



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
MAY 06, 2020
9:30 AM
DE CHAMPLAIN CONFERENCE ROOM
MINUTES

Members Present: Joe Kellner (Chair), Brent Libby (Chair-Elect), Joe Conley, Tim Beals, Scott Susi, Nate Allen, Steve Smith, Rich Kindelan, Dennis Russell, Amy Drinkwater, Judy Gerrish, John Martel, Julie Ontengco, Brad Chicoine, Laura Downing, Matt Sholl, M.D. (Ex-Officio), Kate Zimmerman, D.O. (Ex-Officio)

Staff: Christopher Azevedo, Sam Hurley, Marc Minkler, Jason Oko, Melissa Adams, Jessica Ricciardelli, Griffin Bourassa, Katie Johnson (Assistant Attorney General)

Stakeholders: L'easa Blaylock, Butch Russell, Chip Getchell, Christopher East, Richard Petrie, Jesse Thompson, Debbie Morgan, Joanne Lebrun, Jay Bradshaw, Paul Marcolini, Cory Major, James Lapolla, Eric Wellman, Shawn Cordwell, Dayna Emerson, Dan Pugsley, Jonnathan Busko, Travis Norsworthy, Sally Taylor, Nathan Yerxa, Aiden Koplovsky, Benjamin Zetterman, Michael Senecal, Kerry McKee

1. Introductions

2. Disclosure of any conflicts of interest

Joe Kellner (Chair)- There is an item on the agenda from North East Mobile Health for a pilot project. Mr. Kellner resigned from North East Mobile Health in 2018. Mr. Kellner states that he will be participating in that conversation.

Tim Beals- Mr. Beals discloses that with regard to the psychomotor testing agenda item, he is an instructor and he does have a class waiting to test.

Steve Smith- Mr. Smith discloses that with regard to the psychomotor testing agenda item, he is an instructor and he does have a class waiting to test.

Dennis Russell- Mr. Russell discloses that with regard to the psychomotor testing agenda item, he is an instructor and he does have a class waiting to test and also runs a training center.

Amy Drinkwater- Ms. Drinkwater discloses that with regard to the psychomotor testing agenda item, she is an instructor and does have a class waiting to test.

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Joe Conley- Mr. Conley is recusing himself from the North East Mobile Health conversation.

Dr. Sholl- Dr. Sholl discloses that he is the medical director for North East Mobile Health. He states that he is able to provide unbiased comment on that agenda if the Board needs him to, however, he is also happy to recuse himself if necessary.

Mr. Kellner (chair) requests Mrs. Johnsons advice on Board members recusals regarding psychomotor testing.

Mrs. Johnson states that it is essentially up to the Board members to decide whether or not they think they can be unbiased, and it is their decision whether or not to recuse themselves.

Mr. Kellner (chair)checks in with the board members who disclosed conflicts of interest regarding psychomotor testing to see if they plan on participating in the discussion and vote. Mr. Beals, Mr. Smith, Ms. Drinkwater and Mr. Russell stated that they are capable of having an unbiased opinion and they all plan on participating.

3. Modifications to the agenda
None

4. Public Comments
None

5. Meeting Minutes (April 1, 2020)

Mr. Libby requested that in the future, we note the time the meeting adjourned.

Mrs. Johnson stated that she sent MEMS office a few corrections to the minutes and also requested that roll call votes are listed for each motion.

Dr. Zimmerman stated that she emailed Ms. Ricciardelli some edits for the MDPB meeting days.

MOTION: To accept the minutes as amended.

Made by: Beals; Seconded by Drinkwater

Roll Call Vote: Yes: (15) Allen, Beals, Chicoine, Conley, Downing, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Julie, Russell, Smith, Susi

No: (0)

Motion Carries

6. Director's Report

Mr. Hurley thanks everyone for their hard work and dedication surrounding the response to the pandemic.

Mr. Hurley updated the Board regarding the reporting directive from the last meeting. We have implemented a mechanism with the help of the CDC by which we can use identified information to track individuals in the EMS community that have been affected by COVID.

a. Staffing

We have completed the interviews for the Data Management position. We will be reaching out to their references and hope to offer one of the candidates the position by the end of the week.

b. Budget

The end of our fiscal year is approaching, and we do not foresee any budgetary short falls. We may possibly have \$30,000 that is left over from previous quarters. Unfortunately, we may not be able to move that money forward. Due to the anticipated budget deficits the State is now requiring that we complete justification documentation as to why we need the money moved forward and how the money will be used.

c. Legislation No new legislation

There is no new legislation

Our legislation to transfer property to LifeFlight of Maine passed. We will be working on the MOU to transfer that property back over to them.

d. Region's Quarterly Reports

The Region's Quarterly Reports have been sent out to the Board for review.

Committee Updates

Data Committee- Jason Oko

The Data Committee has not met, we will do so prior to the next Board meeting, so that we can start selecting Committee members.

Mr. Oko has been working with LifeFlight of Maine to get their data importing to MEFIRS

Regarding HealthInfoNet; all regions are reporting to HealthInfoNet now. We are currently waiting on the next legislative session so we can start getting outcome data reported back into MEFIRS. We will need to adopt rules for this process and our plan is for the rules subcommittee to work collaboratively with the Maine Hospital Association to create the rules that will then be brought before the Rules Committee.

Community Paramedicine-Jason Oko

Community Paramedicine met briefly last month just to check in, there was no official agenda, we will meet again on May 14.

QA/QI- Jason Oko

QA/QI met briefly last month with no agenda. We walked through some changes that we have made to MEFIRS. The Director and I spoke about releasing a newsletter regarding documentation and COVID-19 the importance of documentation in a pandemic.

Rules Committee- Jason Oko

We have received all the public comments back from the rules that closed on April 24 and we're going to be distributing the packet today so the Committee can discuss the comments that have been received.

EMSC- Marc Minkler

The EMSC Advisory Committee elected not to meet this past quarter, we are planning on meeting again in July.

HRSA has indefinitely delayed the national pediatric readiness assessment due to COVID-19.

Investigations Committee- Melissa Adams

No Updates at this time, we will be meeting later this month.

EMD Committee- Melissa Adams

We are continuing to work with the EMD committee on interviewing applicants for the open positions.

Education Committee- Christopher Azevedo

Education committee meeting was cancelled this past month.

Exam Committee

We have been working alongside members of the Exam Committee on some items in an effort to resume PSE testing. I've also been working informally with training center directors to monitor the conditions and some of the changes and recommendations made by the National Registry with regard to conducting PSE's.

Mr. Kindelan expressed concern regarding the timing of the directives that seem to be coming out on Facebook before we get the emails, or they are coming out in the evening and crews are asking about them before service chiefs are able to have an opportunity to review the directives.

Director Hurley stated that MEMS can try to send the documents out to service chiefs first then publicize it on the website, however, we want to be sure we are not withholding any information as this is regarding safety and health issues.

7. Medical Directors Report
 - a. MDPB

In the last seven weeks the MDPB has put out three major protocols, videos and white papers. Dr. Sholl thanks everyone on the MDPB for all of their hard work in getting this material out so quickly.

MDBP has been meeting twice a week since the middle of March. We are currently working on the Phase III Pandemic Response Protocol. We've not necessarily seen a surge on the healthcare system yet however, we are maintaining our preparedness.

We are continuing to maintain our work updating the protocols. We are hoping to complete the second of our seven sections this month and will soon begin the third section.

We have updated the clinical bulletin to reflect the six new symptoms of COVID-19 released by the CDC that would identify a patient as a PUI.

8. Old Business

a. EMS Personnel Reporting

This agenda item was covered in the Directors Report.

9. New Business

a. Psychomotor Testing

Mr. Kellner asks Exam Committee chair Sally Taylor to present the PSE proposal.

The Exam Committee developed a proposal that would allow Maine to hold PSE testing for EMR/EMT students during the COVID-19 pandemic. The proposal follows CDC guidelines to ensure the health and safety of everyone involved in this process.

The Committee is seeking the Board's approval of the modifications to the skills stations. If approved by the Board, the Committee will develop a checklist of the exam structure that complies with the Governors guidance to MEMS, DHS, and the Department of Economic Development for review and approval.

Mr. Azevedo expressed that it is MEMS foremost concern that we formulate a plan of recovery and find a way to move forward in the COVID-19 environment. However, there are some administrative details that need to be addressed by MEMS and then sent back to the Committee for review before being brought to the Board.

MEMS recommends the following changes be made to the manual. There needs to be clarification regarding to which manual and version these changes are being made. PSE administrators are working from the MEMS 2011 version of the administrator exam user manual with 2016 revisions, however, the manual has since been updated in 2019.

MEMS recommends clarification of the date of the revision and effective date of use along with the reason for the revision and its intended use. The intent is that

this is a temporary modification of the manual to be used during COVID-19 pandemic conditions.

MEMS also recommends that there is a date or condition of termination of the use of this manual. This manual is to be used for PSE testing until the modifications due to the COVID-19 environment are no longer necessary. At that time with the Board's approval, PSE testing would revert back to the original manual itself or a newer version if it has been revised.

MEMS recommends that the proposed changes to the CPR and AAD station be reviewed and vetted by the Medical Directors and or the MDBP.

Dr. Sholl stated that he and Dr. Zimmerman would need more time to review the changes to the CPR station.

Mr. Hurley would like to see training centers create a plan that will be reviewed by DHHS that has a baseline level of safety mechanisms that are put in place at each testing site. The Committee should decide what the standard is for all testing sites then the testing sites, in turn will have to operationalize the checklist.

Director Hurley also expressed some budgetary concerns regarding PSA reimbursement as with the proposed changes, the exam would take longer which in turn would raise the rate of reimbursement to the PSA.

MOTION: To move forward with committee recommendations as laid out using the reference exam manual dated 05/12/2016 with changes by the Board voted in at the April 4th, 2020 meeting and to include adding language to the CPR station to notate this is for testing purposes only during the COVID-19 pandemic with a start date of 06/01/2020 and an expiration date of 01/01/2021.

Made by: Kindelan; Seconded by: Beals

Roll Call Vote: Yes (13): Beals, Chicoine, Conley, Downing, Drinkwater, Gerrish, Kindelan, Kellner, Martel, Ontengco, Russell, Smith, Susi

No: (2): Allen, Libby

Motion Carries

b. PSE fees

Mr. Kellner asks the Board if they can add an agenda item to discuss exam fees.

Mr. Hurley states that there is the potential to turn all of the fees associated with the exams over to the training centers. Another option is to sent

minimum/maximum limits on what MEMS will pay the administrator. The Board could also direct MEMS to no longer invoice for the PSA payments.

MOTION: To table this discussion on exam fees to allow time for Director Hurley and Mrs. Johnson to evaluate how rates are set.

Made by: Beals; Seconded by: Drinkwater

Vote: Yes (15): Allen, Beals, Chicoine, Conley, Downing, Drinkwater,

Gerrish, Kindelan, Kellner, Libby, Martel, Ontengco, Russell, Smith, Susi

No: (0)

Motion Carries

Mr. Keller request that the Board take a break to reconvene at 12:55.

Mr Kellner checks in with Board members to ensure the presence of a quorum.

Board Members present: Allen, Beals, Chicoine, Conley, Downing, Drinkwater, Gerrish, Kindelan, Kellner, Libby, Martel, Ontengco, Russell, Smith, Susi

c. Pilot Project in Jackman

Joe Conley has recused himself from this discussion.

Dr. Busko presents his proposal.

The proposal is a pilot project in which North East Mobile Health would act as a contractor to the town of Jackman and the Moose River Valley Community. They would provide EMS services and in very specifically defined unique cases, provide 100% physician overseen telemedicine.

Mr. Kellner (chair) requested that Mrs. Johnson give her advice on the what the role of the Board is regarding this program.

Mrs. Johnson stated that she, Sam and Joe talked about potentially tabling this until the next meeting. This would ensure that she has time to review the proposal as well as talk to Dr. Busko to better understand the proposal. She also wants to make sure that we are operating within the Boards legal authority.

MOTION: To table the pilot project in Jackman and add to next meetings Agenda.

Made by: Russell, Seconded by Kindelan

Vote: yes (14): Allen, Beals, Chicoine, Downing, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

No: (0) Recusals: Conley

Motion Carries

d. L.D. 2105

Mr. Hurley Presents this item.

The Legislature has asked for MEMS to assemble a committee to discuss rate setting for ambulance transport. This committee is defined by statute. The committee shall be comprised of multiple Association representatives of municipal and private services, health insurance carriers, and the Department of Professional and Financial Regulation, and the Bureau of Insurance. Board needs to decide who they want on the stakeholder group.

Mr. Kellner (chair) states that we first need to create a subcommittee comprised of Board members to examine these insurance/rate setting issues.

MOTION: To form a subcommittee to examine these insurance/rate setting issues.

Made by: Russell; Seconded by: Conley

Roll Call Vote: Yes (15): Allen, Beals, Chicoine, Conley, Downing, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

No: (0)

Motion Carries

Mr Kellner (Chair) asks the Board if there are any members that are willing to volunteer to be on this Committee.

Conley, Russell, Beals, Libby, and Kindelan volunteer to be on the Committee. MEMS staff member Griffin Bourassa will be the liaison. The committee will self-select a Chair.

e. Cumberland Fire Department Appeal Withdrawal

Mrs. Johnson presents the case to the Board.

The Cumberland Fire department applied in August of 2019 for a designation as a Community Paramedicine Service. Following a review of the application MEMS staff issued a preliminary denial of the application in November. The Cumberland Fire Department appealed the denial and we were in the process of setting a hearing. However, in negotiations with their council, it was decided that the Cumberland Fire Department would work with MEMS staff and submit a revised application.

On April 17th, the Cumberland Fire Department, through their attorney, submitted a written motion to withdraw the appeal and noted that it intends to submit a revised application in the future.

We are asking the Board to grant the Cumberland Fire Department's motion to withdraw its appeal and finalize the denial of their application from August 2019.

*MOTION: To grant the request to withdraw Cumberland Fire
Departments appeal.*

Made by: Libby; Seconded by Gerrish

*Roll Call Vote: Yes: (13) Allen, Beals, Chicoine, Conley, Downing,
Drinkwater, Gerrish, Kellner, Kindelan, Libby, Ontengco, Smith,
Susi*

No: (0) Recusals: Martel, Russell

Motion Carries

10. Other

- a. Items for next meeting agenda
 - i. Pilot Project in Jackman
 - ii. Exam Fees
- b. Next meeting date (June 3, 2020 @ 9:30)

11. Adjourn

MOTION: To adjourn. 12:16

Made by: Dennis Seconded by: Kindelan

*Vote (yes): (15): Allen, Beals, Chicoine, Conley, Downing, Drinkwater,
Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi*