

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

JANET T. MILLS
GOVERNOR

MICHAEL SAUSCHUCK
COMMISSIONER

J. SAM HURLEY
DIRECTOR

BOARD OF EMS MEETING
JULY 1, 2020
9:30 AM
VIA ZOOM
MINUTES

Members Present: Nate Allen, Tim Beals, Brad Chicoine, Joe Conley, Laura Downing, Amy Drinkwater, Joe Kellner, Rich Kindelan, Brent Libby, John Martel, Dennis Russell, Steve Smith, 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, Darren Davis, Katie Johnson (Assistant Attorney General)

Stakeholders: Butch Russell, Ray Caron, L'eesa Blaylock, Benjy Lowry, Chip Getchell, Debbie Morgan, Paul Marcolini, Jay Bradshaw, Benjamin Zetterman, Town Manager, Travis Norsworthy, Andrew Gagnon, Brian Chamberlin, Jennifer Kreckel, Sally Taylor, Kristen Roberts, James Lapolla, Sean Tuemmler, Joanne LeBrun, Aiden Koplovsky, Chief MacDonnell, Rick Petrie, Nathan Yerxa,

Call to order 9:32

1. Introductions

2. Disclosure of any conflicts of interest

Stephen Smith states that he will be recusing himself from the conversation regarding resuming clinicals.

Joe Conley states that he is recusing himself from the Jackman Pilot Project discussion.

Dennis Russell states that he is recusing himself from the conversation regarding resuming clinicals

Tim Beals states that he is recusing himself from the conversation regarding resuming clinicals.

Tim Beals also states that he is also recusing himself from investigations.

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Joe Kellner (Chair) states that he is recusing himself from the Levant Waiver conversation

3. Modifications to the agenda
None

4. Public Comments
None

5. Meeting Minutes

a. Meeting Minutes (May 6, 2020)

MOTION: To accept the May 6th Board meeting minutes.

Made by: Russell; Seconded by: Smith

Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Conley, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith

No: (0)

b. Meeting Minutes (June 3, 2020)

MOTION: To accept the June 3rd Board meeting minutes.

Made by: Russell; Seconded by: Drinkwater

Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Conley, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith

No: (0)

6. Director's Report

Director Hurley states that we recently received approval from the Governors task force as well as DHHS regarding returning to Psychomotor Exams and Clinicals.

a. Staffing

Darren (Davis) has been doing an excellent job settling into his position at MEMS. If anyone has any data questions specifically concerning opioids, he is more than willing and able to assist you.

We've been working with the Ops Committee regarding data quality and discussing how we push messages out regarding the importance of charting and appropriate documentation.

b. Budget

The Governors' office has placed a clamp on budgets due to the ongoing pandemic. We are entering a new fiscal year as of today and we will be actively monitoring any changes regarding our budget moving forward.

c. Legislation

There are a few bills that are waiting on legislature to come back in session that we will continue to track and monitor moving forward.

Griffin Bourassa

LD 2105 will be holding their first meeting July 7th at 9:30 via zoom. The purpose of this first meeting is to identify the roles that individuals will hold on the committee as well as discuss what we want to accomplish by January.

Melissa Adams

No new business for EMD Committee other than what will be addressed in New Business

Investigations will be reported on when the agenda item comes up.

Marc Minkler

EMSC_ Marc has an agenda item to be address under New Business.

EMSC has been working on some education regarding pediatric topics that will be available on MEMSed.

We finished wrapping out our end of year report for HRSA and will work on the federal reporting requirements which will be done in the next week or so and submitted to Director Hurley as they are due August 1st.

Jason Oko

Community Paramedicine Committee met last month, and they had a presentation on Alzheimer's and Dementia from Maine Health. They followed up the presentation with a request that some of the education that they put together be presented to us for possible deployment on the MEMSed website.

Data committee has reposted some of their available positions. The applications close tomorrow at the close of business.

QA/QI Committee did not meet last month

Darren Davis

Mr. Davis offered that if anyone requires any data particularly around opioids to feel free to reach out to him.

Christopher Azevedo

Education met last month, and Brian Chamberlain was selected as the new chair; they are in process of selecting a co-chair. Mr. Azevedo Requesting feedback from the regarding whether or not there is anything in statue or bylaws or rules that would prevent a board member from chairing a committee.

Mrs. Johnson stated that there is nothing that prohibits a Board member from chairing a committee.

The Education Committee is working with MDPB to develop education for the 2021 protocol updates.

AVOC and PIFT are priorities for education committee

The Exam Committee also met, and we talked about how National Registry has developed a pathway for EMS Medical Directors to become certified as EMS providers. Information is available on the National Registry website.

7. Medical Directors Report

a. MDPB

Dr. Sholl

MDPB is maintaining their progress on updating the protocols for 2021. The yellow section is almost done. The MDPB decided to meet in August in an effort to focus strictly on the protocols.

MDPB continues to meet on the second and fourth Monday of each month in an effort to maintain awareness of what is going on with the Pandemic. We've been working on return to work and out of work guidance and we are also working on updating our pandemic response protocols.

MDPB has interviewed all of the candidates that were approved last year for the BLS, ALS and Pediatric Physician positions.

b. Request of Appointment- ALS clinician, BLS clinician and pediatric physician
Approval of nominations to MDPB

Appointment of Claire Dufort as ALS clinician to MDPB

MOTION: To approve the appointment of Claire Dufort to the ALS clinician position to the MDPB.

Made by: Russell; Seconded by: Kindelan

Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Conley, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith

No: (0)

Appointment of Adam Thacker as BLS clinician to MDPB

MOTION: To approve the appointment of Adam Thacker to the BLS clinician position to the MDPB.

Made by: Libby; Seconded by: Drinkwater

Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Conley, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith

No: (0)

Appointment of Dr. Rachel Williams as Pediatric Physician to MDPB

MOTION: To approve the appointment of Dr. Rachel Williams to the Pediatric Physician to the MDPB.

Made by: Kindelan; Seconded by: Libby

Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Conley, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith

No: (0)

8. Investigations

MOTION: To approve the minutes from the June 25th Investigations Committee meeting.

Made by: Conley; Seconded by: Downing

Roll Call Vote: Yes (3) Conley, Downing, Kellner

No: (0)

Recused: Beals

Abstention: Chicoine

Informal review Case 20-109

Summary 20-109: Winslow Fire/Rescue, review public comments received from Winslow's public notice about applying for transporting EMS service license.

MOTION: To accept the investigations committee recommendation to issue the license with a letter of guidance citing the importance of truck checks, an effective quality assurance program, and implementing an emergency response mode plan based on Chapter 3.15 with the additional condition of labeling the vehicle prior to use; as well as providing a copy of signed mutual aid agreements to meet the requirements of Chapter 3.8.1. The letter of guidance will remain on file for a period of two years from the date of issue.

Made by: Kindelan; Seconded by: Libby

Roll Call Vote: Yes (11) Allen, Chicoine, Conley, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith

No: (0)

Recusals: (1) Beals

Mrs. Johnson summarized case 20-097

Summary 20-097: Licensed First Responder Agency stopped response to all medical calls without notifying the public.

Mrs. Johnson states that a consent agreement, reprimand and a fine were offered however, a deadline was not established. Mrs. Johnson is asking Board to determine a deadline for the fine.

MOTION: To set a deadline of 120 days for the payment of the fine.

Made by: Kindelan; Seconded by: Libby

Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Conley, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith

No: (0)

9. Old Business

a. Pilot Project in Jackman

Mr. Hurley stated that the decision for the Board to make is whether or not to authorize Northeast to develop their pilot program for submission. They would have to submit their protocols, quality assurance, education and training plans to be reviewed by MDPB and the Board. This vote today does not authorize them to start providing care, this is a vote to say whether or not they can continue with the

development of the proposal. This is the first step in giving them authorization to move forward with this process.

MOTION: To authorize Northeast to develop an emergency medical pilot project for submission to the MDPB and EMS Board for review conditional on and based upon approval of their: Curriculum, Continuing Education, QA/QI and Protocols

Made by: Libby; Seconded by: Beals

*Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith
No: (0)*

Recusal: (1) Conley

b. Biospatial Update

We had a few contractual issues that we needed to work out to move into the next phase. Biospatial has agreed with the modifications that we sent to them so now we can authorize third party access to the system. We should be able to have people signing in to Biospatial with their own access around mid-August.

c. Rules Update

Jason Oko

Mr. Oko requests the Boards approval of the comments that were provided for feedback by the rules subcommittee. We are also seeking a motion from the Board today to go back to public comment with the rules packet.

Mrs. Johnson suggestions that in Chapter two section 42 the Board revise the nurse practitioner language to be more specific. She would also like revision on the language regarding whether or not the Board wants a Physician's Assistant to be directly supervised.

The Board has decided to send these items back to the Rules Committee so they may bring revised language recommendations to the Board.

Mr. Keller requested that the Board take a break to reconvene at 11:05.

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

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

10. New Business

a. Resuming Clinical Opportunities

Brian Chamberlin chair of the Education Committee stated that the Board received the checklist that the Education Committee put together with the input of the training centers and services.

MOTION: To approve the guidance for resuming field clinical rotations in the presence of the COVID-19 pandemic as submitted by the Education Committee.

Made by: Libby; Seconded by: Kindelan

Roll Call Vote: Yes (9) Allen, Chicoine, Conley, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel

b. Levant Waiver

Mrs. Adams presents the waiver. The Levant fire department put in an application to upgrade from a non-transporting agency to a transporting agency. Levant is intending to upgrade their current ambulance that they own and operate as a first response unit to a transporting unit to supplement the transporting capacity for Northern Light.

Mr. Libby presents the waiver

- 1) Whether the person seeking the waiver took reasonable steps to ascertain the rule and comply with it. Finding: no
Does this weigh in favor of granting the waiver? no
- 2) Whether the person seeking the waiver was given inaccurate information by an agent or employee of the State EMS Program. Finding: no Does this weigh in favor of granting the waiver? yes
- 3) Whether the person seeking the waiver or any other individual or group would be significantly injured or harmed if the rule is not waived. Finding: no Does this weigh in favor of granting the waiver? no
- 4) Would the waiver of the rule in this particular case pose a health or safety risk to the public at large, or a particular individual or community? Finding: no Does this weigh in favor of granting the waiver? no
- 5) Would waiver of the rule in this particular case establish a precedent that would unduly hinder the Board or Office of EMS in its administration of Maine's EMS system? Finding: no Does this weigh in favor of granting the waiver? yes

*Roll Call Vote on whether or not to issue the waiver: Yes: (0)
No:(11): Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith
Recusal (1): Kellner*

c. EMSC Medical Director Appointment

Mr. Minkler

This is a separate consideration for Dr. Rachel Williams to oversee and advise the EMSC advisory committee and EMSC activities and to serve as a resource to the MDPB and EMS staff for pediatric considerations.

MOTION: To appoint Dr. Williams as the EMSC Medical Director.

Made by: Russell; Seconded by: Smith

Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Downing, Drinkwater, Kellner, Kindelan, Kellner, Libby, Martel, Russell, Smith

No: (0)

d. Delegation of Authority Regarding Compliance with Masking

Dr. Hurley requested that the Board delegate authority to Maine EMS to issue a fine and or a consent agreement for clinicians who are not wearing masks. We are asking this delegated authority to go into effect July 15th, 2020.

MOTION: To table this agenda item until the August 5th 2020 meeting.

Made by: Libby; Seconded by: Russell

*Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Downing,
Drinkwater, Kellner, Kindelan, Kellner, Libby, Martel, Russell,
Smith*

No: (0)

e. EMD Committee Composition Modification

The EMD Committee is requesting that the Board remove the non-PSAP qualification from the open Line EMD position in order to retain all of the applicants that were interviewed.

MOTION: To remove the non-PSAP clause from the EMD provider on the committee.

Made by: Libby Seconded by: Russell

*Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Downing,
Drinkwater, Kellner, Kindelan, Kellner, Libby, Martel, Russell, Smith*

No: (0)

f. ImageTrend Contract- Authorization to sign the contract

Director Hurley states that the ImageTrend contract is set to expire so the office is renewing it for another year in the amount of \$143,574.58.

MOTION: To approve the Director or Commissioner to enter an agreement for one additional year with ImageTrend for the amount of \$143,574.58.

Made by: Kindelan; Seconded by: Beals

*Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Downing,
Drinkwater, Kellner, Kindelan, Kellner, Libby, Martel, Russell, Smith*

No: (0)

g. EMSC authorization to sign \$15,00 contract

Mr. Minkler is asking the Board for approval for Director Hurley to enter into a contract with Dr. Rachel Williams for \$15,000 using federally funded EMSC grant monies.

MOTION: To approve the Maine EMS Director to enter into a contract with the EMSC Medical Director with the amount up to \$15,000

Made by: Russell, Seconded by: Libby

*Roll Call Vote: Yes (12) Allen, Beals, Chicoine, Downing,
Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith*

11. Other

a. Items for next meeting agenda

i. Delegation of Authority Regarding Compliance with Masking

b. Next meeting date (August 5, 2020@ 9:30 AM)

12. Adjourn 12:41

MOTION: To adjourn.

Made by: Russell; Seconded by: Drinkwater