



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



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**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
WEDNESDAY JULY 18, 2018
GAMBLING BOARD ROOM, AUGUSTA,
MEETING MINUTES**

Members Present: Lori Metayer, Judy Gerrish, Laura Downing, Greg Coyne, Joseph Kellner

Staff: Alan Leo, Jason Oko

Office of Attorney General: Katie Johnson, AAG

1. CASE #18-008 – Licensee Present. (Kellner recused)

MOTION: To enter executive session pursuant to 32 M.R.S.A. § 90(A)(3) and 1 M.R.S.A. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 18-008. (Coyne; second by Downing) Unanimous.

Executive session entered at 10:13 a.m.

MOTION: To exit executive session. (Metayer; second by Downing) Unanimous.

Executive session ended at 11:05 a.m.

Summary: MEMS initiated a complaint against a licensed transporting EMS agency alleging the agency allowed unlicensed practice by a municipal fire department by requesting them to respond to the scene of medical incidents knowing that they did not hold a non-transporting EMS service license, that they did not have any licensed EMS providers. Through the course of the investigation it was learned as well that the fire department had provided medications to patients that had been provided to them by the transporting agency.

MOTION: The committee made a motion to dismiss the case pending the submission of a policy that addresses identifying licensed personnel on scene and that the agency is not supporting unlicensed practice. (Metayer; second by Coyne) Unanimous.

Unless otherwise directed by the Board, the Committee will consider its duties with respect to Case # 18-008 complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

2. CASE #17-011 – Licensee Present.

MOTION: To enter executive session pursuant to 32 M.R.S.A. § 90(A)(3) and 1 M.R.S.A. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 17-011. (Coyne; second by Kellner) Unanimous.

Executive session entered at 12:29 p.m.

MOTION: To exit executive session. (Coyne; second by Kellner) Unanimous.

Executive session ended at 12:53 p.m.

Summary: This was a continuation of an investigation for an applicant for renewal of their AEMT license that had several convictions for OUI as well as violating the conditions of release and one warrant for his arrest for failing to appear in court to face his charges.

MOTION:

The committee made a motion to offer two options. Option 1 is to issue the applicants license pending the submission of proof of completion of the DEEP Program showing no additional recommendation for counseling. Option 2 was to table the decision if the recommendation from DEEP included additional counseling. (Coyne; second by Kellner) Unanimous.

3. CASE #18-017 – Licensee Not Present.

MOTION: To enter executive session pursuant to 32 M.R.S.A. § 90(A)(3) and 1 M.R.S.A. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 18-017. (Coyne; second by Metayer) Unanimous.

Executive session entered at 9:22

MOTION: To exit executive session. (Coyne; second by Downing) Unanimous.

Executive session ended at 9:42

Summary: Maine EMS initiated a complaint against a licensed EMT alleging the provider was intentionally disclosing patient identifiable information to an individual that did not have, or require access to the information.

MOTION:

Motion was made to offer the licensee a consent agreement with a 30 day suspension of the licensee's EMT license to include a reprimand. Chapter 11§1 (12 & 14) were cited as the rules violated. (Kellner; second by Coyne) Unanimous.

4. CASE # 15-072 --Licensee present

MOTION: To enter executive session pursuant to 32 M.R.S.A. §90 (A)(3) and 1 M.R.S.A. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 15-072. (Coyne; second by Downing) Unanimous.

Executive session entered at 13:34.

MOTION: To exit executive session. (Coyne; second by Gerrish) Unanimous.

Executive session ended at 15:11.

Summary: This was a continuation of an investigation that after coming to the investigation committee additional information was brought forth. The original investigation involved a Paramedic that was not writing patient care reports for patient refusals and was demonstrating rude and unprofessional behavior.

MOTION: The committee's recommendation is to amend the consent agreement, recommend seeing a counselor that will do one on one sessions for interpersonal communications with a monthly report to come to the Maine EMS Office to include the client's participation in treatment and adherence to clinical advice, reports will be made to the Maine EMS office for the period of one year, Service chief will verify to Maine EMS all run reports are completed within compliance of Maine EMS Rules for a period of three years from the date of execution of the consent agreement. (Coyne; second by Gerrish) Unanimous.

Unless otherwise directed by the Board, the Committee will consider its duties with respect to Case # 15-072 complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

5. CASE # 18-004 – Licensee Present

MOTION: To enter executive session pursuant to 32 M.R.S.A. §90 (A)(3) and 1 M.R.S.A. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 18-004. (Coyne; second by Kellner) Unanimous.

Executive session entered at 15:30.

MOTION: To exit executive session. (Coyne; second by Downing) Unanimous.

Executive session ended at 15:46.

Summary: MEMS initiated a complaint against an EMS provider who reported an arrest for OUI and driving to endanger which led to a conviction to driving to endanger.

MOTION: The committee voted on the motion to issue the applicant's license and issue a letter of guidance to remain on file for a period of five years. (Coyne; second by Downing) Unanimous.

Unless otherwise directed by the Board, the Committee will consider its duties with respect to Case # 18-004 complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

1. Kenneth Chase– Review of new application - Applicant present,

Summary: On April 5, 2018 MEMS received an application for a new EMT license from Kenneth Chase. On that application were listed the following convictions in 2006 and 2007: Theft by Unauthorized Taking or Transfer Class D Misdemeanor, Aggravated Criminal Mischief, Class C felony, and Violating Conditions of Release Class D Misdemeanor. A routine SBI Criminal History Report was obtained by MEMS on April 10, 2018 confirming these convictions.

MOTION: Motion was made to issue the license to the applicant and dismiss the case as the committee felt the applicant had be sufficiently rehabilitated to warrant the public trust. (Kellner; second by Downing) Unanimous.

Unless otherwise directed by the Board, the Committee will consider its duties with respect to this application complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

2. Ashley Grey– Review of new application - Applicant present,

Summary: This is an informal review of an application for initial licensure at the Emergency Medical Technician license level. On June 15, 2017, Maine EMS received an application from Ashley Gray. In this application, multiple convictions were disclosed. These convictions included OUI, theft, possession of controlled substances, and violating conditions of reease.

MOTION: Motion was made to issue the license to the applicant and dismiss the case as the committee felt the applicant had be sufficiently rehabilitated to warrant the public trust. (Kellner; second by Coyne) Unanimous.

Unless otherwise directed by the Board, the Committee will consider its duties with respect to this application complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

The Committee adjourned at 2:30 p.m. p.m.

The next meeting will be on November 5, 2014 at 9:00 a.m.