

Question	Answer
<b>COVID-19 Questions (Clinical)</b>	
<p>Clinicians at Maine Med contracted COVID, why the mandate when we can still get COVID-19?</p>	<p>The US and Maine strategy for responding to the COVID-19 pandemic has always been akin to the metaphorical stacked Swiss cheese model. In this model, it assumes that no one intervention is 100% effective (i.e., masking, vaccination, social distancing, etc.); however, the combination of multiple interventions offers significant protection against the COVID-19 virus. That said, COVID-19 vaccines have been shown to be extremely effective at reducing morbidity and mortality (i.e., serious disease, illness, hospitalization, and death) as compared to those who have not been vaccinated. There is additional evidence to suggest that vaccination does confer some protection against infection, but we are still learning more about its capability to provide confer protection against contracting the disease (<a href="https://www.acpjournals.org/doi/10.7326/M21-1577">https://www.acpjournals.org/doi/10.7326/M21-1577</a>).</p>
<p>Persons who are vaccinated are showing fewer symptoms when infected with the delta variant, would it not be safer to be able to identify those individuals if we didn't get vaccinated?</p>	<p>Vaccine recipients tend to manifest fewer and/or less severe symptoms if they develop disease following exposure to COVID-19 disease. This is why it is imperative that individuals recognize and identify any abnormalities/changes (e.g., sniffles, slight cough, etc.) that may be clinical pre-station of the disease. Withholding vaccination with the intent of people having more severe systemic responses to COVID-19 infection does not bode well for the health and well-being of both clinicians and members of the public and is unethical. Therefore, utilizing all resources, including COVID-19 vaccinations, as a strategy to minimize morbidity and mortality is important in mitigating the impacts of this disease on our workforce and the EMS community as a whole.</p>
<p>What is the testing for the delta variant?</p>	<p>Current PCR and antigen testing can identify all known strains of the COVID-19 virus as either positive or negative. The U.S. and Maine CDC are both conducting screenings on a sample of positive COVID-19 cases to determine the genetic composition of the virus, or particular strain, that caused the infection. This requires genetic sequencing of the virus itself. In the State of Maine, recent sequencing data has</p>

	revealed that an overwhelming majority of the COVID-19 cases within the state are from the delta variant strain.
<b>Rule Implications (DHHS/MEMS)</b>	
What are the repercussions for entities that do not comply with requirements?	Repercussion questions related to the Maine CDC / DHHS rule should be addressed to Maine CDC directly. Maine EMS set its enforcement priorities through emergency rule. As the rule states, failure to comply could be considered a violation, and would be assessed through the traditional investigation pathway as set by MEMS rules. Each case will be considered individually in a manner that the Board can weigh any and all contributing factors.
To Dr. Shah -- would it not be a reasonable compromise to allow for testing and proper PPE?	Maine EMS is unable to answer this question.
Will the provider license be tied to the mandate? If they choose not to get vaccinated, will they lose their license?	The Maine EMS Rule (Chp. 20) requires that all EMS clinicians that are actively providing patient care be vaccinated to protect the public's safety. It also provides notice to members of the EMS community, including EMS services, that violations of the rule may result in action from the Maine Board of EMS. Regarding such action, each case must be considered on a case-by-case basis considering all of the facts and information related to that particular case. The Board has the authority to take action as they deem necessary, up to and including revocation of a Maine EMS license.
How is this going to affect clinician licenses? If it does affect licenses, does it allow people to continue maintaining it with CEHs even if you're unable to practice?	Maine EMS' rule (Chp. 20) does not affect the ability of an EMS clinician to hold a license based on their vaccination status. However, it does restrict their authorization to provide patient care. Additionally, should an EMS clinician discontinue direct patient care or even be sanctioned by the Board of EMS, it does not preclude them from continuing to earn continuing education hours to maintain a license.
Are wheelchair van service included in this mandate?	Only if those individuals are providing direct patient care, defined as being within six (6) feet or less for 15 minutes or more.
Who is financially responsible for testing/lab work (complete vaccination records)?	The vaccine itself is free. Services will be responsible for retaining records and providing those upon request. It is important to note that the emergency rule promulgated by Maine EMS nor the emergency

	rule modified by Maine CDC require that EMS clinicians maintain any other vaccination requirements aside from COVID-19 at this time.
Who covers the problems/healthcare expenses if someone develops healthcare issues after receiving the vaccine?	<p>In 1986, the federal government established the National Vaccine Injury Compensation Program that provides compensation to people found to be injured by certain vaccines. “Even in cases in which such a finding is not made, petitioners may receive compensation through a settlement.</p> <p>The VICP was established after lawsuits against vaccine manufacturers and healthcare providers threatened to cause vaccine shortages and reduce vaccination rates. The Program began accepting petitions (also called claims) in 1988.” You can learn more about the VICP program by going to <a href="https://www.hrsa.gov/vaccine-compensation/index.html">https://www.hrsa.gov/vaccine-compensation/index.html</a>.</p>
How do I handle non-vaccinated staff on the department? Does this affect staff that are not EMS-trained?	Non-vaccinated staff that perform patient care as defined by the Maine EMS emergency rule could result in the EMS service being considered in violation of a standard of professional conduct. This will be handled on a case-by-case basis. Note that the Maine CDC / DHHS may approach this more differently in enforcement of their rule, and specific questions about their rule should be directed to them.
With dual role staff, will they not be allowed to work staff that are unvaccinated?	The Maine EMS Rule covers only those individuals performing direct patient care activities, defined as being within six feet or less for 15 minutes or more. Staff that do not provide patient care are not covered by the Maine EMS enforcement rule but may be considered covered by Maine CDC / DHHS.
Will non-licensed fire departments be able to co-respond and assist with lifting and/or CPR?	Yes
How does this apply to non-EMS licensed personnel?	Those participating in the provision of care will be covered by the Maine EMS Rule. This does not affect the Maine CDC / DHHS rule which may be broader.
What's the ramification of an agency not acting against staff that do not get vaccinated?	This could be considered a violation if those staff are allowed to continue performing patient care activities, defined as being within six feet or less of a patient for 15 minutes or more.
How are the vaccines going to be tracked?	Services / Employers will be required to keep records of their staff as defined in Chapter 20.

Who is responsible for reporting them?	EMS Services will be responsible for reporting to Maine EMS upon request. Maine CDC / DHHS may set up separate reporting requirements outside the scope of Maine EMS.
What is the responsibility of the employers?	From the Maine EMS perspective, MEMS will expect employers to have records of direct patient care employees' vaccination status, and the expectation is that they follow the rule. The Maine CDC / DHHS rule may be broader and is outside of the scope of Maine EMS.
How will this mandate affect rural departments?	The rules exist regardless of geography or service type/size. We understand that some services may be facing staffing challenges and will be monitoring this through the periodic reporting requirement.
Diversions in rural counties? Meeting the transfer burden? Esp. with the effects on the hospital system	Maine EMS recognizes that this rule may result in staffing concerns; however, Maine EMS intends on monitoring information throughout the reporting period.
Is there a religious exemption?	There is no religious exemption.
Will the state be taking responsibility for loss of revenue?	The State will continue to monitor the situation. The Bureau of EMS is responsible for licensing matters and ensuring public health and safety.
Will this be a permanent mandate or will it be rescinded after the numbers go down?	The emergency rule has an effective period of 90 days; during which time a permanent rule may be created involving a full comment period. The same holds true for the Maine CDC / DHHS rule. Maine EMS will continue to monitor the situation. The board, though rulemaking, could alter or eliminate the Maine EMS rule in the future. Separately, Maine CDC / DHHS could modify or change their rule in the future based on the rule making process.
How are we going to manage the psychological ramifications of this mandate?	Maine EMS recognizes the immense stress that has befallen all healthcare workers as a result of this pandemic. We continue to advocate for additional resources from all levels to support the healthcare community, including emergency medical services. Maine EMS would encourage EMS clinicians and others to reach out to existing resources that are available within and external to the Maine EMS system (e.g., peer support, CISM teams, etc.).
What happens when people are certified but not licensed in the State of Maine to provide dispatch instructions?	At this time, Emergency Medical Dispatchers are not included in the Maine EMS rule, however they are included in the Maine CDC Rule. The Maine CDC rule is applicable to employees of EMD centers;

	however specific questions about their rule need to be directed to them.
Will non-vaccinated personnel put them in jeopardy for CMS funding?	Maine EMS cannot speak for the Centers for Medicare and Medicaid (CMS). Recently (Aug. 18 <sup>th</sup> ), CMS announced that it is developing emergency rulemaking that requires staff vaccinations for all 15K Medicare and Medicaid-participating nursing homes.
What does enforcement look like?	Failure to comply with the Maine EMS rule could be considered a violation of professional conduct and will be referred to the Maine EMS Investigations Committee. Maine CDC / DHHS enforcement will be at their discretion and within their scope of jurisdiction.
Who is responsible if someone gets sick after getting the vaccine? Does that become a workers compensation claim?	While we understand this is a concern, workers' compensation and employment law matters cannot be answered by Maine EMS. If someone is injured following vaccination, they may be able to submit a claim to the National Vaccine Injury Compensation Program (see previous responses for more information regarding this program).
Are we going to be eligible for unemployment?	Maine EMS is not in a position to answer that question; questions regarding unemployment should be directed to the Maine Department of Labor.
Will proof of immunity be accepted in lieu of vaccination record for unvaccinated?	At this time, vaccination is required, absent a medical exemption.
<b>Clinical Implications</b>	
If we terminate people, can we now ask patients when we respond to calls for vaccination records? Can we refuse treatment, if they aren't able to provide that?	Treatment to patients cannot be refused based on vaccination status. Maine EMS treatment protocols are unchanged by these rules.
<b>BinaxNOW</b>	
Section 3 -- Exemptions -- Requires BinaxNOW testing 3x a week with surveillance testing?	Correct, or at the beginning of every shift, whichever is less.
Clarification about the BinaxNOW testing?	This was clarified during the discussion. BinaxNOW (or equivalent) testing is required three times per week, or at the start of every scheduled shift, whichever is less, for anyone with an exemption. This section is contingent upon services access to the tests, and the ability to acquire them at no cost.
<b>Maine EMS Questions</b>	

<p>What advocacy did Maine EMS staff do regarding this mandate?</p>	<p>Maine EMS staff have been staunch supporters of EMS clinicians and the EMS professions being regarded as members of the healthcare workforce since before COVID-19. Maine EMS remains supportive of the COVID-19 vaccination requirements as a public health strategy to mitigate morbidity and mortality among members of the EMS workforce, our families, and the people that we serve. As was pointed out by Commissioner Sauschuck during the meeting, due to the emergency nature of the Maine CDC rulemaking process, this rule moved very quickly in response to the growing numbers related to the delta variant. Maine EMS was supportive of EMS' inclusion in the rulemaking and continues to advocate for EMS professionals throughout the system.</p>
<p>If Maine EMS is worried about the health of clinicians, what is Maine EMS going to do to address other epidemics plaguing EMS? Obesity and other issues are "killing member more than COVID"</p>	<p>This rule is focused on responding to the Maine CDC / DHHS rule and setting enforcement criteria of the Maine EMS board. Specifically, it is focused on protecting the public and taking steps to ensure the protection of our workforce from the COVID-19 virus. Maine EMS acknowledges that there are certainly other ailments and situations that impact the health of our clinicians and support teams; however, the current science shows that vaccinations are the most effective strategy at mitigating morbidity and mortality at this time to COVID-19. We, Maine EMS, would like to work collaboratively with members of the EMS community to try and address other ailments that are affecting the EMS community by putting forth comprehensive and robust strategies; however, due to the increasing rates of COVID-19 disease in the State of Maine this needed an immediate response.</p>
<p>ME CDC rule requires that people be excluded but Maine EMS's rule allows them to work.</p>	<p>The Maine EMS Emergency Rule likewise requires individuals to be prohibited from providing patient care if they are unvaccinated. However, Maine EMS is not intending to enforce this relative to individuals not providing direct patient care. The Maine CDC / DHHS rule may be broader and they may choose their own enforcement actions within their scope.</p>
<p>Number of complaints handled by Maine EMS Board who have not work PPE appropriately.</p>	<p>Maine EMS has done its best to allow this to become an educational opportunity for clinicians at their service level; however, Maine EMS has taken action against one clinician for inappropriate PPE usage.</p>

	Data from our system has revealed that since March 7, 2020, there have been 533 COVID positive EMS clinicians, having affiliation across 229 EMS Agencies. Of the COVID positive clinicians 98 provided patient care to 1,075 patients during their infectious period (two days prior to onset of illness to 14 days after onset). There was insufficient PPE documented for 915 of these patient encounters.
<b>Maine CDC Questions</b>	
What data did Maine CDC use in making this mandate?	Maine EMS cannot answer this question on behalf of Maine CDC. We encourage reaching out directly to them.
Since the start of the pandemic, what is the COVID-19 rate of transmission to clinicians managing COVID-19 positive patients?	It is impossible to specifically link the cases together; however, since March 7, 2020, there have been 533 COVID positive EMS clinicians, having affiliation across 229 EMS Agencies. Of the COVID positive clinicians 98 provided patient care to 1,075 patients during their infectious period (two days prior to onset of illness to 14 days after onset). There was insufficient PPE documented for 915 of these patient encounters.
What happens with the booster doses? Will people be required to get the vaccine?	A determination has not been made on booster doses. This rule only considers the initial dose (meaning a single dose of J&J or both doses of mRNA vaccine).
Is the booster going to be included in this mandate?	Not at this time, but this may be considered in the future.
How many confirmed cases are there of COVID-19 being passed to patients from EMS clinicians? Where they properly outfitted with PPE?	There is no definitive way to causal linkages because of the levels of community transmission; however, the data collected suggests that there have been over 915 patient encounters by positive EMS clinicians without proper PPE.
Was public health state of emergency communicated?	Maine EMS cannot answer this question on behalf of Maine CDC. We encourage reaching out directly to them.
Why is it that police are not mandated?	Maine EMS cannot answer this question on behalf of Maine CDC. We encourage reaching out directly to them.
ME CDC Rule: Why are dispatch center employees are included, they don't provide any direct services? Or whether there can be some accommodation?	Emergency Medical Dispatchers are a critical force in provision of emergency medical services. Questions / comments regarding the CDC rule need to be directed to the Maine CDC.
ME CDC Rule: What does facilities mean? There isn't a definition in the rule. What does this mean?	Maine EMS cannot answer this question on behalf of Maine CDC. We encourage reaching out directly to them.

	<p>For reference, their rule is attached here:  <a href="#">20210813-Ops-Bulletin-RE-Vaccine-Requirements-Packet.pdf (maine.gov)</a></p>
ME CDC Rule: What is the definition and scope of the term independent contractor?	<p>Maine EMS cannot answer this question on behalf of Maine CDC. We encourage reaching out directly to them.</p> <p>For reference, their rule is attached here:  <a href="#">20210813-Ops-Bulletin-RE-Vaccine-Requirements-Packet.pdf (maine.gov)</a></p>
ME CDC Rule: What happens if someone receives a medical exemption?	<p>Maine EMS cannot answer this question on behalf of Maine CDC. We encourage reaching out directly to them.</p> <p>For reference, their rule is attached here:  <a href="#">20210813-Ops-Bulletin-RE-Vaccine-Requirements-Packet.pdf (maine.gov)</a></p>
<b>General</b>	
When can we expect answers to the questions?	Answers to the questions are included in this document.
When and through which media can they expect to receive answers to the questions asked today?	Answers to the questions are included in this document.
What is the cost of compliance, if the other vaccines are required?	The current scope only includes the COVID-19 Vaccination.
LD 857 -- people are going to be forced before the legislature can consider this pending legislation, how will this work?	It is possible legislation will impact this in the future, however this does not impact rules as they stand today.
What plans have been put into place to ensure that there can be continued response should agencies shutdown?	Maine EMS will continue to monitor the situation based on the required reporting and noticing from EMS agencies regarding their status.