



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
OCTOBER 2, 2019
9:30 AM
DE CHAMPLAIN CONFERENCE ROOM
MINUTES

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

Staff: Commissioner Sauschuck, Janet Joyeux, Chris Azevedo, Jay Bradshaw, Jason Oko, Marc Minkler

Office of the Attorney General: Katie Johnson, AAG

Stakeholders: Ben Zetterman, Rick Petrie, Joanne Lebrun, Jim MacDonnell, Robert Russell

- 1) Joe Kellner requested a moment of silence in memory of Michael Bell who was killed in the blast in Farmington that also seriously injured several other firefighters and a maintenance worker who helped others in the building escape to safety.
- 2) Introductions – Those present introduced themselves and were welcomed by the Chair.
- 3) Disclosure of any conflicts of interest – None
- 4) Public comments – None
- 5) Minutes -

MOTION: To accept the minutes of the September 4, 2019, meeting as amended. (Russell; second by Beals) Unanimous

- 6) With the approval of the Board, two items of Old Business were taken out of order. Commissioner Sauschuck updated the Board on his discussions with the candidate selected by the interview panel to be the next State EMS Director.

MOTION: To appoint J. Sam Hurley to be the Maine EMS Director, effective October 21, 2019. (Susi; second by Kindelan) Unanimous.

Code of Ethics and Bylaws – Jay Bradshaw reviewed the history of the Code of Ethics and Bylaws that were adopted by the Board in 2007, and of the more recent Conflict of Interest statements that were signed by some members.

● Excellence ● Support ● Collaboration ● Integrity ●

PHONE: (207) 626-3860

TTY: (207) 287-3659

FAX: (207) 287-6251

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

In the ASMI report (December 2016), there was reference to numerous comments regarding a concern about conflict of interest with Board members who are also affiliated with an entity that has a contract with DPS. In response, Maine EMS/DPS drafted and implemented a Conflict of Interest policy that prohibited Board members from being on any agency or association board involved with EMS. This policy raised confusion and potential conflict for those associated with the Maine Fire Chiefs Association and the Maine Ambulance Association.

Using the 2007 document, Jay solicited individual comments from three Board members (Kellner, Libby, and Ontengco) and from the AAG. He reviewed the highlights of those comments that will be incorporated into a clean document for consideration at the next meeting.

Commissioner Sauschuck commented that having a stringent Conflict of Interest policy is essential and that he's pleased to see the Board taking the initiative to provide the appropriate level of oversight; and that the adoption of an updated Code of Conduct and Ethics will supersede previous COI policies.

- 7) Investigations Committee – Joe Kellner recused himself from this discussion and left the room until this item was concluded.

Katie Johnson reviewed case # 18-020 where an individual failed to provide run reports from January 1 – May 7, 2018. In February 2019, the Investigations Committee recommended, and the Board approved pursuing a consent agreement that included a \$2,900 fine with all but \$500 suspended, probation, and a reprimand.

The individual did not sign the consent agreement and his license has subsequently expired. The individual and the AAG have reached an alternative consent agreement. He has agreed to the revocation of his EMT license in place of the fine, reprimand, and probation.

MOTION: To accept the revised terms of the revised consent agreement and consider case # 18-020 to be closed. (Russell; second by Smith) Unanimous.

- 8) Medical Director report – Dr. Sholl reported that at the last meeting the MDPB approved participating with Biospatial.

Protocol rollouts are in progress, with three completed and three more in the following weeks. He complimented Chris Azevedo and Marc Minkler for the quality of the presentation and instructional material.

The MDPB also passed a motion regarding support for developing plans for alternative patient destinations for services selected to participate in the CMS ET3 project. The deadline for applications is October 5. Notification of participants is anticipated in early 2020.

The MDPB also discussed the process for selecting new members of the MDPB. A law change that went into effect on 9/19/19 added three members: a BLS provider, an ALS provider, and a pediatric physician. Drs Sholl and Zimmerman will work with Jay to update that position description; interviews will be conducted by the MDPB with recommendations submitted to the Board for approval.

Other items in the queue include: updating the approved devices list, drafting an Arrest Enroute to the Hospital document, PIFT update, physicians operationally involved in an EMS response (PA and NH have provisions for certifying individuals operating in this capacity), medical director training (workbook needs updating and program development stalled a couple years ago), an MDPB retreat, and incorporation of FAST ED (stroke screening tool) into MEFIRS.

The QI Committee is working on releasing papers on: airway management, stroke care, and cardiac arrest.

9) Old Business (continued) –

- b. Jay updated the Board on the process to fill current office vacancies. The application period for the Business System Administrator (Data and Preparedness Coordinator) has been extended until October 11. The second data position, being funded by an opiate grant, is still in the process of being created. It is hoped that perhaps both vacancies may be filled with applications from the current posting.

There was a good response to the Licensing Agent position and the first round of interviews will be held on October 7.

- c. Rules tentative hearing – Jay reviewed the tentative schedule for hearings, which will include hearings in Portland and Presque Isle on November 4; in Lewiston and Bangor on November 5; in Augusta on November 6, and in Rockport at the APEMS Conference on November 8. The statute requires that there are two Board members at the hearings and a list of hearings and members was developed.
- e. License cards and welcome packets – staff have confirmed that the printer used for licenses still works well, but getting the cards properly formatted will require technical support from Imagetrend. The best estimate on the annual cost to provide cards is still under \$10,000. Consensus of the Board was that this is a worthwhile expense and progress should continue with updates as more information is available.

10) New Business

- a. Board appointments – Jay reported that Carolyn Brouillard's term (representing non-transporting EMS services) expired 9/30/19. Carolyn has been unable to attend lately due to an injury which made her unable to drive. She is evaluating whether or not to seek another term.

Brent Libby's term (must be a Fire Chief) will expire on 12/17/19, and he is interested in seeking another term.

- b. Rich Kindelan asked about the regional contracts with regard to the QI process and reports being provided to MEMS. Jason explained that working with the Ops Team, he built a report to answer standard questions regarding the type of call, protocols, and concerns, if any. The regions use this report as part of their regional QI plan and collate summary data in order to identify trends. The de-identified report is submitted quarterly to Maine EMS in the month following the end of the quarter (October, January, April, and July). If during the run report

review, the regional QI reviewer will follow their usual routine in bringing it to the attention of the appropriate person. Depending on the specifics that could be the regional medical director, service chief (or QI contact), or the individual provider.

The first such report will be available prior to the November Board meeting and this will be placed on the agenda.

11) Other

- a. Town Meeting at APEMS Conference – Jay reminded members that in addition to the public hearing scheduled for November 8, there will also be an EMS Town Meeting which is an opportunity for the office and Board to provide an update on activities and hear from attendees about matters of interest. All are welcome and encouraged to attend.
- b. Items for next meeting agenda
 - i. Regional coordinator quarterly reports
 - ii. QI Committee reports
 - iii. Interfacility Transfer Committee
- c. Closing comments
 - i. Joe pointed out that the format for the agenda has been modified to memorialize items that are either tabled or pending. He and the Chair-Elect talk with the Director two weeks before the meeting to review the agenda.
 - ii. Joe also thanked the MDPB for their work on ET3 and to the MEMS staff for the protocol educational rollout sessions.
 - iii. Jay thanked the Board for their support over the past several months and the opportunity to re-engage with those interested in making our state EMS system work smoothly. He will help with Sam's transition a few days a week for a few weeks through the rulemaking process.

12) Meeting adjourned at 11:00 AM