



STATE OF MAINE  
DEPARTMENT OF PUBLIC SAFETY  
MAINE EMERGENCY MEDICAL SERVICES  
152 STATE HOUSE STATION  
AUGUSTA, MAINE 04333



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### Maine EMS Position Statement - December 29, 2018

Maine EMS recognizes that providers may be asked to draw blood for law enforcement officials for individuals who may be considered impaired drivers.

Maine EMS states the following:

1. EMS providers should focus their attention on the assessment, treatment, and transport of patients with illnesses and injuries. An EMS provider should *never* delay treatment or transport of any patient to perform evidentiary blood sampling.
2. Cooperation with law enforcement is in the interest of public safety, however, and is encouraged and appropriate in those instances where it does not directly delay or interfere with patient care.
3. Cooperating with many forms of evidence preservation (bagging of clothing, scene management, etc.) is generally easy and appropriate for EMS providers.
4. The collection of blood samples for evidentiary analysis (OUI, illegal drugs, etc.) while not a part of the protocols for EMS providers in the State of Maine, has been contemplated by the legislature and can be performed by those providers with appropriate occupational training, as stated in 29-A M.R.S. §2524 (cited below). See also §2528 below related to liability.
5. Providers should consult their department/agency policies for guidance regarding on-duty evidentiary blood draws.
6. The Bureau of Highway Safety maintains a roster of qualified individuals who are interested in performing evidentiary blood draws while off-duty. The Bureau offers a stipend for this service. **If you are interested in being placed on that roster, please contact Maine EMS at 207-626-3865, or by email at [shaun.a.stgermain@maine.gov](mailto:shaun.a.stgermain@maine.gov).**

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With offices located at the Central Maine Commerce Center, 45 Commerce Drive, Suite 1, Augusta, ME 04330

Reference Statutes:  
Maine Revised Statutes

Title 29-A: MOTOR VEHICLES AND TRAFFIC  
Chapter 23: MAJOR OFFENSES - SUSPENSION AND REVOCATION  
§2524. ADMINISTRATION OF TESTS

- 1. Persons qualified to draw blood for blood tests.** Only a physician, registered physician's assistant, registered nurse, or person whose occupational license or training allows that person to draw blood samples may draw a specimen of blood for the purpose of determining the blood-alcohol level or the presence of a drug or drug metabolite.

Title 29-A: MOTOR VEHICLES AND TRAFFIC  
Chapter 23: MAJOR OFFENSES - SUSPENSION AND REVOCATION  
§2528. LIABILITY

A physician, physician's assistant, registered nurse, person whose occupational license or training allows that person to draw blood, hospital, or other health care provider in the exercise of due care is not liable for an act done or omitted in collecting or withdrawing specimens of blood at the request of a law enforcement officer pursuant to this chapter.

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