



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

INVESTIGATIONS COMMITTEE MEETING

WEDNESDAY DECEMBER 23, 2020, 09:00-12:00

ZOOM: <https://maine-ems-gov.zoom.us/j/91542570561>

MINUTES

Call to Order at 09:06

Members Present: Joe Kellner, Judy Gerrish, Amy Drinkwater, Laura Downing, Joe Conley

Staff: Melissa Adams, Griffin Bourassa

Office of Attorney General: Ron Guay

“The mission of Maine EMS is to promote and provide for a comprehensive and effective Emergency Medical Services system to ensure optimum patient care with standards for all providers. All members of this board/committee should strive to promote the core values of excellence, support, collaboration, and integrity. In serving on this Board/Committee, we commit to serve the respective providers, communities, and residents of the jurisdictions that we represent.”

1. Informal Conference (09:10) – Case 20-138, Licensee present

Summary 20-138: A healthcare provider complaint that the licensee “smacked” a patient. Upon investigation it was also learned the licensee may be refusing to wear a mask while representing the EMS service. It was also reported the licensee may have exhibited a history of poor clinical decision making.

MOTION: To enter executive session pursuant to 32 M.R.S. § 90-A(3) and 1 M.R.S. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 20-138. (Gerrish, second by Drinkwater)

Roll call vote:

Gerrish - yes

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Downing – yes
Drinkwater - yes
Conley – yes
Kellner – yes

Executive session entered at 09:10

MOTION: To exit executive session. (Conley, second by Downing)

Roll call vote:

Gerrish - yes
Downing – yes
Drinkwater – yes
Conley – yes
Kellner – yes

Executive session ended at 09:54

MOTION: The Committee made a motion to resolve this case by offering a consent agreement for the licensee to voluntarily surrender their Paramedic license for an AEMT license; the licensee will take a refresher class at the AEMT level within six (6) months, the class must be pre-approved by the Maine EMS staff and the licensee is responsible for the cost. (Kellner, second by Conley)

Roll call vote:

Gerrish – yes
Downing – yes
Drinkwater – yes
Conley – yes
Kellner – yes

2. Informal Conference (09:45) – Case 20-150; Service Representatives Present

Summary 20-150: A licensed EMS agency terminated service twice within 45 days, without notifying the public. The second time was after a verbal warning from Maine EMS staff. The service also had three inspections in 2020 with deficiencies noted on all three inspections.

MOTION: To enter executive session pursuant to 32 M.R.S. § 90-A(3) and 1 M.R.S. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 20-150. (Downing, second by Gerrish)

Roll call vote:

Gerrish - yes
Downing – yes
Drinkwater - yes
Conley – yes
Kellner – yes

Executive session entered at 10:00

MOTION: To exit executive session. (Conley, second by Downing)

Roll call vote:

Gerrish - yes
Downing – yes
Drinkwater – yes
Conley – yes
Kellner – yes

Executive session ended at 10:56

MOTION: The Committee made a motion to resolve this case by offering a consent agreement with a warning, citing a violation of Maine EMS Rules Chapter 3 §17 and Chapter 11 §1 (14); requiring the service to provide policies and procedures related to ensuring that vehicles are adequately stocked and ready for response, as well as when the agency response can be terminated and by whom; policies must be reviewed and approved by Maine EMS staff; mitigating circumstances include cooperation by agency representatives and efforts to remediate past practice. (Kellner, second by Gerrish)

Roll call vote:

Gerrish – yes
Downing – yes
Drinkwater – yes
Conley – yes
Kellner – yes

Next meeting will be Thursday, January 28, 2020 at 9:00

MOTION: To adjourn. (Drinkwater, Downing)

Adjourned at 11:24