



JANET T. MILLS  
GOVERNOR

MICHAEL SAUSCHUCK  
COMMISSIONER

J. SAM HURLEY  
DIRECTOR

INVESTIGATIONS COMMITTEE MEETING

Thursday, July 28, 2022 09:00-12:00

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

MINUTES

Called to Order at 09:04

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

Members Absent: Joe Kellner, Dr. Brandon Giberson, Andrew Turcotte

Staff: Melissa Adams, Jason Cooney

Guest(s): Brian Langerman, Drew Pooler, David Ireland

Office of the Attorney General: AAG Samantha Morgan

“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.”

Public Comment: None

Investigations

- 1. Informal Conference (Melissa; 09:05) - Case 20-082 (Licensee Present)

**Summary:** While actively licensed in 2020, the EMT Licensee falsely represented themselves as a Paramedic to a prospective employer. The license lapsed before the case was presented to the Board and the case was set aside pending reapplication. The licensee is now seeking licensure through the reinstatement waiver process. On the reinstatement application the licensee disclosed a conviction for Class E Theft by Unauthorized Taking or Transfer in 2019, Class D Forgery and Class E Violating Conditions of Release in 2020. On June 29, 2022 this case was tabled without being presented to allow more time for investigation.

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PHONE: (207) 626-3860

TTY: (207) 287-3659

FAX: (207) 287-6251

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

Tim Beals recused himself and was placed in the waiting room.

***MOTION: To enter executive session pursuant to 1 M.R.S. § 405(6)(E) & (F) to conduct an informal conference concerning case number 20-082. (Gerrish, second by Downing)***

***Roll call vote:***

***Downing - yes***

***Gerrish - yes***

***Drinkwater - yes***

Entered executive session at 09:10

Executive Session ended at 10:17

***MOTION: To table the case for an informal review pending receipt of additional information from the applicant . (Drinkwater, seconded by Downing; passed)***

***Roll call vote:***

***Downing - yes***

***Gerrish - yes***

***Drinkwater - yes***

2. Informal Review (Jason) - Case 22-231

**Summary:** While actively licensed in 2020, the former AEMT Licensee was charged with Class C Theft by Unauthorized Transfer or Taking, a felony. The former Licensee's license subsequently expired on July 31, 2021. On January 4, 2022, the former licensee was adjudicated guilty of Class E Theft by Unauthorized Taking or Transfer, a misdemeanor. On May 26, 2022, the former Licensee applied for license reinstatement utilizing the waiver passed by the Board.

***MOTION: To table the case to allow the applicant to submit letters of support from potential employers that acknowledge an awareness of the conviction and related circumstances. (Gerrish, seconded by Drinkwater; passed)***

***Roll call vote:***

***Downing - yes***

***Gerrish - yes***

***Drinkwater – yes***

***Beals - yes***

3. Informal Review (Jason) – Case 22-239

**Summary:** The licensee failed to demonstrate sufficient continuing education hours to renew at their license level during the audit process after attesting to having met all the requirements on their renewal application.

***MOTION: To recommend that the Board resolve this case by issuing a consent agreement with a warning and terms of probation for up to thirty (30) days, citing***

*violation of 32 M.R.S. §90-A. 5. F. regarding Maine EMS Rules Chapter 11 §1 (50) and 32 M.R.S. §90-A. 5. H. regarding Maine EMS Rules Chapter 5 §6.5., requiring the licensee to complete the deficient education from the audited license cycle (0.5 medical, and .025 assessment) and acknowledge that the education completed during the current license cycle which is used to meet the deficient requirements for the previous license cycle will not be applicable toward renewal of the current license. (Gerrish, seconded by Drinkwater; passed)*

*Roll call vote:*

*Downing - yes*

*Gerrish - yes*

*Drinkwater – yes*

*Beals – yes*

4. Informal Review (Melissa) – Case 22-243

**Summary:** The Licensee failed to demonstrate sufficient continuing education hours required to renew at their license level during the audit process after attesting to having met all requirements on their renewal application.

***MOTION:** To recommend that the Board resolve this case with a letter of guidance citing the importance of accurately maintaining ones continuing education record to ensure compliance with Maine EMS Rules, Chapter 5 §6.5, and reminding the licensee that continuing education completed during the current license cycle which is used to meet the deficient requirements for the previous license cycle will not be applicable toward renewal of the current license. This letter of guidance will be kept on file for two (2) licensing cycles. (Drinkwater, seconded by Beals; passed)*

*Roll call vote:*

*Downing - yes*

*Gerrish - yes*

*Drinkwater – yes*

*Beals - yes*

5. Application Review (Jason) - Andrews Application

**Summary:** The applicant disclosed on an application for initial licensure at the EMT level a criminal conviction for Class B burglary and Class B Theft by Unauthorized Taking or Transfer.

***MOTION:** To recommend that the Board issue the license. (Drinkwater, seconded by Gerrish; passed)*

*Roll call vote:*

*Downing - yes*

*Gerrish - yes*

*Drinkwater – yes*

*Beals – yes*

6. Application Review (Jason) – Salatino Application

**Summary:** Applicant disclosed on an application for initial licensure at the EMT level, a criminal conviction for Class E Shooting of a Domestic Animal, and Class D Operating Under the Influence of Alcohol.

***MOTION: To recommend that the Board issue the license . (Drinkwater, seconded by Drinkwater; passed)***

***Roll call vote:***

***Downing - yes***

***Gerrish - yes***

***Drinkwater – yes***

***Beals – yes***

Old Business – None

New Business

1. Delegation Orders

- a. Limited Delegation of Authority to Maine EMS Director to Enter into Interim Consent Agreements with Individuals Facing Criminal Prosecution
- b. Limited Delegation of Authority to Maine EMS Director to Execute Consent Agreements

These were provided for review only. These delegation orders were issued by the Board on March 6, 2019 and expired on March 6, 2022. The Board will consider renewing the expired delegations orders at their next regular meeting on August 3, 2022.

2. Draft Complaint Process Policy

This draft policy and the related Clinical Care Matrix was introduced and distributed to committee members to review for discussion at the next regularly scheduled meeting.

Next meeting: August 25, 2022

Adjourn at 11:58