



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



JANET T. MILLS
GOVERNOR

MICHAEL SAUSCHUCK
COMMISSIONER

J. SAM HURLEY
DIRECTOR

INVESTIGATIONS COMMITTEE MEETING

Thursday, April 27, 2023

ZOOM: <https://mainestate.zoom.us/j/91542570561>

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MINUTES

- I. Called to order at 09:08
Chairman Beals read the Mission Statement.
- II. Attendance
Committee Members Present: Tim Beals, Amy Drinkwater, Judy Gerrish, Dr. Brandon Giberson, Laura Downing, Andrew Turcotte, Steve Smith
Committee Members Absent: None
Maine EMS Staff: Jason Cooney, Melissa Adams, AAG Samantha Morgan
Guests: Park Swan, Daniel Greaney, Matt Tavares, Cameron Hinkley
- III. Public Comment: None
- IV. Modification to Agenda: None
- V. Investigations

A. Case 22-221; Informal Conference, Licensee Present

Summary: It is alleged that the licensee failed to conduct at least one (1) training course required for Maine EMT scope of practice expansion in accordance with training center standards and falsified training documents.

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

Motion: to enter executive session pursuant to 1 M.R.S. §405(6)(F) to review confidential information regarding case 22-221. (Giberson, seconded by Gerrish)

Yes: Turcotte, Downing, Gerrish, Drinkwater, Giberson, Smith

No: None

Abstained/Recused: Beals

PASSED

The committee entered executive session at 09:12.
The committee returned to public session at 09:43.

Action:

MOTION to recommend that the Board resolve the complaint with a letter of guidance citing the importance of adhering to quality education and teaching standards and the importance of accurate and complete documentation of training courses; to remain on file for two (2) licensing cycles. (Giberson, seconded by Gerrish)

In Favor: Turcotte, Downing, Gerrish, Drinkwater, Giberson, Smith

Opposed: None

Abstained/Recused: Beals

PASSED

Andrew Turcotte left the meeting.

B. Case 23-272; Case Review

Summary: It is alleged that the licensee yelled at and made disrespectful comments to and about the staff at a nursing facility in front of a patient and also delayed the transport of that patient while making staff search for and then berating them for not having a non-rebreather mask for the patient.

Action:

MOTION to recommend the Board dismiss this case and forward the complaint to the service that the clinician was responding with at the time of the call. (Giberson, seconded by Drinkwater)

In Favor: Downing, Drinkwater, Giberson, Gerrish, Beals, Smith

Opposed: None

Abstained/Recused: None

PASSED

C. Case 23-275; Case Review

Summary: It is alleged that the licensee permitted covered emergency medical services persons who have elected not to receive a COVID-19 vaccination and do not have an approved medical exemption, to provide direct patient care.

Steve Smith recused himself and was placed in the waiting room.

Action:

MOTION to recommend that the Board direct staff to set a hearing on this matter; in lieu of a hearing, the Board will offer a consent agreement to resolve the complaint with a warning and acknowledge that the service has taken the necessary steps to comply with Chapter 21 of the Maine EMS Rules, including suspension of personnel who could not demonstrate a certificate of immunization or documentation of exemption and providing a record of immunization status for all covered emergency medical services persons associated with the entity to Maine EMS; the

Board also recognizes a change in service leadership as a mitigating factor. (Giberson, seconded by Gerrish)

In Favor: Gerrish, Downing, Giberson, Beals, Drinkwater

Opposed: None

Abstained/Recused: Smith

PASSED

D. VanDyke Application Review

Summary: The applicant has a history of action against an EMS license by another jurisdiction.

Action:

MOTION to recommend that the Board issue the license. (Beals, seconded by Drinkwater)

In Favor: Gerrish, Downing, Giberson, Drinkwater, Beals, Smith

Opposed: None

Abstained/Recused: None

PASSED

VI. Old Business

A. Complaint Investigation Policy and Clinical Care Matrix

The Committee discussed a limited delegation of authority for authorized staff to dismiss complaints solely and specifically concerning patient care that does not align with the Maine EMS Pre-Hospital Protocols according to the *Complaint Investigation Policy* and *Clinical Care Matrix*. The delegation order along with the policy and matrix will be presented to the Board for consideration at their next meeting on May 3, 2023.

VII. New Business: None

VIII. Adjourned at 10:38

Next Meeting: Thursday, May 25, 2023