

INVESTIGATIONS COMMITTEE MEETING  
WEDNESDAY, JANUARY 3, 2001  
MAINE EMS CONFERENCE ROOM, AUGUSTA

MEETING MINUTES

**Present:** S. Leach, R. Doughty, C. Pillsbury, P. Knowlton, A. Azzara

**Staff:** D. White, B. Montejo

**1. Call To Order:** The meeting was called to order at 12:11 p.m.

**A. Additions/Deletions to the Agenda – None**

**B. Accept Minutes of the December 6, 2000, Meeting**

The minutes of the December 6, 2000, meeting were reviewed.

*Motion: To accept the minutes of the December 6, 2000, meeting (Pillsbury; Doughty – motion carries).*

**2. Investigations**

**A. Barry Nickelsberg – Update** – No new information to report

**B. John Sawicki – Update** – No new information to report

**C. Aurora Investigation**

Staff presented the responses received from the Aurora EMS service as well as licensees Lou Tonerio and Joe Lacerda.

The Committee reviewed information that indicated that Aurora Volunteer Fire Department Non Transporting Service (AVFDNTS) members were informed by their (former) service director that the service license had been renewed. The service's license had expired on October 31, 1999 and was not renewed until November, 2000.

*Motion: That the Aurora Volunteer Fire Department Non Transporting Service did not hold a valid license from November 1, 1999 to November 17, 2000; that the Service violated § 11.A.17 of the Maine EMS Rules; and that mitigating circumstances*



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

MICHAEL F. KELLY  
COMMISSIONER

ANGUS KING  
GOVERNOR  
*are that the former director of the Service indicated to the membership that the Service's*

JAY BRADSHAW  
DIRECTOR

***license had been renewed and, that the Service has reorganized and taken steps to ensure no recurrence of such conduct. Therefore, the Committee directs that the Aurora Volunteer Fire Department Non Transporting Service be offered a consent agreement to resolve this investigation that provides for a \$100.00 fine for the aforementioned violation (Doughty; Pillsbury – motion carries).***

The Committee then discussed licensees Joe Lacerda and Louis Tonero, who had responded to medical emergencies during the period of time during which the AVFDNTS did not hold a service license, thereby causing their licenses to be invalid due to lack of service sponsorship.

***Motion: That the members of the Aurora Fire Department Non Transporting Service were led to believe by the administration of the service that the service had a valid EMS license, that no action is warranted against licensees Lou Tonero or Joe Lacerda for unlicensed practice and that the allegations of unlicensed practice against them be dismissed (Doughty; Knowlton – motion carries).***

The Committee then discussed the allegations that licensee Tonero had the odor of an alcoholic beverage on his breath during the August 2, 2000, response by the Aurora Fire Department Non Transporting Service to a call for medical assistance.

***Motion: That licensee Louis Tonero responded to a call for medical assistance as part of the Aurora Volunteer Fire Department Non Transporting Service on August 2, 2000; that during the call there existed an odor of an alcoholic beverage on licensee Tonero's breath that was noticed by other personnel at the scene; that such conduct is a violation of §11.A.7 of the Maine EMS Rules; that there is no evidence to suggest that licensee Tonero was impaired during the call; that licensee Tonero has not been subject to previous disciplinary action by the Board; and that licensee Tonero receive a letter of warning in this matter (Azzara; Pillsbury – motion carries).***

The Committee then discussed licensee Dana Jordan, the Service Director of the AVFDNTS during the time that the service's license expired and who indicated to service members that the service license had been renewed. Staff noted that Jordan's EMS license expired in February, 2000.

***Motion: That Dana Jordan knowingly responded to calls for medical assistance as a member of the Aurora Fire Department Non Transporting Service during the period of time that the service did not hold a valid license; that as director of the service, he failed to insure that the service's EMS license did not expire; that his demeanor at the scene of the August 2, 2000 call to which the Service responded caused concern on the part of other providers and the patient's family; that Jordan's conduct constitutes violations of §11.A.7 & 11.A.9 of the Maine EMS Rules; and that this matter be filed at this time – to be reopened and considered at such time as Mr. Jordan may apply for licensure by the Board (Doughty; Azzara – motion carries).***

### **C. New Investigations**

Staff presented information that licensees Normand Gendron, Corey Hill, James Green, David Bickford, and Tom Higgins may have practiced EMS patient care without a license. It was noted that the Bangor Fire Department, employer of Green, Bickford and Higgins, had been investigated in 1998 for allowing another service member to practice while not licensed.

*Motion: To initiate investigations of licensees Normand Gendron, Corey Hill, James Green, David Bickford, and Tom Higgins regarding allegations of unlicensed practice (Pillsbury; Doughty – motion carries).*

*Motion: To initiate an investigation of the Bangor Fire Department regarding allegations that the service allowed EMS practice by members of the service who did not hold valid EMS licenses (Pillsbury; Doughty – motion carries).*

### **D. Michael Drake – Update**

The Committee tentatively scheduled an informal conference with licensee Michael Drake for the February meeting. Committee member A. Azzara stated that he would recuse himself from the informal conference.

### **3. Applications - None**

### **4. Other**

- a. Staff updated the Committee on current cases.

### **5. Next Meeting**

The next meeting will be held on February 7, 2001.

### **6. Adjourn** – The meeting was adjourned at 12:54 p.m.

Respectfully submitted,

Drexell White, Licensing Agent