



MEETING MINUTES

City of Melrose
City Hall
562 Main Street
Melrose, MA 02176

Committee/Board: Board of Health

Meeting Day/Date/Time: Thursday, February 22, 2024

Location: City Hall, Cassidy Conference Room

Call to Order: Frank Brincheiro

Time Called: 6:38 PM

Second by: Lillian Kelly

In Attendance/Roll Call:

Board Members: Frank Brincheiro, Lillian Kelly, Carol Ann Licitra

Health Department: Director Anthony Chui; Administrative Assistant Christy Bolduc; Public Health Nurse Melissa Lowry

Public Comment was opened at 6:39 PM by Frank Brincheiro

Carol Ann Licitra made a motion to table Public Comment at 6:40 PM

Frank Brincheiro second the motion

Further Discussion: None

No public comment was made.

Vote to table Public Comment:

Frank Brincheiro– Yes

Carol Ann Licitra – Yes

Lillian Kelly – Yes

PASSED 3-0-0

Health Directors Report:

Restaurant inspections are going well and are caught up.

The Bread Shop is opening on Tremont St.

Big Fin Poke is opening on Main St.

Hannah's Brewery is opening next month, the Health Department is not involved because they aren't preparing food on site. They will be selling prepackaged beef jerky non- TCS and some delivery from local restaurants.

April is alcohol awareness month, need to be mindful and balance with social norms, and not normalize alcohol exposure to kids.

Public Health Nurse's Report- see attached.

Discussion On Body Work Regulations – see attached.

Frank Brincheiro made a motion to adjourn the meeting at 7:32 p.m.

Carol Ann Licitra second the motion to adjourn the meeting.

Further Discussion: None

Vote to adjourn the meeting:

Frank Brincheiro– Yes

Carol Ann Licitra – Yes

Lillian Kelly – Yes

PASSED 3-0-0

Meeting Adjourned at 7:32 p.m.



CITY OF MELROSE

HEALTH AND HUMAN SERVICES DEPARTMENT

Board of Health

Frank Brincheiro, MD

Lillian Kelly R.N.

Carol Ann Licitra, L.M.H.C.

Health Director

Anthony Chui, MPH

City Hall, 562 Main Street
Melrose, Massachusetts 02176

Telephone - (781)979-4130

health@cityofmelrose.org

February 22, 2024

Re: January/February 2024 Public Health Nurse's Report (1/1/24 – 2/20/24)

- Communicable diseases, confirmed or probable cases for 1/1/24 – 2/20/24
 1. Calicivirus/Norovirus 1 confirmed
 2. Giardiasis 1 probable
 3. Hepatitis B 1 probable
 4. Hep C 1 probable
 5. Tuberculosis 3 confirmed
 6. Lyme 4 probable
 7. Influenza 120 confirmed
 8. Adult/Pedi COVID (107 confirmed, 11 probably, respectively)

Ongoing review of communicable cases in MAVEN.

- Collaboration and weekly coverage with Wakefield public health nurse, Sandy Brown, RN.
- Training for new Stoneham public health nurse, Heidi Gerostergios, RN.
- Provided 5 walk-in flu vaccinations.
- Bi-monthly BP Clinics at Milano Senior Center – 8 to 10 residents/session;
Total 2024 BPs taken 01/01/24 - 02/13/24 – 26.
- Soliciting staff and beginning to organize MPS hearing & vision screening – PreK-Grade 12.
- Check-ins for 1 TB case who has completed course of medication and is awaiting last ID Appointment; Interviewed suspect case who returned from Nepal x 4 mos. but was unknown to MDPH. Case is awaiting results of sputum cultures to determine course of medication treatment.

WAKEFIELD BOARD OF HEALTH

RULES AND REGULATIONS FOR
BODYWORK

WAKEFIELD BOARD OF HEALTH
RULES AND REGULATIONS FOR BODYWORK

I. AUTHORITY

1.1 The Town of Wakefield hereby orders that the following Rules and Regulations are hereby adopted under authority of Section 31 of Chapter 111, §51 and 53, Chapter 140 of the Massachusetts General Laws.

II. PURPOSE

2.1 The Wakefield Board of Health finds it necessary to permit the practice of Bodywork to protect the public health and safety of the community, including patrons, employees, and owners of commercial businesses offering legitimate services.

III. DEFINITIONS

3.1 Bodywork: The term bodywork shall include but not be limited to: Acupressure, Aromatherapy, Aryuredic, Body-Mind Centering, Body-oriented Psychotherapy; The FELDENKRAIS® Method; Five Element Shiatsu, Integrative Eclectic Shiatsu, Japanese Shiatsu, Macrobiotic Shiatsu, Neuromuscular Therapy; Oriental Bodywork Therapies including: AMMA Therapy®, Chi Nei Sang, Jin Shin Do®, Korean Bodywork, Okazaki Restorative Massage, Nuat thai, Polarity Therapy; Qi Gong, Reflexology, Reiki, Rolph Structural Integration, ROLFING®, Traditional Thai Massage or Bodywork, The TRAGER® approach, Tui na, Zen Shiatsu or other practices as they become known. Bodywork does not include massage as defined by MGL c. 112, s. 227.

3.2 Criminal Offender Record Information (CORI): shall mean a record of criminal offenses committed as an adult or juvenile, as compiled by the Department of Criminal Justice Information Services.

3.3 Department: unless otherwise specified, shall mean the Wakefield Health Department acting in its role as the agent for the Wakefield Board of Health.

neck, face, scalp, and hair of the customer or client for cosmetic or beautifying purposes.

E. An acupuncturist duly permitted under the laws of the Commonwealth of Massachusetts.

F. Teachers of the Alexander Technique.

G. Persons permitted to practice massage by the Commonwealth of Massachusetts as defined by MGL c. 112, s. 227.

4.2 Establishment: These regulations shall not apply to hospitals, nursing homes, convalescent homes, home health agencies, or other institutions similarly permitted by the Commonwealth of Massachusetts, bodywork practitioners working in such institutions within the city/town are required to obtain a permit or permit as provided herein unless excluded under Section 4.1

4.3 Student/Apprentice: A student or apprentice of bodywork who is gaining experience at a training facility or school for the purpose of meeting curriculum requirements and who is under the instruction of a permitted professional practitioner present in the training facility or school shall not be required to obtain a student/apprentice practitioner permit.

V. REQUIREMENTS FOR OBTAINING AND RENEWING A BODYWORK ESTABLISHMENT PERMIT

5.1 No person shall operate an establishment for the practice of Bodywork unless first having been issued a permit required pursuant to these regulations.

5.2 A permit issued to the operator of an establishment, a permit or permit issues to a professional or student/practitioner of bodywork, or a permit issued to conduct solely off-premises business is NOT transferable to another location or person.

5.3 Applicants for a Bodyworks Establishment permit provide proof of liability insurance with a minimum coverage level of \$1,000,000, as well as workers compensation insurance.

5.4 The applicant shall submit a high school diploma or its verifiable equivalent.

- G. Notify the Board of Health if an individual changes employment venue.
- H. File a renewal application not less than thirty (30) days prior to the expiration of the establishment permit, whereupon the existing permit shall not expire until the Wakefield Board of Health has finally determined the renewal application's status.
- I. Every establishment shall have one or more managers who shall be responsible for ensuring that the Establishment and all practitioners and clients comply with all requirements of these regulations and such manager shall be authorized to act on behalf of the owners at all times that the Establishment is open for business. All managers must be permitted bodywork practitioners and may also be an owner of the Establishment.

VI. REQUIREMENTS FOR OBTAINING AND RENEWING A BODYWORK PRACTITIONER PERMIT

- 6.1 No person shall be permitted to practice as a professional practitioner of bodywork in the Town of Wakefield unless he/she meets the following requirements:
 - A. Submit to the Wakefield Board of Health a complete application form as supplied by the Board of Health. False statements in said application shall be grounds for denial or revocation of a permit.
 - B. Provide satisfactory evidence that the applicant is eighteen (18) years of age or older, by presenting two forms of identification. One form must include a photograph such as a valid state driver's permit with a photo, a state identification card with a photo, and/or a valid passport. The second form of identification may be a certified long-form birth certificate, a certified record of marriage, a certified copy of a Social Security Card, or other government-issued photo identification.
 - C. Submit one face-front photograph at least two (2) inches in size taken within one year prior to the submission of the application.
 - D. Submit a form authorizing the Town of Wakefield or a contracted third party to conduct a Criminal Offender Record Information (CORI) inquiry and a Sex Offender Registry Information (SORI) inquiry, and to report the results of those inquiries to the Wakefield Health Department. All responses to the record checks shall be kept confidential. By signing the application or renewal form, the applicant gives authorization to the Town of Wakefield or its contracted third party to run a CORI/SORI background check, which will consist of the information pertaining to all convictions, non-convictions, and pending criminal case information. CORI and

- 6.7 Agree to follow all rules and regulations specified herein and conduct him/herself in accordance with the standards of practice and ethical guidelines of his/her state or national professional association or institute. Professional practitioners shall not misrepresent their training, experience, credentials or title.
- 6.8 File an application for renewal not less than thirty (30) days prior to the expiration of his/her permit. A bodywork practitioner shall provide to the Department a completed renewal application, including a new Massachusetts physician's letter as specified in section 6.5, a new CORI acknowledgement form, annual license fee, and an updated front-facing digital photo, to be posted with the permit, as renewed, if granted. The fee for each permit renewal shall be in accordance with the most recent Wakefield Health Department fee schedule.
- 6.9 Any bodywork practitioner permits not renewed by the thirty-first (31st) day of December of the present year shall be administratively suspended. Such a permit may be reinstated if a completed renewal application with a late fee according to the Wakefield Health Department fee schedule is received. Any permit not renewed by the expiration date shall be deemed a retired permit and it may only be reinstated upon approval of a completed application for a new license.
- 6.10 At no time shall a bodywork practitioner conduct or run a business from a residence, condominium, hotel, motel, mobile home, or other residential setting defined by the Board of Health.

VII. REQUIREMENTS AND STANDARDS OF BODYWORK ESTABLISHMENTS

- 7.1 All room(s) used for bodywork shall be equipped with a door and have at least seventy (70) square feet of floor space.
- 7.2 All room(s) used for Bodywork shall not have doors with locks nor capable of being locked in any way.
- 7.3 Establishments must remain closed between the hours 10:00PM to 8:00 AM.
- 7.4 Establishments shall maintain a written record of all services that include the date, the name of the client, the Bodywork Practitioner providing service, the service provided, and the charges imposed in adherence to standard business practices. These business records shall be kept for at least three (3) years.

8.1 Every operator of a Bodywork establishment shall meet the following requirements:

- A. Submit to the Wakefield Health Department a completed application form containing all information therein requested. False statements in said application shall be grounds for revocation or denial of a permit.
- B. Notify the Wakefield Health Department at least fourteen (14) days prior to any change of name, address, or ownership.
- C. Operate only under the same name or designation specified on the permit or a change thereto as pursuant to paragraph B of this section.
- D. Employ or cause to be employed as a Bodywork movement education practitioner(s) only a person(s) who have a permit for the practice of Bodywork from the Wakefield Health Department.
- E. Disallow any and all illegal acts on the premises. A violation of this section may be grounds for revocation or suspension of establishment permit.
- F. Operate no x-ray, fluoroscope, diathermy, or other similar equipment unless permitted by the Commonwealth of Massachusetts to practice a profession requiring the use of such equipment.

IX. INSPECTIONS

- 9.1 Establishments are subject to inspection by the Department or its authorized agent(s) during all times of operation. A minimum of two (2) inspections are required over the course of each fiscal year.
- 9.2 Denial of access to an agent of the Department shall result in the immediate administrative revocation of the permit to operate a Bodywork establishment.
- 9.3 If, upon inspection, conditions are found that do not comply with the provisions set forth in these regulations, both the operator and any bodywork therapist responsible for violating these regulations may be subject to enforcement proceedings and penalties pursuant to Chapter XI.
- 9.4 Re-inspection shall take place when an establishment does not pass inspection. A re-inspection fee as determined by the Board, may be required if corrective action is not followed.

B. Interference with the Department, Police, or other government official in the performance of their duty.

C. A criminal conviction of the permit holder related to the operation of the establishment.

D. Failure of the permit holder to submit the appropriate documentation

E. Failure to pay the required permit fees or assessed fines or penalties.

F. The establishment's owner, operator, or employee's failure to comply with the regulations

G. Committing a prohibited or criminal act.

H. Keeping or submitting any misleading or false record or documents related to the operation of the establishment or practicing bodywork.

11.2 Otherwise operating a bodywork facility or practicing bodywork so as to cause a threat to the public health or safety shall cause suspension, modification, or revocation of license. Such action by the Department may include ordering corrections of any violations of the provisions of these regulations.

11.3 These regulations may be enforced through appropriate criminal or civil process, including, but not limited to, those specified at M.G.L c. 40, section 21D, in any court of competent jurisdiction.

11.4 All criminal acts or violations of M.G.L will be enforced by the Wakefield Police Department. In addition, the Wakefield Police Department or Wakefield Public Health Department may issue fines per this ordinance on top of penalties assessed by the appropriate criminal court.

11.5 Any person aggrieved by an action of the Department may request a hearing before the Board of Health by submitting a written request to the Department within seven (7) days of receipt of the order or notice. Upon receipt of such request, the Department shall inform the petitioner thereof in writing of the time and place of said hearing, which shall commence within a reasonable time.

XII. PENALTIES

12.1 Whoever violates any provision of these Rules and Regulations, as stated herein, under authority of, and as pertaining to Section 31 of Chapter 111 and Sections 51 and 53 and Chapter 140 of the Massachusetts General Laws shall be punished by a fine of not more than \$1000.00.

- 16.1 Any person(s) may submit a written request to the Board of Health for a variance in the Application of any provision of these Rules and Regulations when the enforcement thereof would do manifest injustice. The Board of Health shall respond in writing within fourteen days.
- 16.2 Any person(s) who has been refused a granting of a variance may request a hearing before the Wakefield Board of Health within 7 days after the day the refusal was served. Upon receipt of such petition, the Board of Health shall set a time and place for such hearing and shall inform the petitioner thereof in writing. The hearing shall commence not later than thirty (30) days after the day on which the refusal was served. The thirty (30) day period may be extended if, in the opinion of the Wakefield Board of Health, the petitioner has submitted a good and sufficient reason for such postponement.
- 16.3 At the hearing, the petitioner shall be heard and be able to show why the variance should be granted. After the hearing, the Board of Health shall sustain, modify or withdraw the order and shall inform the petitioner in writing of this decision.

XVII. RECIPROCITY

- 17.1 Any practitioner issued a permit or permit to practice bodywork by any municipality in the Commonwealth of Massachusetts may qualify for a permit in the Town of Wakefield without additional evaluation of qualifications provided that the original municipality has a comparable regulatory standard.

XVIII. EFFECTIVE DATE

These regulations will take effect on ####/####/####