



ANGUS S. KING, JR.
GOVERNOR

STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
16 EDISON DRIVE
AUGUSTA, MAINE
04330

MICHAEL F. KELLY
COMMISSIONER

JAY BRADSHAW
DIRECTOR

**Investigations Committee Meeting
Wednesday, March 3, 1999
Maine EMS Conference Room, Augusta**

Meeting Minutes

Present: S. Leach, Chair; C. Pillsbury; R. Doughty; E. Murray

Staff: D. White; B. Montejo

Guests: Anne Miller

1. CALL TO ORDER - The meeting was called to order at 11:00 a.m.

A. Additions/Deletions to the Agenda

- ◆ Alan Schweitzer, Jr.
- ◆ Valerie Ames

B. Accept Minutes of February 3, 1999, meeting

The minutes of the February 3, 1999, meeting were reviewed.

**MOTION: TO ACCEPT THE MINUTES OF THE FEBRUARY 3, 1999, MEETING
(Leach; Murray -motion carries).**

2. INVESTIGATIONS

A. Anne Miller/ St George Volunteer Firefighter Association - Informal Conference

The committee conducted an informal conference with Anne Miller and the St. George Volunteer Firefighter Association regarding cases #97-19 and #98-20. Present for the informal conference were committee members S. Leach, C. Pillsbury, E. Murray and R. Doughty; as well as D. White, B. Montejo, and Anne Miller of the St. George Volunteer Firefighter Association.

The committee entered executive session at 1:07 p.m. for the purpose of conducting the informal conference and exited executive session at 1:38 p.m. following conclusion of the informal conference.

Committee discussion ensued regarding the investigation of Anne Miller and the St. George Volunteer Firefighter Association and, action to be taken. The Committee noted that Ms. Miller had completed required continuing education and skills lab prior to the expiration date of her license, but had failed to send in her license application.

MOTION: THAT ANNE MILLER'S PRACTICE OF EMS PATIENT DURING A PERIOD OF TIME IN WHICH SHE DID NOT HOLD A MAINE EMS LICENSE DOES NOT CONSTITUTE A WILLFUL VIOLATION OF THE MAINE EMS RULES; THAT THE ST. GEORGE VOLUNTEER FIREFIGHTER ASSOCIATION DEVELOP APPROPRIATE POLICIES AND PROCEDURES TO PREVENT FUTURE INCIDENTS OF UNLICENSED PRACTICE; THAT THE POLICIES DEVELOPED BE REVIEWED AND APPROVED BY MAINE EMS; AND, THAT ANNE MILLER AND THE ST. GEORGE VOLUNTEER FIREFIGHTER ASSOCIATION RECEIVE LETTERS OF WARNING IN THIS CASE. (Murray; Pillsbury - MOTION CARRIES).

B. Eric Merrill:

The Committee reviewed the response to the investigation notice sent to licensee Eric Merrill, regarding case #9903 and the letters received by Medec Ambulance and Poland Rescue. The Committee determined that there exists a factual basis to the complaint against Mr. Merrill and indicated that an informal conference with the licensee be scheduled.

The consensus of the Committee regarding the services involved was that adequate measures had been taken (by the services) to ensure that there will not be a repeat of unlicensed practice within the services.

MOTION: THAT AN INFORMAL CONFERENCE BE SCHEDULED WITH LICENSEE ERIC MERRILL ON APRIL 7, 1999 AT 1:00 P.M. (Doughty;Pillsbury - Motion Carries)

C. Alan Schweitzer, Jr.

B. Montejo reported that Maine EMS has received information alleging that licensee Alan Schweitzer, Jr. (Maine EMS License #14894) practiced EMS patient care during the period of time in which he did not hold a valid Maine EMS license - August 1, 1998 to March 1, 1999.

MOTION: TO INITIATE AN INVESTIGATION OF LICENSEE ALAN SCHWEITZER, JR. REGARDING ALLEGATIONS THAT HE PRACTICED EMERGENCY MEDICAL CARE WITHOUT A LICENSE (Leach;Murray - Motion Carries).

3. APPLICATIONS

A. Joshua Stevens

B. Montejo provided the Committee with an update on the status of this application. MEMS is still awaiting a reply back from SBI and materials from the applicant.

B. Kevin Copeland

B. Montejo advised the Committee of a recently received license application from Kevin Copeland in which the applicant indicated a history of a (single) 1992 conviction for Assault, Class D. The Committee reviewed all the material submitted by the applicant - discussion ensued.

MOTION: THAT APPLICANT KEVIN COPELAND HAS SATISFIED THE COMMITTEE THAT HIS CONVICTION FOR ASSAULT, CLASS D, WAS AN ISOLATED INCIDENT WITHOUT POSSIBILITY OF RECURRENCE; AND, THAT MR. COPELAND'S APPLICATION FOR EMT-BASIC LICENSURE BE APPROVED (Murray;Leach - motion carries).

C. Valerie Ames:

D. White advised the Committee of a recently received license application from Valerie Ames in which the applicant indicated a history of a 1994 conviction for Assault, Class D. Committee discussion ensued which included consideration that Ms. Ames conviction was based upon an incident while she was employed by a nursing home as a Certified Nurse Assistant (CNA). The assault involved a resident of the nursing home .

MOTION: THAT THE BOARD ENTER INTO A CONSENT AGREEMENT WITH APPLICANT VALERIE AMES FOR ISSUANCE OF A THREE YEAR CONDITIONAL LICENSE WITH THE STIPULATION THAT: IF THE APPLICANT HAS A CRIMINAL CHARGE FILED AGAINST HER IN A STATE OR FEDERAL COURT DURING THE PERIOD OF LICENSURE, SHE SHALL IMMEDIATELY AND UNCONDITIONALLY SURRENDER HER EMS LICENSE TO THE BOARD . (Murray;Doughty-motion carries).

4. OTHER

A. Update of current cases

Staff updated the Committee on the 22 cases pending Staff, Committee, Board, or Administrative Court action..

5. NEXT MEETING

A. Set Agenda - To be set prior to meeting

B. Set Date and Time - The next meeting of the Committee will be on April 7, 1999, following the Maine EMS Board meeting.

6. ADJOURNMENT - The meeting was adjourned at 1:46 p.m.

Respectfully Submitted,

Drexell White

Bill Montejo