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COMMISSIONER

JAY BRADSHAW
DIRECTOR

BOARD OF EMS MEETING
AUGUST 7, 2013
DECHAMPLAIN CONFERENCE ROOM

MINUTES (AS APPROVED 10/2/2013)

Members Present: Judy Gerrish (chair), Jeff Rowe (chair-elect), Nate Contreras, Laura Downing, Paul Knowlton, Kalem Malcolm, Lori Metayer, Matt Sholl, MD (ex-officio), Mike Senecal, Percy Thibeault

Staff: Jay Bradshaw, Dawn Kinney, Alan Leo, Jon Powers, Don Sheets, Drexell White

Office of Attorney General: Lauren LaRochelle, AAG

Regional Coordinator: Rick Petrie

Guests: Don Koslosky, Brent Libby, Chris Paré, Dan Batsie, Marc Minkler, Tom Judge

1. Introductions were made and all were welcomed.
2. Minutes – June 5, 2013
 - a. **MOTION: To approve the minutes of the June 5, 2013, meeting as distributed. (Senecal; second by Knowlton). Unanimous**
3. Public Comments – None
4. Old Business
 - a. Community Paramedicine Pilot Projects – Jay Bradshaw reported that 11 projects have been approved. Several are already seeing patients and the remaining will implement their programs over the next few months. The CP Steering Committee may have competing applications to review for the remaining available pilot site at its next meeting, likely in September. The Steering Committee will also discuss requesting Legislative consideration to increase the number of pilot sites, and also discuss the evaluation of pilot projects.
 - b. Southern Maine EMS Update – Brent Libby, SMEMS President, reviewed the staffing and work plans for FY 14 that were previously distributed.

MOTION: To approve the SMEMS work plan as meeting the contract requirements for the second payment. (Thibeault; second by Senecal) Unanimous with one abstention (Rowe).

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5. New Business

a. Investigations Committee

MOTION: For the Investigations Committee to approve the minutes of the July 3, 2013, meeting as distributed. (Senecal; second by Contreras) Unanimous.

Dawn Kinney reviewed the cases and responded to questions from Board members.

MOTION: For the Board to ratify the Investigation Committee minutes of July 3, 2013, as presented. (Rowe; second by Downing) Unanimous.

Lauren LaRochelle requested clarification on the terms of the consent agreement in the matter of William Harris.

MOTION: To require that reports from Mr. Harris's EMS employer/immediate supervisor be provided for 3 years and that he attend anger management training within 6 months of signing the consent agreement. (Metayer; second by Contreras). Unanimous.

- b. Legislative and budget updates – Jay Bradshaw reported that the biennial budget approved by the Legislature provided funding at the same level as the previous fiscal years, which means that MEMS will need to adjust its budget to offset increases in personnel and operational expenses. Jay also noted that in the current biennial budget is a requirement that state agencies identify additional cuts in the amounts of ~ \$11 million for FY14 and ~ \$23 million for FY15. Also included in the budget is a requirement to cut 100 positions during this period. Details on how this may affect the Department of Public Safety are to be determined.

c. Committee reports

- i. Education – Don Sheets reported on the educational programs being developed for protocol changes, including MDPB members who have been involved with podcasts about the sections for which they were responsible. MEMSEd has been updated to include the Bureau of Labor Standards Global Harmonization training.
- ii. Data - Jon Powers reported on the progress to prepare for NEMSIS v 3, which will help EMS data align with HL 7, the data format for hospital systems. Jon reported that he attended the ImageTrend Conference last month and learned about upcoming changes that will improve MEMSRR, eliminate the need for MS Silverlight to be installed, and expand the platforms for its use, e.g. smartphones and tablet computers. The first phase of deploying the computers purchased with assistance from a Highway Safety grant is nearing completion. The remaining computers will be deployed next month. Lastly, Jon reported on the consolidation of location data and elimination of FIPS codes that has resulted in multiple listings for many communities.
- iii. Exam – Drexell White reported that the Exam Committee has not met since the last Board meeting. MEMS is continuing to monitor practical exams for pass rates, process issues, and costs.
- iv. EMD – Drexell White reported that the Committee has not met since the last Board meeting. MEMS is reviewing a Response Plan submitted by Portland Fire Dept – and there is a growing interest within Knox County to develop Response Plans now that determinate codes are being routinely provided by dispatchers.

- v. Ops Team – no meeting in August.
- d. Regional designation – Jay Bradshaw said that as a result of changes in the EMS Rules, it is necessary for the Board to define the regions. To establish current definitions, Jay provided a table that lists the regions, hospitals within each region as listed in the previous version of the Rules, and the respective EMS services based upon licensing information. Jeff Rowe asked if this meant it would be necessary for the Board to approve the regional affiliation for new services, to which Jay indicated licensing would be handled within the office as previously authorized, with an updated table presented to the Board as necessary.

MOTION: To approve the regional designations as presented. (Thibeault; second by Malcolm) Unanimous.

- e. Waiver request – LifeFlight of Maine. *Julia Libby and Tim Beals joined this portion of the meeting via conference call. Kalem Malcolm and Lori Metayer, who both work for LifeFlight of Maine, recused themselves.*

Maine EMS received a request from LifeFlight of Maine to waive the equipment requirements and allow LOM to reconfigure as necessary to accommodate the medical needs of patients receiving an intra-aortic balloon pump (IABP) or being transported in a neonatal isolette. Tom Judge explained that by removing equipment not relating to the needs of these patients, LOM is better able to configure the crew and fuel supply.

Regarding the waiver requirements (Ch 13 § 2), the Board made the following findings:

- 1) LOM did take reasonable steps to ascertain and comply with the Rules, which supports the waiver request.
- 2) LOM was not given inaccurate information, which supports the waiver request.
- 3) There is a potential for harm to patients because of weight restrictions, which supports the waiver request.
- 4) A waiver would not pose a health or safety risk, which supports the waiver request.
- 5) It is unlikely that this would establish a precedent due to the unusual nature of this situation, which supports the waiver request.

MOTION: To grant LifeFlight of Maine a waiver of Ch 4 § 14 .B and Ch 17 § 3. (Contreras; second by Thibeault). Unanimous with two abstentions (Malcolm & Metayer).

- f. Other – Jay Bradshaw reported that Dr. Michael Schmitz has resigned from the Board of EMS due to other obligations. Dr. Schmitz represented emergency physicians on the Board and Jay has contacted Maine ACEP to request their assistance to notify members about this opening.

6. Staff Reports

- a. MEMS – Jay Bradshaw reported that the RFP to develop a mobile application for EMS treatment protocols has generated a lot of interest. The deadline for proposals is Tuesday, August 13. Jay also reported that representatives from the National Highway Traffic Safety Administration will be in Maine on November 19 & 20 to visit several Community Paramedicine pilot sites.
- b. Medical Director report – Dr. Sholl reported that:
- Discussions are ongoing with Drs. Dinerman and Tilney regarding the scope of practice for air ambulances.
 - MDPB members are planning to be involved in training programs this fall for the upcoming protocol revisions

- Dr. Tim Pieh, KV Regional Medical Director, is taking the lead role in an update to the Paramedic Interfacility Transfer (PIFT) program.
- Several White Papers previously mentioned have been drafted and are now being edited, with release anticipated in the next couple of months
- The QI Committee has distributed information on the second round of service data regarding administration of aspirin. Statewide, documentation about aspirin administration increased from the first QI survey. The next QI activity is to define and measure outcomes of cardiac arrest in Maine. There have been significant improvements reported in urban areas – and compiling these data will require EMS services working closely with local hospitals. Anecdotally, there have been reports of some hospitals being hesitant to share information with EMS, but a letter from CMS in support of involving EMS in QI efforts has been distributed in hopes of alleviating these concerns.

7. Other

MOTION: To enter executive session pursuant to 32 M.R.S.A. §92 and 1 M.R.S.A. §405(6)(E) & (F), to receive legal advice and review of confidential material concerning case # 12-041. (Thibeault; second by Malcolm) Unanimous.

Executive session entered at 10:45.

MOTION: To exit executive session. (Rowe; second by Senecal) Unanimous

Executive session ended at 11:30.

MOTION: To request the Attorney General's Office to file a motion in District Court for the permanent revocation of the licensee in case # 12-041 and in lieu of permanent revocation to offer the defendant an opportunity to enter into a consent agreement where the defendant will surrender his license for a period of 10 years. After which time he will only be able to reapply for licensing following successfully completing a full paramedic course; continuing education will not be applicable. (Senecal; second by Rowe). Unanimous.

8. The next scheduled Board meeting will be on Wednesday, October 2, 2013 @ 9:30 AM
9. Meeting adjourned at 11:34 AM.