



JANET T. MILLS
GOVERNOR

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



MICHAEL SAUSCHUCK
COMMISSIONER

J. SAM HURLEY
DIRECTOR

BOARD OF EMS MEETING
DECEMBER 4, 2019
10:00 AM
DE CHAMPLAIN CONFERENCE ROOM
MINUTES

Members Present: Joe Kellner (Chair), Brent Libby (Chair-elect), Brad Chicoine, Joe Conley, Laura Downing, Amy Drinkwater, Judy Gerrish, Richard Kindelan, John Martel, MD, Julie Ontengco, DNP, Dennis Russell, Steve Smith, Matt Sholl, MD (ex-officio), Kate Zimmerman, DO (ex-officio), Nate Allen (phone), Tim Beals (phone), Heidi Cote (phone), Scott Susi (phone)

Staff: Commissioner Sauschuck, Janet Joyeux, Chris Azevedo, Sam Hurley, Marc Minkler, Jason Oko, Melissa Adams, Jessica Ricciardelli, Katie Johnson (Assistant Attorney General)

Stakeholders: Jay Bradshaw, Jim MacDonnell, Rick Petrie, Kerry McKee, Mike Seneccal, Joanne Lebrun, Ben Zetterman (phone)

1. Introductions

2. Disclosure of Conflicts of Interest: None

Joe Kellner (Chair) – Mr. Kellner disclosed that he has resumed his position as Treasurer of the Maine Ambulance Association

3. Public comments: None

4. Minutes

Sam Hurley – Add Brent Libby and Nate Allen to the list of attendees

MOTION: To accept the minutes of the Nov. 6, 2019 meeting as amended.

Made by: Russell, Seconded by: Conley, Vote: Unanimous

5. Director's Report

a. Staffing:

Mr. Hurley introduced Melissa Adams who joined MEMS in November as a licensing agent. It was announced the Jason Oko had accepted the Data Coordinator position. MEMS will be posting two positions within next two weeks: Data Coordinator funded by the Federal Opioid Data to Action Grant and Licensing Specialist Position to backfill Mr. Oko's position.

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b. Welcome Packet:

MEMS is finalizing a welcome letter that will be circulated to the Board for review. Mr. Hurley noted that there is a national trend to move away from licensure/certifications cards with the advent of online verification systems that are up-to-date. Mr. Hurley proposed issuing patches in the welcome packets instead. The Chair queried the Board for questions, and none were asked.

c. Budget: No updates

d. Legislation:

MEMS has drafted legislation (DPS5) that gives the EMS Board the authority to request information from hospitals regarding outcomes and allows healthcare facilities to satisfy the request using the state-approved health information exchange, HealthInfoNet. Senator Heather Sanborn (Senate District 28) has agreed to sponsor the bill as the Senate Chair of the Health Care, Insurance and Financial Services Committee where the bill will likely be assigned.

Mr. Hurley circulated two lists regarding proposed legislation: One list includes all the titles that were heard by the Legislative Council and the outcomes, the other list highlights just the bills that were approved that *may* impact EMS. Mr. Hurley agreed to forward the draft language for the bills once it was made available.

e. Committee Updates

Exam Committee – Chris Azevedo

Effective December 2, 2019, the NREMT has removed the seated and supine spinal mobilization skills stations from their psychomotor examination for advanced providers (AEMT and paramedic). While this material will no longer have a specific station at these examinations, the NREMT expressed it does not mean that providers will not still be expected to assess for and implement spinal motion restrictions or immobilization procedures as these skills still maintain clinical relevance.

The Exam Committee asked the Board for support of the removal of the spinal mobilization skills stations from the EMR and EMT psychomotor examinations within the State. Dr. Sholl requested additional time to review the recommendation before a decision is made.

MOTION: To table the approval of removal of the spinal mobilization assessment from the EMR and EMT psychomotor exams.

Made by: Ontengco, Seconded by: Smith) Vote: Unanimous (No response from Susi)

Education Committee – Chris Azevedo

National Registry has announced that they are no longer supporting skill sheets for the non-advanced life support (ALS) examinations. The Committee is reaching out to NREMT representatives for additional clarification as to the organization's direction moving forward with testing.

The Committee identified that there are insufficient numbers of Psychomotor Examination (PSE) Administrators for the state-administered examinations. Further action regarding expansion of this capacity has been stayed pending further information from NREMT.

Kevin Gurney resigned from the Committee leaving an opening for a Non-Municipal EMS Service Representative. There is also a Region Four Representative position unfilled on the Committee.

Online Training for 2019 Protocol Update – Providers have reported difficulty in accessing the system because they have: 1) forgotten their password, 2) there are discrepancies between the MEMSEd login service and ImageTrend.

EMSC – Marc Minkler

Advisory committee has not yet met this quarter. Currently working on validation of pediatric medical director job description. There is no standard description that is currently being used nationwide.

Committee is also working to mimic some of the TAC guidelines for recognition of pediatric care for emergency departments across the state.

The Committee is still in need of a pediatric medical director and a physician.

Community Paramedicine – Jason Oko

The Committee has appointed a new Chair. Ellen McFarland is from the mid-coast and has been representing the at-large position on the Committee.

The Committee has been focusing on determining education levels for Community Paramedicine Providers.

At this time, all the CP services have re-applied and have been notified of the continuation of their CP designation, or more information has been requested of them prior to issuing a designation.

The focus of the next Committee meeting will be to discuss the process of adopting a Community Paramedicine Protocol.

CP Committee will meet on December 16th, 2019 and then in 2020, the Committee will be transitioning the meeting date to the second Thursday of each month with the first meeting being held on January 9, 2020.

Data Committee – Jason Oko

Committee has not met to date. Mr. Oko requested the Board identify the makeup of the Data Committee membership and to assign the Committee specific tasks, as needed.

Ops Committee – Sam Hurley

Mr. Hurley stated that the Committee members are identifying issues that may require more defined process moving forward. The Committee also discussed information sharing and quality improvement within the EMS education community. The Committee is hopeful that these discussions will serve as forums for best practices that will ensure consistency and quality throughout the state.

Board Appointments – Sam Hurley

Renewal packets have been received; however, there are some backlog issues at the Governor's office. Mr. Hurley asked board members who are up for renewal to please submit applications early.

Quality Improvement – Matt Sholl, MD

The Committee has produced reports on Naloxone use, use of oxygen as well as stroke and out of hospital cardiac arrest care. The Naloxone project was finalized April 1, 2019. The oxygen project and the stroke and cardiac project are nearing completion and both projects should be ready within the next few months.

6. Investigations Committee

MOTION: To accept the minutes of the Nov. 25, 2019 meeting as amended.

Made by: Kellner, Seconded by: Gerrish, Vote: 15 approvals, 1 abstention

a. Disciplinary Cases

Each case was presented by Maine EMS Staff Member Jason Oko:

Case #19-055

The Board heard the original recommendation from the Investigations Committee. After further review of the case and discussion, the Board revised the motion to include a fine of \$1,000 per occurrence (4) that shall be made payable in no more than 60-days following the execution of the consent agreement. The Board noted that the agency in question had been advised explicitly not to utilize the devices in question and that they went in opposition to direction provided by the Medical Direction and Practice Board.

MOTION: To accept the committee's recommendation settle this case by offering the agency a consent agreement and a fine of \$4,000 with the addition of a payment timeline within 60 days. The committee cited a violation of Maine EMS Rules Chapter 11 § (14), Chapter 11§ (24) as well as M.R.S Title 32, Chapter 2-B §86(1) and Chapter 2-B §86(2-A).

*Made by: Russell; Second by Libby; Vote 15 in favor; 1 opposed,
Beals not present*

Case #19-065

The Board heard the original recommendation from the Investigations Committee and modified it to include additional rules violations as well as a monetary penalty of \$1,000 with a 60-day payment window.

MOTION: To accept the committee's recommendation to settle this case by offering the agency a consent agreement to produce policies regarding appropriate management and exchange of medications and generating run reports in accordance with MEMS rules, along with a copy of its pharmacy agreement; these documents will be produced to Maine EMS within 30 days. There is also an addition of a \$1,000 fine with a 60-day payment deadline. The committee cited a violation of Maine EMS Rules Chapter 11§1(14), Chapter 3§ 9, and Chapter 11 §1(18).

*Made By: Ontengco; Seconded by Martel; Vote: 12 in favor, 2
opposed*

Case #19-064

The Board heard the original recommendation from the Investigations Committee. The Board opted to alter the recommended motion to remove the letter of support from the medical director and include a mandatory suspension for violations.

MOTION: To suspend the subject's license for 180 days (90 days for violation regarding medications and 90 days for run report violation).

Citing violation of Maine EMS Rules Chapter 11 §1(14), Chapter 11 §1(18), Chapter 11§1(24) and Chapter 5 § 3.

Made by: Kellner; Seconded by: Kindelan; Vote: Unanimous)

b. Informal Review of Provider Applications

Zachary Cronkhite

Summary: On an application for an EMT license, the applicant disclosed the following misdemeanor convictions: Unlawful Possession of Scheduled Drug in 2005, OUI and Violating Condition of Release in 2009, and Disorderly Conduct in 2012.

The committee recommended to issue the license to the applicant.

MOTION: To accept the committee's recommendation.

Made by: Kindelan; Seconded by: Russell; Vote: Unanimous

Caleb Goodall

Summary: On an application for an EMT license, the applicant disclosed the following misdemeanor convictions: Under 21- Consume Alcohol in 2016, Trespassing and Shoplifting in 2017, and Minor in Possession of Alcohol in 2017.

The committee recommended to issue the license to the applicant with a letter of guidance to remain on file for three years stressing professionalism and code of conduct by an EMS professional

MOTION: To accept the committee's recommendation.

Made by: Russell; Seconded by: Ontengco; Vote: Unanimous (Joe Conley not present)

c. Disciplinary Matrices

MOTION: To table the matrices

Made by: Kellner; Seconded by: Libby; Vote: Unanimous

d. Notifying Services about Change in License Status

MOTION: To notify services at the conclusion of any investigation regarding a licensee on their roster.

Made by: Libby; Seconded by: Russell; Vote: Unanimous

7. Medical Director report – Matthew Sholl, MD

a. TAC – Kate Zimmerman, DO

Trauma Committee travelled to Rumford in September and a visit is currently being scheduled with Memorial Hospital in North Conway. The committee has created a guideline for mild traumatic brain injury that is now available online.

The Committee is currently working with Ian Neilson; a trauma surgeon from Maine Medical Center to bring more pediatric initiatives i.e.: woodstove burn prevention and dog bite prevention.

Mr. Petrie confirmed that in January they will be receiving the report from the Farmington explosion.

b. MDPB – Matt Sholl, MD

Dr. Sholl thanked MEMS for all their help with the protocol rollout. He expressed appreciation that MEMS worked through the holiday to ensure providers were able to login to MEMSEd so they can complete the protocol update.

MDPB is currently working on creating job descriptions for MDPB representatives. Dr. Sholl wanted to thank Mr. Bradshaw for helping with that process and Mr. Minkler for providing the job description for EMSC.

8. Old Business

a. Board of EMS Bylaws

Mr. Hurley stated that the changes to the Bylaws, which were approved at the last meeting have been made and the document has been distributed to the Board

b. Code of Conduct and Ethics for Board of EMS

Mr. Hurley discussed the changes concerning the Code of Conduct and Ethics that were incorporated into the draft regarding Ad Hoc and standing committees.

MOTION: To approve Code of Conduct as amended.

Made by: Libby; Seconded by: Ontengco; Vote: Unanimous

9. New Business

a. Rules Comments

Mr. Oko stated that public comments have been distributed to all board members via email. Mr. Kellner suggested that all members of the Board read through the document so they may all be aware of the issues that are being raised. Mr. Conley suggested that the Rules Committee meet before the next Board meeting to

discuss the comments and bring recommendations before the Board.

b. Strategic Planning

Mr. Hurley reported that he has spoken with the Chair and the Commissioner regarding strategic planning and the direction and goals of the board moving forward. Mr. Hurley is working on a proposal to bring someone in to facilitate the strategic planning process. The current timeframe is near the end of Spring. This will be a two-day event, the first day will include only the Board and the second day will involve the Board and the stakeholders.

10. Other

a. Items for next meeting's agenda

- i. Spinal Assessment – The Board will discuss how to move forward with the potential removal of the spinal mobilization skills station from the psychomotor examination for advanced providers.
- ii. Committee Membership – Mr. Hurley noted that there needs to be a discussion regarding how people are appointed to committees so we can ensure a uniform process across all committees.
- iii. IFT Committee – This committee had previously been placed on hold. The Board will need to decide how to move forward regarding the establishment of this committee
- iv. Disciplinary Matrices – Reviewed by Investigations Committee but tabled for future meeting

b. Next meeting will be January 2, 2020 at 9:30 AM

11. Adjourn at 1:01 PM

MOTION: To adjourn

Made by: Libby; Seconded by Chicoine; Vote: Unanimous