



JANET T. MILLS
GOVERNOR

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



MICHAEL SAUSCHUCK
COMMISSIONER

J. SAM HURLEY
DIRECTOR

BOARD OF EMS MEETING
JUNE 1, 2022
ZOOM

“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 should strive to promote the core values of excellence, support, collaboration, and integrity. In serving on this Board, we commit to serve the respective providers, communities, and residents of the jurisdictions that we represent.”

Board Member	In Attendance	Late Arrival (if applicable)	Early Departure (if applicable)
Nate Allen	x		
Timothy Beals	x		
Bill Cyr	x		
Katelyn Damon	x		
Laura Downing			
Amy Drinkwater	x		
Rosie Davis	x		
Judy Gerrish	x		
Brandon Giberson			
Joseph Kellner	x		
Rich Kindelan	x		
Brent Libby	x		
John Martel	x		
Maria Russell	x		
Matthew Sholl	x		
Steve Smith	x		
Tiffany Tscherne	x		
Andrew Turcotte		x 9:50am	
Christopher Whytock	x		
Kate Zimmerman	x		

Staff Present: Melissa Adams, Chris Azevedo, Jason Cooney, Darren Davis, Samantha Morgan, Marc Minkler, Jason Oko, David Davies, Ashley Moody

1. Disclosure of conflict.

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- Support
- Collaboration
- Integrity
-

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- a. Russell recused herself from the investigation case for Locke
 - b. Libby recused himself from Case 22-223
 - c. Martel recused himself from Case 22-223
2. Modifications: No
 3. Public Comment:
 - a. Libby stated there was no public comment aloud on Chapter 21.

Minutes

4. May 4th, 2022 Minutes.

Motion: to accept the May 4th, 2022 Minutes.

Made by: Drinkwater, Seconded by Cyr.

In Favor(yes): Beals, Cyr, Damon, Davis, Drinkwater, Gerrish, Kellner,

Kindelan, Libby, Martel, Russell, Tscherne, Smith, Whytock,

Abstained: Allen

Motion Carries

5. May 20th, 2022 Minutes.

Motion: to accept the May 20th, 2022 Minutes.

Made by: Whytock, Seconded by Damon.

Discussion: Dr. Zimmerman- Asked to edit the date, and take Dr. Zimmerman and Dr. Davis off attendance.

In Favor: Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Kellner, Libby, Russell, Sholl, Turcotte, Whytock, Zimmerman

Abstained: Davis, Martel, Kindelan, Smith, Tscherne

Motion Carries

6. Directors Report

Summary:

- a. Director Hurley- Is working on an agreement with the Department of Health and Human Services and the Department of Labor to fund an Explorer Program position or create frameworks to support an Explorer Program. The position would help define what training is like if trainees interact with people before they obtain a license to allow people to work in health care and get involved. It is a \$150,000 contract. The LGBTQ Competency course has been finalized with Maine Date, making it available to EMS Clinicians. Race Ethnicity training will be available soon, along with Cultural Competency training becoming available soon.

Brandon Turcotte arrived at 9:50 AM.

- b. Marc Minkler- Is working on his year-end report and has been continuing his work on anticipating the delivery of year-end classes with a mutual partnership with the Department of Health and Human Services. He explained the delivery of Obstetric Education to both Emergency Departments that do not have an in-hospital OB facility and EMS Providers at all levels. The level of emergencies

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that happen when giving birth and around pregnancy itself is high. He is working on the final details of this. The Pediatric Council meeting will cover many aspects of EMSC and collect data. Interfacility Transport Committee Team now has Marc Minkler as a Staff Rep for that meeting.

- c. Chris Azavedo- Is working on the Medical Direction Practices Board with the 2023 updates for the protocol and education. He is working on transitioning from the Cycle Motor Skills Exam to the Cycle Motor Skills Portfolio and working with the NE Educators group comprised of education coordinators from all New England States. He is also working with Licensing and Data on various aspects of the National Continues Competency Program transition. The Education Committee and they focused on those transitions also.
- d. Jason Oko- Explained that the QI Committee had several open positions and last month held interviews, only filling a few of the positions. He got together with Licensing and activated the reinstatement process for the waiver approved by the Board and requested by the Labor Committee. He also shared that Imagine Trend has an 18-month extension for Clinicians.
- e. Darren Davis- Brief update but included that RFP received IT Approval. The Financial Health Committee discussed the deliverables, what output is supposed to be and what impacts it.
- f. David Davies- Spoke about the Community Paramedic Committee bringing the idea of needing an assessment to drive.
- g. Ashley Moody- Is working with the MSA and their mission. She is also working on Cares. Discussion: Judy Gerrish asked how the Mini Summit went, and Ashley Moody said it was great, full of great perspective for her.
- h. Jason Cooney- Updated the board on one municipality and shared his computer screen to show the Board what has been added to the application after some suggestions to change it.
Discussion: Director Hurley asked Board member Damon if the changes that were made were the kind she was looking for after her recommendation. She said she liked the changes and how bold the print is now, along with the contrast of the colors, and it will help applicants not ignore the text while filling out applications.
- i. Melissa Adams- EMD update, they hired a new coordinator and scheduled an EMD refresher course later in the month.
- j. Dr.Sholl- Explained a recent increase in Covid-19 cases, but hospitalizations have been trending downward. They have noticed diminishing resources for the most vulnerable in our communities, the homeless, whom they are watching closely. Clinician Pharmacist Dr. Bethany Nash informed them over the last couple of months that there have been issues with the supply chain for intravenous fluids. They are watching it very closely.
Discussion: Brent Libby- “Pilot for the mobile box?”

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Dr. Sholl- “We know the number of physicians within the EMS system. Many who we know are doing this, and many who have an interest in doing this. We do not have a way to account for that practice or support that practice currently. The MVP Rep and Dr. Sholl have been working together to figure out a way to support this. They are going to come back to it in June and further discuss.”

Rich Kindelan- Scarborough is experiencing an increase in homelessness; since January 1st they have one hotel alone that has had over 180 calls for service. They are working to find resources to keep the burden off EMS, but it is hard to find help.”

Dr. Sholl is concerned about the hotel plan.

Tiffany Tscherne pointed out, it is a statewide concern and was supported by Rich Kindelan.

7. Investigations:

Investigation Committee to approve their minutes.

Motion: to accept the minutes.

Made by: Kellner, Seconded by Drinkwater.

In Favor: Gerrish, Drinkwater, Kellner.

Motion Carries

Case 21-185

The Board decided to move forward with a consent agreement at the last meeting but did not cite violations.

Motion: Chapter 11, Section 121; Acting negligently or neglectful when caring for or treating a patient. 32 MRS Section 90A, 5E; Incompetent professional practices in evidence by #1 demonstrated inability to respond to a client, patient, or general public. #2 Inability to apply principal skills or knowledge necessary to successfully carry out the practice for which the licensee is licensed.

Made By: Kellner, Seconded by Drinkwater.

In Favor: Allen, Beals, Cyr, Damon, Davis, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Tscherne, Turcotte, Whytock, Smith

Recused: Russell

Motion Carries

Tscherne stepped away at 10:29 am.

Case 22-222

Summary: The licensee performed a procedure outside of their scope of practice on a patient after resuscitation had been terminated and without the consent of the EMS clinician responsible for patient care. The committee recommends dismissing the case.

Motion: to accept the Investigations Committee’s suggestion to dismiss the case

Made by: Kindelan, Seconded by Beals.

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In Favor: Allen, Beals, Cyr, Damon, Davis, Gerrish, Kellner, Kindelan, Russell, Smith, Whytock.

Recused: Martel, Libby, Turcotte

Motion Carries

Case 22-227 Informal Review

Summary: Licensee received discipline, including a deferred suspension and revocation of their EMS license in another state for violations relative to the practice of EMS. The discipline was not reported to Maine EMS within 10-days pursuant to statute. The committee recommends resolving the case by issuing the license with a letter of guidance.

Motion: to accept the Investigations Committee's suggestion.

Made by: Kindelan, Seconded by Drinkwater.

Discussion: Director Hurley- Is there a risk for this person currently having a substance use disorder? Is there evidence saying he does or does not?

Melissa Adams- There is no prior history before this charge.

Director Hurley- Any possible way to put in the letter of additional guidance language about recourses available in the State of Maine if the Board said to do so?

Rich Kindelan- Committee's recommendation was that they did not see that need. Not being opposed to it but does not want to go against what they made for a recommendation. If there is no evidence that there is an issue, then probably no cause to put that in there.

Melissa Adams- We could add a standardized part to the letter of guidance template for any and or every substance abuse convictee.

Brent Libby- Emphasized sending the same document to every persona, clear it with the AEG's office so the document is consistent.

Kindelan made the choice to keep his motion as is with no change after discussion.

In Favor: Allen, Beals, Cyr, Damon, Davis, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Russell, Smith, Turcotte, Whytock.

Motion Carries

Application Review- Locke Application

Summary: Previously licensed applicant with an open docket, #02-02 for failing to disclose criminal history and the conduct associated with the criminal history as it pertains to the profession, to be adjudicated upon reapplication. Committee recommends issuing the license.

Motion: to accept the Investigations Committee's recommendation.

Made by: Kellner, Seconded by Turcotte.

In Favor: Allen, Beals, Cyr, Damon, Davis, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Smith, Turcotte, Whytock.

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Recused: Russel
Motion Carries

Application Review- Guerrette Application

Summary: Applicant disclosed a conviction for allowing a minor to possess or consume liquor, a class D misdemeanor, in 2013. The committee recommends issuing the license with a letter of guidance citing professional conduct standards, to remain on file for two license cycles.

Motion: to accept the Investigations Committee's recommendation.

Made by: Kindelan, Seconded by Russell

In Favor: Allen, Beals, Cyr, Damon, Davis, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Russell, Smith, Turcotte, Whytock.

Motion Carries

Application Review- Bean Application

Summary: Applicant disclosed a conviction for operating after suspension, a class E misdemeanor, in 2015. The committee recommends issuing the license.

Motion: to accept the Investigations Committee's recommendation.

Made by: Beals, Seconded by Smith

In Favor: Allen, Beals, Kellner, Damon, Davis, Drinkwater, Gerrish, Kindelan, Libby, Martel, Russell, Smith, Turcotte, Cyr.

Motion Carries

8. Chapter 21

Joe Kellner: Made some small edits to the rule; removing the requirement for boosters.

Brent Libby: Flu-Vaccine moved to November of 2023.

Motion: to readopt the bases statement and proceed with the rulemaking process on Chapter 21.

Made by: Kellner, Seconded by Cyr.

In Favor: Allen, Cyr, Davis, Gerrish, Kellner, Libby, Martel, Smith, Turcotte,

No: Beals, Damon

Motion Carries

Tscherne returned at this time.

9. Next Meeting

Brent Libby- On Committees, Tim Beal has been doing work for the Committees and he will be stepping away from the Rules Committee and Labor Committee. He will stay as chair of the Investigations Committee.

The next meeting will be on August 3rd, so there will be no July meeting around the 4th of July.

Director Hurley- Asked about adding authority to the Investigations Committee to issue licenses if it is a regular issued license or adding a letter of guidance if needed. If the

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meeting in July is skipped is poses a dilemma in issuing licenses that need to be brought to the Board beforehand.

Joe Kellner- Suggested adopting the idea permanently in isolated circumstances. Feels as though the highest point of authority would be a letter of guidance, anything higher than that needs to be brought to the Board.

Motion: to grant the Investigations Committee authority to issue licenses and license application reviews up to a letter of guidance for the month of June and July, and request the chair add this to the agenda for the August meeting.

Made by: Joe Kellner, Seconded by Beals

In Favor: Allen, Beals, Gerrish, Kellner, Kindelan, Martel, Sholl, Smith, Tscherne, Turcotte

Motion Carries

August Agenda

-Matrix for licenses based on criminal convictions.

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