

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
AUGUST 5, 2020
9:30 AM
VIA ZOOM
MINUTES

Members Present: Brad Chicoine, Joe Conley, Laura Downing, Amy Drinkwater, Judy Gerrish, Joe Kellner, Rich Kindelan, Brent Libby, John Martel M.D., Ontengco, Dennis Russell, Steve Smith, Scott Susi, 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: Debbie Morgan, Paul Marcolini, E Sullivan, Morgan Gunnell, Jesse Thompson, Shawn Cordwell, Travis Nosworthy, L'easa Blaylock, Sally Taylor, Jay Bradshaw, Chief MacDonnell, Benjy Lowry, Sean Tuemmler, James Lapolla, Aiden Koplovsky, Joanne LeBrun, Benjamin Zetterman, Michael Senecal, J. Cooney

Call to order 9:30

1. Introductions
2. Disclosure of any conflicts of interest
None
3. Modifications to the agenda
Mr. Kellner would like to add an announcement regarding the open position on the Investigations Committee
4. Public Comments
None
5. Meeting Minutes
Meeting Minutes (July 1, 2020)
*MOTION: To accept the July 1st Board meeting minutes.
Made by: Libby Seconded by: Drinkwater*

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

*Roll Call Vote: Yes: (12) Chicoine, Conley, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi
No:(0)*

6. Director's Report

a. Staffing

We are continuing to figure out the best way to spread our cost allocation through grants and other funding sources so that we can more easily use local funding for our projects. We have a new agreement with DHHS we will now be supporting the Maine Stroke Alliance. Maine EMS is now receiving additional funds to help support the Maine Stroke Alliance.

b. Budget

Due to budget shortfalls there are new constraints on our budget regarding moving and reallocating money. We currently have had no directives for cuts, we are, however, coming up with mechanisms by which we could potentially save money if needed. PSE administrators continue to exceed the cost that we are being reimbursed for which is potentially something we may have to address at a later point in time.

c. Legislation

We continue to work on LD2105; Griffin will provide an update under the Committee updates.

d. Committee Updates

Jason Oko

QI Committee

QI Committee just released the newsletter on COVID-19 reviews that we have done. We are considering a part II of that newsletter and then we will start working on the cardiac arrest newsletter.

Community Paramedicine

We have been working on creating guidelines for Community Paramedicine and we have created a subcommittee to work on draft education standards for a CP technician. The Committee has chosen three levels of education and training standards for each level of education including CP Technician, CP affiliate, and CP Clinician.

Rules Committee

We will discuss later in the agenda under "Old Business"

Data Committee

We met with the co-chairs to figure out what the next steps are, we are meeting again later today, we have a meeting scheduled for the third Wednesday of August it will be with all members that have submitted a letter of interests. We will make selections at that point to bring to the Chair.

Darren Davis

He and Jason have undertaken an initiative to improve the quality of the data in MEFIRS

We hope to have a final draft of the annual report available by the end of the month. We will be meeting as a team tomorrow to assemble portions of the draft.

Melissa Adams

Investigations Committee

We will be discussing this under the “Investigations” agenda item.

EMD

EMD Committee met in July and as a team within the office we recognized some issues with the QA submission data, so we’re going to be looking at some different options for EMD centers to submit QA data on a monthly basis. We are working to bring some options back to the EMD Committee in October.

Griffin Bourassa

LD2105

LD2105 has met twice since the last meeting. The Committee is working to identify data that is important to the expenses of operating an ambulance service and we are preparing to formulate a survey that will go out to service leaders.

Marc Minkler

EMSC annual report has been submitted. We found that we had a carryover amount of \$17,000. This money was part of a grant from last year. We, as a Committee, have looked at how we can best utilize that money to help the pediatric education system within the state of Maine.

Mr. Minkler has been elected as chair for Eastern Region NESEMSO Pediatric Council

Chris Azevedo

Education Committee

Education Committee met last month we talked about protocol updates, we are working actively with the MDPB and there has been some discussion as to the best way to allow clinicians as well as teams on the Education Committee to get some feedback to the MDPB regarding protocols.

There is an active vacancy for a Co-Chair on the Committee which we are hoping to submit a name at the end of the next meeting for the Boards approval.

The Committee has also been discussing the AVOC curriculum as well as training and reciprocity for AVOC instructors.

Exam Committee

The Exam Committee has been discussing points of improvement for PSE’s since they have resumed. However, overall, everyone seems to be pleased with the way these exams are being conducted.

Director Hurley
Swabbing Update

MEMS is still working collaboratively with the CDC and DHHS regarding swabbing guidance. We do have a working draft document of what the application will look like. We are still working with DHHS and CDC, however, we do have a working draft document which we hope to be able to submit relatively soon to the CDC.

7. Medical Directors Report

a. MDPB

Dr. Sholl states that the group will meet in August in order to maintain the protocol update timeline and finish blue section review and begin red section review.

We are hosting our first protocol discussion forum to give people the opportunity to review the updated changes to the protocols.

The MDPB continues to update the pandemic response protocols\

We have been working on processes to review the Jackman project, we are hoping to bring a recommendation to the Board.

Dr. Zimmerman

We sent out a clinical bulletin last week with updates to the pandemic response protocols. We also sent out a draft of the protocol itself with the changes highlighted in blue, so they were easily identifiable. We updated the symptom list to match the bulletin that was sent out in June, we included the universal masking for all EMS clinicians that was sent out at the end of June as well. Rich, how is a facemask better than goggles

8. Investigations

MOTION: To approve the minutes from the July 23rd Investigations Committee meeting.

Made by: Conley; Seconded by: Gerrish

Roll Call Vote: Yes (3) Chicoine, Conley, Gerrish

No: (0)

Abstain: (1) Kellner

Informal Conference- Case 20-106

Summary 20-106: Licensed non-transporting Service allegedly failed to document up to 40 patient care reports between October 2019 and June of 2020.

The Investigation Committees recommendation is to resolve this case by issuing the service a letter of guidance citing the importance of documenting patient care records anytime the service is requested to respond. The letter of guidance will remain on file until 09-31-2023.

MOTION: To enter into a consent agreement with the requirement that they provide an updated QI policy in thirty days and a 100% review of all of their reports for the next year. They will be required to submit a name of the person to review their reports for Maine EMS to approve. Citing violations of rules chapter 389, chapter 118 1.14.

Made by: Libby; Seconded by: Martel

Roll Call Vote: Yes: (10) Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

No: (2) Chicoine, Conley

Summary: 20-103: Applicant disclosed a criminal conviction for class D assault. This case was originally addressed in June.

Mrs. Johnson requested that this case be brought back to the Board. The specific violation at that time was rule chapter 1181.5. Mrs. Johnson requests that the Board also consider adding a criminal conviction to the preliminary denial under 32 MRS 90-5G which is subject to the limitations of Title Five chapter 341; a conviction of a crime that relates directly to the practice for which the licensee is licensed.

Mrs. Johnson states that should the Board choose to add this; they would have to find that the applicant has not been sufficiently rehabilitated to warrant the public trust.

MOTION: To add a violation of 32 MRS 90-A 5G to the original violation; finding that the applicant has not been sufficiently rehabilitated.

Made by: Libby; Seconded by Kindelan

Roll Call Vote (12): Chicoine, Conley, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

No: (0)

9. Old Business

a. Rules Update

Mr. Oko stated that on July 14th, he shared the proposed rules changes. The Committee is asking the Board for a motion to approve the rules document as amended so that we can send it back out for public comment.

Chapter 5 rule change

MOTION: To approve the rules document as amended so that it may go back out to public comment

Made by: Russell; Seconded by: Drinkwater

Roll Call Vote: Yes: (12) Chicoine, Conley, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

No: (0)

b. Bylaws

Mr. Kellner

At the last Board meeting there was some discussion on the ability of Board members to participate on Committees, to Chair Committees, etc. The Chair & Co-Chair worked collaboratively with Mrs. Johnson and Director Hurley to review and revise the Bylaws. Mr. Kellner presented the changes to the Board.

MOTION: To approve the changes to the Bylaws as presented.

Made by: Russell; Seconded by: Gerrish

Roll Call Vote: Yes (12) Chicoine, Conley, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

No: (0)

c. 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 delegate the authority to the Investigations Committee to enter into a Consent Agreement and a \$50.00 fine for mask violations during the period of the Governors State of Emergency

Made by: Libby; Seconded by: Gerrish

Roll Call Vote: Yes: (10) Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

No: (2) Chicoine, Conley

10. New Business

a. Data Committee Modification

Mr. Oko

The Data Committee would like to rename two positions on the Committee. We would like to rename the Public Fire-Based EMS Agency to a Fire-Based EMS agency. We would also like to rename the Public Non-Fire-Based EMS agency to a Non-Fire Based EMS agency.

MOTION: To approve the Data Committees request to rename the Public Fire-Based EMS agency to a Fire-Based EMS agency and to rename the Public-Non-Fire Based EMS agency to a Non-Fire-Based EMS agency.

Made by: Dennis; Seconded by: Kindelan

Roll Call Vote: Yes: (12) Chicoine, Conley, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

b. Service Application Delegation Request

Director Hurley states that when the rules were originally drafted regarding pharmacy agreements, they addressed ALS agencies and their requirement to have a pharmacy agreement. This rule was not applicable for BLS agencies. However, as protocol expanded to include medications at these levels, it is necessary to consider the application of this rule Chapter 3 §5.1.C.9 to all services. MEMS is requesting the Board approve the pathway for all services to comply with this rule consistent with past and present practice for ALS services; specifically, that a written contract with the referenced pharmacy, individual or central supply points, or some other source approved by the Board will be provided with the Service license renewal application each year. MEMS is also requesting that the Board delegate authority to the Licensing Agents to approve “other sources” referenced in Chapter 3 §5.1.C.9.

MOTION: To modify Rules Chapter 3§5.1.C.9 to state; The applicant has-in the case of a proposed service requesting a license or permit to administer drugs/medications-entered into a written contract with a single hospital which has a pharmacy, several hospitals with either individual or central supply points, or some other source approved by ~~the Board~~ MEMS

which will provide a system of control and accountability of drugs/medications pursuant to these Rules.

Made by: Libby; Seconded by: Russell

Roll Call Vote: Yes (10) Chicoine, Conley, Drinkwater, Kellner, Kindelan, Libby, Martel, Russell, Smith, Susi

No: (0)

c. Open position on Investigations Committee

Mr. Kellner states that Brad Chicoine is unable to continue serving on the Investigations Committee. Historically, the Board has opened it up to the group to see if there is any interest. If there is more than one person interested, we will take the names of the interested parties and take the decision up at the next meeting.

Board members Stephen Smith and Amy Drinkwater expressed interest in serving on the Investigations Committee.

11. Other

a. Items for next meeting agenda

b. Workplan Committee

c. Next meeting date (September 2, 2020@ 9:30 AM)

12. Adjourn 12:41

MOTION: To adjourn.

Made by: Russell; Seconded by: Drinkwater

Meeting End time: 12:23