



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



PAUL R. LEPAGE
 GOVERNOR

JOHN E. MORRIS
 COMMISSIONER

SHAUN A. ST. GERMAIN
 DIRECTOR

BOARD OF EMS MEETING
 DECEMBER 7, 2016
 9:30 AM
 DE CHAMPLAIN CONFERENCE ROOM
 MINUTES

Members Present: Julie Ontengco, Roger Audette, Scott Susi, Joseph Kellner, Laura Downing, Lori Metayer, Jeff Rowe (Chair), Michael Senecal, Matt Sholl, Kate Zimmerman, Judy Gerrish, Tim Beals, John Martell, Joe Conley, Brad Chicoine, Denys Cornelio.

Staff: Shaun St. Germain, Alan Leo, Jason Oko

Office of the Attorney General: Katie Johnson, AAG

Regional Coordinators: Rick Petrie, APEMS; Ben Zetterman, AEMS

Guests: Attorney Michael Conniff

Meeting Called to Order at 9:30 AM

1. Introductions are made.
2. Minutes October 5, 2016
 - a. **MOTION: Motion to accept the Minutes; Judy Gerrish/Joe Conley**
 - i. Discussion by Katie Johnson to make amendments to the minutes:
 - Page 4, 6(v) add “for cases 16-086 and 15-079” to vote on complaints
 - Page 5, 8(a) reword the Brian Dunnigan – Petition language as follows:
 - Shaun presented a request from Mr. Dunnigan that the Board remove references to his criminal conviction and counseling from his 2008 consent agreement and the Board’s minutes. The consent agreement placed Mr. Dunnigan on probation based upon his March 31, 2003 criminal convictions and the conduct underlying those convictions. Mr. Dunnigan claims that at least one of the convictions has been overturned.
 - Maine EMS had requested that Mr. Dunnigan provide information indicating that the conviction had been overturned, and he has not submitted any supporting documentation.

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- Therefore, Shaun recommended that the Board not amend the consent agreement or past board minutes at this time.
 - AAG Katie Johnson recommended that the office send a letter to Mr. Dunnigan requesting additional documentation.
 - ***MOTION: Motion to Decline Mr. Dunnigan's request, based on the need for further documentation; Joe Kellner/Joe Conley; unanimous***
 - ii. ***MOTION: Motion to Accept the Minutes with Amendment; Denys Cornelio/Laura Downing; unanimous with one abstention***
3. Public comments – There are no public comments.
4. Maine EMS Update
- a. Budget – Shaun St. Germain reports that cuts were avoided this time around. He is hopeful that it will remain that way.
 - b. Legislation – Shaun St. Germain reports that they are moving forward to change from a pilot to permanent status.
 - c. Community Paramedicine – Shaun St. Germain reports that NE Mobile Health has pulled out. The pool has shrunk. Crown Ambulance is on hold but is still interested. Reimbursement is an issue. Waiting on a meeting with the Department of Health and Human Services.
 - d. Ops – The Ops Committee did not meet this month. Last month the annual awards were decided on and it was put out that we were seeking nominations. It will also be put out on social media and by e-mail.
 - e. Staff Update – Shaun St. Germain reports that the EMD position, formerly held by Drexell White, has been cut. Jason Oko is covering the functions of the EMD role and has been doing a great job. Jon Powers is leaving Friday for another job. Jon has been the data coordinator which is a critical job and his position will need to be filled. ImageTrend has offered to help at \$10,000 a month. Shaun has completed the Justification Form to give to the Commissioner to fill the position.
5. Medical Director Report
- a. Dr. Sholl commented on Jon Powers leaving EMS. He said that many medical facilities use the EMS data for various reasons. Jon's position is very important. He looked at the NH staffing model – they have 17 staff while Maine EMS has four. Dr. Sholl is an advocate for growing the staff and offered that a justification to grow staff is the rising problem in Maine of an opiate crisis, for starters. The VQI footprint could be improved and also the Ebola footprint.
 - b. MDPB – Dr. Sholl reports that the joint New England protocols are almost done and they are working on the yellow and pink protocols. He thanked Don Sheets and Kate Zimmerman for working behind the scenes. Emergency memos are not often sent out, but some recently from Matt:
 - i. 10/16 report on Carfentanil – debunked...focused on science.
 - ii. A young child drowned and resuscitated but there were hot pads put on him in transit resulting in 2nd degree burns. Guidelines are being developed that suggest 113 degrees is low enough to heat but not hot enough to burn.
 - iii. The FOAA requests are very challenging – have to be as transparent as possible but doing the right things by patients.

- c. QA/I – Thanks to the Committee members for the letter to Services and Education production. Next time waiting for final notification letter and drafting IRB on spine management.
 - i. Phase I – build a search through MEMSA for their own medical practices
 - ii. Phase II – ask to review a number of their own patients who had spine evaluations
 - iii. Phase III – reproduce methodology by Jay Bradshaw and Dr. Sholl in 2006, to review spine management cases – winding up at trauma centers.
 - iv. Would like to see back boards usage elimination if possible.

6. Investigations

- a. Committee Minutes and Recommendations
 - i. **Consent Agreement #15-072:** Alan gave the Board a review of the complaint against the licensee; a Paramedic whose name is not listed as the case is still open and confidential. He was previously before the Board for not filing patient signoffs in the MEMSRR System and for Consent Agreement violations. At that time, the MEMS Board suspended his MEMS license for six months. He had to take a Run Reporting Class and had a Q/A review of 100 calls during the six months period. All of the calls were reviewed, no issues were found, and he completed the class. The new complaint in 2015 submitted to MEMS from his Department Chief stated that no MEMSRR documents were created with regards to no-transport or patient refusals. The Committee offered the licensee a Consent Agreement contained a revocation of his MEMS Paramedic license and the Right to Appeal was given to him.
 - ii. A.A.G Katie Johnston advised that the Board can't revoke his license. They can offer the Consent of Agreement that includes a revocation to the licensee, but if he refuses to enter into it, the complaint would have to be filed in District Court.
 - iii. This MEMS Board can suspend, place conditions or a fine, but they cannot suspend a license. The suspension can be up to 90 days per violation, but can't suspend the license beyond one year without going to District Court. The licensee has obtained Attorney Michael Conniff who was present at this Board meeting. Attorney Conniff presented MEMS with a rebuttal of the allegations.
- b. ***MOTION: Motion that the new information submitted re: #15-072 be investigated and the licensee should return to another Informal Conference at a later date; Lori Metayer/Michael Senecal; Unanimous with one abstention.***

7. Old Business

- a. Work Plan Update
 - i. There was discussion regarding whether or not to meet for a full day in January to discuss the Assessment Report or to use the regular Board meeting in February. No decision was made. The plan will be to meet in February; however a special meeting may be called in January.
- b. AAG FOAA Discussion

- i. Questions have arisen, can EMS delete records? Katie Johnson advised that EMS should retain records according to the Government Transparency Rules. . If two board members chat, make sure to use Maine.gov email for communication to have a transparent record of that. Can the Sub-Committee meet by video conferencing? Yes, but you still have to be open to the public with a physical place for them to attend if they wish. You have to give public notice if three or more members are meeting. It's a public board and a public committee and need to have transparency.
 - c. Draft Rules Change
 - i. Sub Committee Report by Jason Oko: The committee will meet again in January to continue the review. It is taking more time than anticipated.
- 8. New Business
 - a. Region 1 Medical Director Replacement – Chairman Jeff Rowe advised that Dr. Michael Bohanske has been nominated by Atlantic Partners EMS to replace Dr. Zimmerman for the Region 1 Medical Director.
 - i. ***MOTION: Motion to approve the nomination; Tim Beals/John Martell; Unanimous***
 - b. Awards Committee – A Board member needs to be on the committee. Judy Gerrish volunteered with Lori Metayer as a backup.
 - c. Expiring Board Seats – A number of seats are expiring. Shaun St. Germain will send an application out to members which needs to be filled out and submitted to the Governor in order to be reinstated.
- 9. Committee Reports
 - a. Education – The Education Committee did not meet.
 - b. Data – The Data Committee did not meet.
 - c. Exam – The Exam Committee did not meet.
 - d. EMD – The EMD Committee did not meet.
- 10. Other
 - a. Good of the Board: Members interested in helping MEMS out however they can with these vacancies?
 - b. Scott Susi advised of a case where Narcan was given to a 17-year-old who is not emancipated. Can't send him/her to a facility, etc. More discussion on this later.
 - c. Next Meeting will be February 1, 2017 at 9:30 AM
 - i. A special meeting may be called in January, or all of the February meeting will be dedicated to the review of the Assessment Report.
- 11. Meeting adjourned at 10:40 AM