

**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
THURSDAY, SEPTEMBER 21, 2006
DE CHAMPLAIN CONFERENCE ROOM, AUGUSTA
RATIFIED BY THE MAINE EMS BOARD – OCTOBER 11, 2006**

MEETING MINUTES

Present: Rick Doughty, Paul Knowlton, Steve Leach
Staff: Drexell White, Dawn Kinney
Maine EMS Investigator: Karen Packard
AAG: Laura Yustak Smith

1. Call To Order: The meeting was called to order at 9:39 a.m.

A. Additions/Deletions to the Agenda

- 1. Case 04-37**
- 2. Case 04-38**
- 3. Case 06-14**
- 4. Glen Littleton - Application**

2. Investigations – Executive Session

The committee entered executive session for the purpose of discussing pending investigations.

Motion: To enter executive session pursuant to 32 M.R.S.A. §90.A.3, §92.3 and 1 M.R.S.A. §405(6)(F) for the purpose of discussing cases 04-24, 04-30, 04-31, 04-32, 04-35, 06-05, and 06-06, and 1 M.R.S.A. §405(6)(E) for receiving legal advice. (Doughty; Knowlton - motion carries)

The committee entered executive session at 9:42 a.m.

The committee exited executive session at 12:24 p.m.

A. Case 04-24

The committee discussed the disposition of case 04-24.

Motion: That Inre: case 04-24, the committee requests that staff and the Assistant Attorney General (AAG) obtain police reports and court records, for the record; that the EMS license of the licensee/subject of case 04-24 expired on July 31, 2006; and in that licensee's EMS license has expired, to file case 04-24 and re-open it at such time as licensee applies for a Maine EMS license (Doughty; Knowlton – motion carries 3-0-0).

B. Cases 04-30, 04-31 & 04-32

Motion: The committee directs that staff continue investigating cases 04-30, 04-31 & 04-32 (Leach;Doughty – motion carries 3-0-0)

C. Case 04-35

The committee discussed the disposition of case 04-35.

Motion: That Inre: case 04-35, the committee requests that staff and the Assistant Attorney General (AAG) obtain police reports and court records, for the record; that the EMS license of the licensee/subject of case 04-35 expired on December 31, 2005; and in that licensee's EMS license has expired, to file case 04-35 and re-open it at such time as licensee applies for a Maine EMS license (Doughty; Knowlton – motion carries 3-0-0).

D. Case 06-05

Motion: That Inre: case #06-05, if summary revocation is applicable in this case as determined by the AAG, to refer this matter to the Board for summary revocation; that if summary revocation is not applicable, that the AAG is directed to file for license revocation in District Court (Leach; Doughty – motion carries 3-0-0).

E. Case 06-06

The committee discussed facts, rules violations and sanctions concerning case 06-06.

Motion: That Inre: case 06-06, the committee finds that based upon licensee's failure to report a June 9, 1994 conviction for Criminal Trespass, Class E, in violation of 17-A M.R.S.A. §402 and a June 23, 1994 conviction for Theft by Unauthorized Taking or Transfer, Class D, in violation of 17-A §353, the licensee violated Chapter 11 of the Maine EMS Rules §1.1 – obtaining a license or certification by fraud, by deceit, by misrepresentation, or by concealing material facts, §1.2 – violating a lawful order, rule or consent agreement of the Board, §1.3 – violating any of the provisions of 32 M.R.S.A. Chapter 2-B, §1.14 – violation of any standard established in the profession, and §1.29 – willfully making a false statement in application for a license or renewal of a license, or in any activity or documents intended to be uses for satisfy a requirement for licensure - for failing to list the aforementioned convictions on his June 13, 2005 application for EMS licensure, and in violation of Maine EMS Rules Chapter 451 §11A.1. – obtaining a license by fraud, by deceit, by misrepresentation, or by concealing material facts, §11A.2 – violating a lawful order, regulation or rule of the Board, §11A.3 – violating any of the provisions of 32 M.R.S.A. Chapter 2-B, §1.14 – violation of any standard established in the profession, and §11A.16 – willfully making a false statement in application for a license or renewal of a license, or in any activity or documents intended to be uses for satisfy a requirement for licensure - for failing to list the aforementioned convictions on his March 4, 2002 application for EMS licensure; that mitigating circumstances exist due to the age of the convictions; that the committee proposes resolution of this matter by Consent Agreement; that the terms of the agreement include that licensee pay a fine of \$100.00 per violation for a total of \$400.00 to be paid within 4 months of the Consent Agreement's execution (Doughty; Knowlton – motion carries 3-0-0).

F. Cases 04-37 & 04-38

Motion: The committee directs that staff continue investigating cases 04-37 & 04-38 (Doughty; Knowlton – motion carries 3-0-0)

G. Case 06-14

The committee reviewed the information provided and determined that no unlicensed practice occurred and that the medication administration issue be referred to the regional medical director.

Motion: That the committee finds that the facts of the case do not warrant disciplinary action by the Board and that the medication administration issue be referred to the regional medical director for Quality Assurance review (Doughty; PK – motion carries 3, 0, 0)

2. Applications

A. Glen Littleton

The committee reviewed Mr. Littleton's June 3, 2006 application, which indicated criminal convictions for Negotiating a Worthless Instrument and Theft by Unauthorized Taking and Transfer. The committee directed that staff obtain police reports and schedule an informal review with the applicant.

Next Meeting

The next meeting is scheduled for Thursday, October 19, 2006 at 9:30 a.m.

3. Adjourn – The meeting was adjourned at 12:45 p.m.

Respectfully submitted,

Drexell White