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## INVESTIGATIONS COMMITTEE MEETING

THURSDAY JULY 22, 2021 09:00-11:00

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

### MINUTES

Call to Order at 09:03

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

Staff: Melissa Adams, Griffin Bourassa

Office of Attorney General (OAG): Ron Guay

Guest: Phillip MacCallum

“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.”

#### Case Reviews

1. Informal Conference (09:00) – Case 21-180; Chief of the Department Present  
**Summary 21-180:** A service allegedly allowed unlicensed personnel to respond to emergency medical calls and make decisions about patient care.

***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 21-180, which shall include the minutes of this case that are recorded to this point. (Kellner, second by Gerrish)***

***Roll call vote:***

***Gerrish - yes***

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*Downing – yes*

*Conley – yes*

*Kellner – yes*

*Beals - yes*

Entered executive session at 09:07

Amy Drinkwater joined the meeting at 09:35

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

***Roll call vote:***

***Gerrish - yes***

***Downing – yes***

***Drinkwater – yes***

***Conley – yes***

***Kellner – yes***

***Beals - yes***

Executive Session ended at: 09:58

***MOTION: The Committee recommends resolving case 21-180 by issuing a letter of guidance to stay on file for 4 years; emphasizing the importance of documenting every request for service with a patient care report, ensuring unlicensed personnel may not cancel an EMS response, and continuing to work with Maine EMS staff to develop appropriate policies. (Kellner, second by Downing)***

***Roll call vote:***

***Kellner - yes***

***Gerrish – yes***

***Downing – yes***

***Drinkwater – yes***

***Conley – yes***

***Beals – yes***

2. Informal Review (09:45) – Case 21-188

**Summary 21-188:** A new applicant for an EMT license disclosed a criminal conviction for OUI in 2015.

***MOTION: The Committee recommends issuing the license, finding that the applicant is sufficiently rehabilitated to warrant the public's trust. (Kellner, second by Beals)***

***Roll call vote:***

***Kellner - yes***

***Gerrish – yes***

***Downing – yes***

*Drinkwater – yes*

*Conley – yes*

*Beals – yes*

3. Update from Maine EMS and OAG on Case 21-184

*The Board issued an emergency suspension at their last meeting on July 7<sup>th</sup>, this went into effect on July 8<sup>th</sup>. A reinspection at the service was performed on July 12<sup>th</sup> following which, the service license was reinstated. AAG Guay reiterates that the emergency suspension does not take the place of the investigative process, that this process is ongoing, and a traditional investigative review is forthcoming. While 21-184 is docketed for an EMS Service, the investigation may result in additional dockets for individual licensees if evidence suggests further violations.*

Amy Drinkwater left the meeting at 10:12

4. Update from Maine EMS and OAG on Case 18-028 (Late addition not on the agenda)

*MOTION: To enter executive session pursuant to Title 32 section 91-B(1) to receive an update on a pending investigation. (Kellner, second by Conley)*

*Roll call vote:*

*Kellner - yes*

*Gerrish – yes*

*Downing – yes*

*Conley – yes*

*Beals – yes*

Entered executive session at 10:18

*MOTION: To exit executive session. (Beals, second by Kellner)*

*Roll call vote:*

*Gerrish - yes*

*Downing – yes*

*Conley – yes*

*Kellner – yes*

*Beals - yes*

Executive Session ended at: 10:40

No action was taken pertaining to this item.

## Old Business

1. Proposed policy for standardized QA review/QA reviewer expectations or requirements as a part of a consent agreement or probationary condition.

At the June committee meeting discussion ensued about the QA proposal; specifically, apprehension about requiring a third-party reviewer who is not otherwise affiliated with the EMS agency, who would be allowed access to that agency's patient care reports. Jason Oko advised that it would be possible to restrict the third-party reviewer to patient care reports for the impacted licensee only. There was a larger discussion about the potential to use pre-qualified, state-contracted, QA reviewers. The item was tabled for old business at the July meeting.

A review of the current document presented no suggested revisions or further discussion.

***MOTION: To send the current document to the Board for review and discussion.***

***(Kellner, second by Conley)***

***Roll call vote:***

***Gerrish - yes***

***Downing – yes***

***Conley – yes***

***Kellner – yes***

***Beals - yes***

New Business - None

Next meeting will be Thursday, August 26, 2021 at 9:00

***MOTION: To adjourn. (Conley, second by Kellner)***

Adjourned at 10:44