



JANET T. MILLS
 GOVERNOR

MICHAEL SAUSCHUCK
 COMMISSIONER

J. SAM HURLEY
 DIRECTOR

Board of EMS Meeting
 February 1, 2023, at 9:30 AM
 Via ZOOM and Chamberlain Conference Room
 Minutes

“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	X		
Amy Drinkwater	X		
Rosie Davis			
Judy Gerrish	X		
Brandon Giberson	X		
Brent Libby	X		
John Martel			
Matthew Sholl	X		
Steve Smith	X		
Andy Turcotte			
Christopher Whytock	X		
Kate Zimmerman	X		

Staff: Sam Hurley, Melissa Adams, Jason Oko, Christopher Azevedo, Darren Davis, Marc Minkler, Anna Masefski, Jason Cooney, Megan Salois, Robert Glaspy, Soliana Goldrich, Samantha Morgan

Stakeholders & Guests: Aiden Koplovsky, Ben Wallace Jr., Brian Langerman Bryton Nickerson, Charles McMahan, Chip Getchell, Christopher Pare, Dwight Corning, Eric Wellman, Fred Porter, Jay Bradshaw, Jim MacDonnell, Joanne Lebrun, Joe Kellner, Mike Choate Myles Block, Patrick Underwood, Sally Taylor

● **Excellence** ● **Support** ● **Collaboration** ● **Integrity** ●

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1. Introductions
2. Disclosure of any conflicts of interest
 - a. Libby recusing from 22-242
 - b. Beals recusing from Nickerson Application
 - c. Drinkwater recusing from 22-253
 - d. Whytock recusing from 22-253
3. Modifications to the Agenda
 - a. Requesting two Board members to serve on the Rules Committee, let Brent know
 - b. Stephanie Gibbs, Chairperson of the EMD Committee and the only remaining original member of the EMD Committee is retiring. Chairman Libby offered thanks and congratulations on behalf of the EMS Board.
4. Public Comments
 - a. Lt. Col. Scott from MSP presented his concerns with allowing persons without credentialed vehicle operations training to drive an ambulance for up to six (6) months. He spoke about statistics for law enforcement personnel vehicle operation injuries and liability claims.
 - b. Director Hurley asked that the Board recall their previous vote on the ambulance vehicle operator course requirements in light of the testimony from Lt. Col. Scott. Dr. Giberson states he is in favor of this but would like more information on the educational opportunities available for this training. Chief Whytock advised he is also in favor and it is his understanding that the educational opportunities are available, if inconvenient to coordinate, and he states we make it a priority for clinician and public safety. Director Hurley offered that the education committee has sunset the AVOC requirement and acknowledged six (6) commercially available vehicle operator courses, including AVOC, to make the training more accessible. Chair Libby stopped comment and added this topic to old business.
5. Meeting Minutes
 - a. October 19, 2022

MOTION to accept the minutes as presented. (Damon, seconded by Drinkwater)
 Roll Call: (Yes) Beals, Cyr, Damon, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock
 (Abstain) Allen, Downing
Motion Carries
 - b. January 4, 2023

MOTION to accept the minutes as amended. (Giberson, seconded by Cyr)
 Amendments: Downing requested to remove her vote recorded after she left the meeting. Zimmerman requested to correct spelling of MEFIRS under the LFOM waiver.
 Roll Call: (Yes) Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock (Abstain) Allen
Motion Carries

6. MDPB Update

- a. Dr. Sholl spoke about the protocol updates. He thanked Drs. Zimmerman and Collamore for their leadership position in supporting the process including education. He advised the continue to see good participation and receive valuable feedback during the protocol review stakeholder forums.
- b. Dr. Sholl requested an opportunity to work with or present to the Rules Committee on behalf of the MDPB regarding the proposed consolidation of regions.
- c. Dr. Sholl thanked Chris Azevedo for coordinating the ALS Member applicant interviews. He states they have interviewed all 11 candidates and chosen a group of 5 to proceed to a secondary interview. He also thanked Drs. Zimmerman and Meehan-Coussee and Bethany Nash for participating in the interview panel.
- d. Dr. Sholl spoke about MDPB members attending the NAEMSP Conference in Tampa, FL. They were able to interact with representatives from other states doing similar work around substance use disorder (SUD).

7. Investigations

- a. Committee Meeting Minutes

MOTION to approve the minutes as amended. (Giberson, seconded by Drinkwater)

Amendments: Smith requested to revise the spelling of his name.

Roll Call: (Yes) Beals, Gerrish, Smith, Giberson (Abstained) Downing

Motion Carries

- b. Case 22-253

Summary: The licensee is alleged to have delegated the performance of a skill for which the individual performing the skill was not licensed or qualified to perform after the licensee assumed patient care.

MOTION to accept the committee's recommendation and dismiss the case. (Damon, seconded by Downing)

Roll Call: (Yes) Allen, Beals, Cyr, Damon, Downing, Gerrish, Giberson, Libby, Smith (Recused) Drinkwater, Whytock

Motion Carries

- c. Case 22-242

Summary: The licensee is alleged to have engaged in unprofessional conduct while caring for a patient. The licensee has a previous consent agreement on with the Board that cites "*public trust, professional demeanor, and a provider's ability and fitness to discharge the duties owed to patients, clients, and the general public...*"

MOTION to accept the committee's recommendation. (Whytock, seconded by Damon)

Roll Call: (Yes) Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Smith, Whytock (Recused) Libby

Motion Carries

- d. Davis Application Review

Summary: An applicant for a new EMT license disclosed criminal convictions for misdemeanor Forgery and Falsifying Physical Evidence from a single incident in 2008.

MOTION to accept the committee's recommendation to issue the license. (Damon, seconded by Cyr)

Roll Call: (Yes) Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock

Motion Carries

e. Nickerson Application Review

Summary: An applicant for a new EMT license disclosed criminal convictions for misdemeanor Theft b Unauthorized Taking in 2012, Theft by Receiving Stolen Property in 2013, and Operating Under the Influence in 2018.

MOTION to accept the committee's recommendation to issue the license, finding the applicant has been rehabilitated to warrant the public's trust. (Downing, seconded by Damon)

Roll Call: (Yes) Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock (Recused) Beals

Motion Carries

8. New Business

a. Data Request RE Non-Fatal Patient Journey Task Force

MOTION to approve the request for identifiable patient data regarding overdoses for the time period of 2010-2023. (Drinkwater, seconded by Giberson)

Roll Call: (Yes) Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock

Motion Carries

b. EMD Priority Reference System Updates from EMD Committee

MOTION to approve the EMDPRS document with revisions as presented. (Downing, seconded by Damon)

Roll Call: (Yes) Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock

Motion Carries

Recording paused for a 10-minute break at 10:45 – 10:55

9. Old Business

a. Blue Ribbon Commission Findings

Dr. Zimmerman asked if any of the funding would be earmarked to fund appropriate staffing in the EMS Office. Chair Libby invited Rick Petrie to speak as a member of the Blue Ribbon Commission. He states his understanding is that there is discussion for allocating some of the 70 million dollars to support regional QI staff and staffing at the

EMS Office, he also points out that the proposal to stand up a second Blue Ribbon Commission is intended to address the EMS system sustainability which would include appropriately staffing the EMS Office. Damon offered that the initial funding recommendation may be used for emergency relief and the second Blue Ribbon Commission would rely on the strategic planning results to consider the EMS system's needs for sustainability.

Whytock asked if there were established criteria to determine which EMS services meet the definition of impending failure to qualify for the 25 million dollars specified for that purpose. Petrie advised that the Maine Ambulance Association is looking to define this. Whytock suggested that the Board be involved with defining the needs and allocating appropriate amounts of funding for appropriate use. Beals, Libby, and Giberson agreed to signal support for the recommendations while expressing a need for involvement, specifically with D.1. Sholl inquired who would distribute the funds.

MOTION to draft a letter endorsing the Blue Ribbon Commission's report and recommendations in totality and express the Board's willingness to continue working toward sustainability in the EMS system. (Beals, seconded by Smith)

Roll Call: (Yes) Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock

Motion Carries

b. Labor Committee

Committee Chair, Smith, advised that the committee has met all of their original deliverables. They have begun work to address the concerns about leadership which were discovered through their work and a survey of licensees in Maine; this work is in the form of education proposals and may be transferred to the Education Committee for consideration.

MOTION to thank the Labor Committee members for their work, to direct the project on education for EMS leadership be passed on to the Education Committee for follow up, and to dissolve the Labor Committee. (Libby, seconded by Giberson)

Roll Call: (Yes) Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock

Motion Carries

c. Interfacility Transport Concerns

MOTION that the Board issue a resolve declaring the Board's authority to regulate EMS persons providing interfacility transport services as well as the Board's authority to define the scope of practice within which an EMS clinician may operate when providing clinical care during 911 and interfacility transports; this includes EMS clinicians' authority to administer specific medications, perform specific procedures, and operate specific medical devices or types of medical equipment. (Drinkwater, second by Gerrish)

Roll Call: (Yes) Allen, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock (Abstain) Beals

Motion Carries

d. Ambulance Vehicle Operator Training

MOTION to direct the rules committee consider reviewing the rule addressing ambulance vehicle operator training requirements. (Giberson, second by Whytock)

Roll Call (Yes) Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock

Motion Carries

e. Revision of Delegation of Authority for Licensees Experiencing SUD

MOTION to table this SUD delegation of authority.

Roll Call: (Yes) Allen, Beals, Cyr, Damon, Downing, Drinkwater, Gerrish, Giberson, Libby, Smith, Whytock

Motion Carries

10. Other

- a. Items for next meeting agenda
- b. Next meeting is scheduled for 08:30 on March 1, 2023, at 45 Commerce Drive, Augusta, ME. Participation is restricted to in-person only, a viewing option is available via Zoom.
- c. A hearing on case 21-183 is scheduled for 10:00 on March 1, 2023, at 45 Commerce Drive, Augusta, ME. Participation is restricted to in-person only, a viewing option is available via Zoom.

Meeting adjourned at 12:49