5,317	13,667	18,901	32,568
**Perfusionists	480	0	480	95	0	95	574	0	574
DPL Totals	2,635,917	7,764,267	10,400,184	363,790	1,479,715	1,843,505	2,999,707	9,243,981	12,243,688

Appendix G

Licensees per profession

<u>Allied Health Professionals</u>	17,844
<u>Allied Mental Health Professionals</u>	5,199
<u>Architects</u>	6,344
<u>Barbers and Shops</u>	5,432
<u>Chiropractors</u>	1,873
<u>Cosmetologists and Shops</u>	61,679
<u>Dietitians and Nutritionists</u>	1,919
<u>Dispensing Opticians</u>	1,850
<u>Drinking Water Supply Facilities Operators</u>	4,289
<u>Electricians</u>	34,074
<u>Electrologists</u>	805
<u>Engineers and Land Surveyors</u>	17,356
<u>Funeral Directors and Embalmers</u>	2,594
<u>Health Officers</u>	131
<u>Hearing Instrument Specialists</u>	151
<u>Home Inspectors</u>	618
<u>Landscape Architects</u>	809
<u>Optometrists</u>	1,461
<u>Plumbers and Gas Fitters</u>	23,824
<u>Podiatrists</u>	578
<u>Psychology</u>	5,282
<u>Public Accountants</u>	13,818
<u>Radio/TV Technicians</u>	1,376
<u>RE Appraisers</u>	4,562
<u>RE Brokers and Salespersons</u>	76,687
<u>Sanitarians</u>	407
<u>Social Workers</u>	21,470
<u>Speech Pathologists and Audiologists</u>	4,088
<u>Veterinarians</u>	2,496
Total	319,016

Consumer Bill of Rights

The purposes served by professional regulation is summarized in the “Consumer Bill of Rights,” first articulated by President Kennedy in 1960:

- **The right to safety:** to be protected against the marketing of products and services that are hazardous to health or to life.
- **The right to be informed:** to be protected against fraudulent, deceitful, or grossly misleading information, advertising, labeling, or other practices, and to be given the facts needed to make informed choices.
- **The right to choose:** to have available a variety of products and services at competitive prices.
- **The right to be heard:** to be assured that consumer interests will receive full and sympathetic consideration in making government policy, both through the laws passed by legislatures and through regulations passed by administrative bodies.
- **The right to education:** to have access to programs and information that help consumers make better marketplace decisions.
- **The right to redress:** to work with established mechanisms to have problems corrected and to receive compensation for poor service or for products which do not function properly.

Our employees and board members are encouraged to keep these consumer rights in mind when making decisions. Working in the public interest means looking at the issues from the point of view of the impact on the consumers of the service. We continually examine procedures and decisions to ensure that they encourage openness and accountability, increase the public’s safety, and do not restrict choices available to consumers. We remain vigilant to the dangers of over-regulation in a profession, and of the impact of licensing on practitioners’ fees.

A license suspension or revocation is generally a sufficient resolution to protect consumers. In the few cases where such disciplinary action may be insufficient, we can provide further assistance to an aggrieved consumer by suggesting an alternative avenue that might provide a more satisfactory resolution. Such avenues include: professional association peer review or mediation committees, alternative dispute resolution, the Better Business Bureau, newspaper or broadcast media “action lines,” municipal or regional consumer assistance councils, or legal action through various courts.

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To Publish this Report**

