

ATHLETIC COMMISSION

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CHIEF MEDICAL OFFICER
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ASSISTANT CHIEF MEDICAL OFFICER

MINUTES

MEETING OF THE NEW YORK STATE ATHLETIC COMMISSION

December 7, 2021

Commissioners Present:

Philip E. Stieg, MD, PhD
Honorable Edwin Torres
James A. Vosswinkel, MD
Lino Garcia

Present for the Commission:

Kim Sumbler, Executive Director
Nitin K. Sethi, MD
Angela Gagliardi, MD
Matthew Delaglio, Director of Boxing
Belia Jimenez, Director of Compliance and Data Management

Other:

David Mossberg, Associate Attorney, NYS Department of State Office of General Counsel

I Call to order and establishment of quorum

Kim Sumbler, Executive Director of the Commission, called the New York State Athletic Commission (the "Commission" or "NYSAC") meeting to order at approximately 5:10 p.m. Executive Director Sumbler stated that a quorum of Commissioners was present. In person, Commissioner Torres, Kim Sumbler, the Executive Director of the Commission and Matthew Delaglio, Director of Boxing were present in the New York City Department of State conference room. In remote attendance by video conferencing were Commissioner Garcia, Commissioner Stieg, Commissioner Vosswinkel, Dr. Sethi, Dr. Gagliardi and Belia Jimenez.

II. Review and acceptance of the minutes of the Commission Meeting March 29, 2021.

III Introduction of new Commissioner Lino Garcia.

Kim Sumbler, the Executive Director of the Commission, introduced Commissioner Lino Garcia. Commissioner Garcia is President of Unanimo Sports Media and is an International media executive with 25 years of network television and multi-media management experience.

IV. Introduction of new NYSAC staff member Belia Jimenez.

Ms. Sumbler introduced Belia Jimenez as the recently appointed NYSAC Director of Compliance and Data Management. In her new role, Belia will assume an array of responsibilities that focus on managing the operations and processes at NYSAC including data management, compliance, policy, and communication.

Executive Director Sumbler then turned the floor over to NYSAC Counsel Dave Mossberg to cover the next two agenda items and for consideration to enter executive session.

IV. Consideration and review of New York State Department of State, Office of Administrative Hearing recommended decision (135-DOS-21).

David Mossberg, Associate Attorney, NYS Department of State Office of General Counsel, introduced the disciplinary matter to the Commissioners in the matter of the complaint of New York State Athletic Commission against Professional Kickboxing & Cagefighting Federation (“PKF”).

Following Mr. Mossberg’s statements, a motion to enter Executive Session was made by Commissioner Vosswinkel. The motion was seconded by Commissioner Stieg. Commissioners Garcia and Torres voted in favor of the motion. The motion unanimously passed by 4-0 vote of the Commissioners present.

The Commissioners left the Commission meeting with Mr. Mossberg and joined a separate webex room in order to privately consider and review the disciplinary matter. After approximately 15 minutes, the Commissioners returned to proceed with a vote.

In the executive session, the Commissioners reviewed, evaluated, and discussed Judge Aiesha L. Hudson’s recommendation to the Commission related to the complaint. Mr. Mossberg then turned over to Commissioner Vosswinkel for further discussion who reported the unanimous decision of the Commissioners present at the meeting. All Commissioners approved the recommended decision of the Office of Administrative Hearing for case #135-DOS-21 which included a fine of \$10,000 (US) and a license suspension for a period of two (2) years. Both conditions have to be satisfied in order to re-apply for a license.

VI Discussion and consideration on regulatory change to 19 NYCRR Sec. 211.13.

David Mossberg introduced the next order of business which was a review of the draft of the proposed changes to 19 NYCRR Sec. 211.13. The proposed change amends the language by correcting terms and typos for clarity.

Section 211.13 is amended to read as follows:

[Brackets indicate deletion]

[Underlines indicate addition]

A bucket with ice, plastic water bottle, water, sponge, and surgical tape shall be available in each boxer's corner at all times during the contest or exhibition. Without specific permission of the Commission, the only other material which may be present or used at ringside are vaseline, unexpired adrenalin (in a sealed manufacturer's vial, premeasured in a 1/1,000 solution) [and anti], coagulant, and adjuvant (either Avitene, Thrombin, Thrombinplastin and/or Qwick-AID® [Fibroplastic]). Scissors for the removal of gloves and tape may also be in the possession of a boxer's second while in the boxer's corner.

A motion to approve the amendments included in NYCRR Section 211.13 was made by Commissioner Torres. The motion was seconded by Commissioner Vosswinkel. Commissioners Garcia, and Stieg voted in favor of the motion. The motion passed by 4-0 vote of the Commissioners present.

Executive Director Sumbler then turned the floor over to Matthew Delaglio, Director of Boxing to cover the next agenda item.

VII Discussion and approval of professional boxing gloves.

Mr. Delaglio discussed and circulated the following glove brands and models, which met the standards of approval as required by the Commission:

- Everlast Powerlock 2
- Phenom Boxing XDF-210
- Adidas AdiBFHF06V2

An email with the boxing glove evaluation form for the make and models of the gloves to be considered were circulated prior to the meeting. NYSAC Staff evaluated the gloves on the basis of weight and construction as mandated by Commission Bulletin 2015-2 and Section 211.9 of Title 19 of NYCRR.

A motion to approve the above-mentioned professional boxing gloves was made by Commissioner Torres. The motion was seconded by Commissioner Vosswinkel. Commissioners Garcia and Steig voted in favor of the motion. The motion passed by 4-0 vote of the Commissioners present.

VIII NYSAC Executive Year End Report

- MMA Director

Executive Director Sumbler reported on the vacant role for the MMA Director position. Since the resignation of Ed Kunkle, the MMA Director position remains open. A suitable candidate has been identified for the role and is currently in the background investigation process with Human Resources. Once the background check passes, NYSAC will make a formal offer of employment.

- MMA

Ms. Sumbler reported that the fight season started in July 2021 after COVID-19 restrictions were lifted. Since July, NYSAC had one (1) professional MMA event that took place in November. The event was a record breaker for the promotion company.

- Wrestling

Executive Director Sumbler reported there were 84 professional wrestling events held in 2021.

- Boxing

Executive Director Sumbler then introduced Matthew Delaglio, Director of Boxing, to report on the number of boxing events and Pro/Am events in 2021. Director Delaglio reported there were twelve (12) boxing events in 2021, with majority taking place after July 2021.

- Pro/Am Events

Mr. Delaglio reported that during the last commission meeting, the 2015 Pro-Am Events Bulletin was repealed. NYSAC believed by allowing Pro-Am events it would help provide a platform for amateurs to transition along with increased opportunities for licensed promoters and professional combatants. Since Commission Bulletin 2021-1 Pro-Am Events was approved in March, there have been a total of 4 Pro/Am events. Three boxing and one MMA. The Commission has received multiple inquiries regarding Pro-Am events and anticipates a very busy 2022.

IX New business/old business

No new business was presented by the Commissioners. No old business was presented by the Commissioners.

X Adjourn

Having no other items for consideration, the Commission meeting was adjourned at approximately 6:00pm.