



JANET T. MILLS
 GOVERNOR

MICHAEL SAUSCHUCK
 COMMISSIONER

J. SAM HURLEY
 DIRECTOR

Board of EMS Meeting
 November 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		11:14am
Timothy Beals	X		
Bill Cyr	X		
Katelyn Damon			
Laura Downing	X		
Amy Drinkwater	X		
Judy Gerrish	X		
Brandon Giberson			
Brent Libby	X		
John Martel			
Matthew Sholl	X		
Steve Smith	X		
Andy Turcotte	X		10:48am-11:09am
Christopher Whytock	X		
Kate Zimmerman	X		

Staff: Director J. Sam Hurley, Deputy Director Anthony Roberts, Commissioner Michael Sauschuck, Jason Oko, Soliana Goldrich, Christopher Azevedo, Darren Davis, Jason Cooney, AAG Katie Johnson, Taylor Parmenter, Melissa Adams, Anna Masefski, Robert Glaspy, Megan Salois

Stakeholders & Guests: Brian Langerman, Chip Getchell, Benjamin Wallace Jr., Richard Petrie, Dwight Corning, Joanne Lebrun, Ryan Maker, Christopher Pare, Joanna Benoit, Jeremy Ogden, Jesse Thompson, Joe Kellner, Eric Wellman, AJ Gagnon, Don Sheets

1. Introductions

- **Excellence**
- **Support**
- **Collaboration**
- **Integrity**
-

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

2. Disclosure of any conflicts of interest
Nate Allen will be recused from both investigations

3. Modifications to the Agenda

Bill Cyr – add a waiver request for LifeFlight

Amy Drinkwater – add a special board meeting for Chapter 21

Tim Beals – add a request for a waiver for Chapter 21 until the new rule is published.

Added under New Business

4. Public Comments

Rick Petrie – Spoke about general confusion from services about removing staff due to the current rule. He asked the board to consider waiving the rule or delaying implementation.

5. Meeting Minutes

- a. October 4, 2023

MOTION to accept the minutes as corrected to remove “with public comment” from the first motion of 9. A. ii. (Turcotte, seconded by Beals)

(Yes) Allen, Beals, Cyr, Downing, Drinkwater, Gerrish, Libby, Smith, Turcotte, Whytock

Motion Carries

6. Update from Commissioner Sauschuck

Commissioner Sauschuck commented on the Lewiston shooting and discussed the hiring process for the new director. He stated there were 21 applications to review.

7. Investigations

- a. Investigations Committee October 26, 2023 Meeting Minutes

MOTION to accept minutes as submitted. (Downing, seconded by Smith)

(Yes) Turcotte, Downing, Smith, Beals, Gerrish

(Abstain) Drinkwater

Motion Carries

Nate Allen was recused and placed in the waiting room

- b. Bridges Informal Application Review, Applicant Present

Summary: The applicant for a new Ambulance Operator license was convicted of Assault, a class D crime, in 2015. The committee tabled this application in September to allow the applicant to submit additional information. The Committee recommends that the Board issue the license.

MOTION to accept the committee’s recommendation. (Turcotte, seconded by Cyr)

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● **Collaboration** ●

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(Yes) Beals, Cyr, Downing, Drinkwater, Gerrish, Libby, Smith, Turcotte, Whytock
(Recused) Allen

Motion Carries

c. Chalou Application Review

Summary: The applicant for a new Ambulance Vehicle Operator license failed to disclose misdemeanor criminal convictions from 2007 and 2009. The committee recommends the Board issue the license with a letter of guidance citing professional conduct rules, specifically Chapter 11 §1 (1), to be kept on file for three (3) license cycles.

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

(Yes) Beals, Cyr, Downing, Drinkwater, Gerrish, Libby, Smith, Turcotte, Whytock
(Recused) Allen

Motion Carries

Tim Beals – The Investigations Committee would like the board to take up the process for when licensees move up a level. What the committee is suggesting the Board takes up at a later date is that at least for the ambulance operator license moving to EMR, EMT, etc, a new app be completed, and a background check completed with the distinction that they are now involved in providing direct patient care.

Nate Allen returned to the meeting

8. Director's Update

Director Hurley has relocated for his new position and will be working in the office until the transition to a new director can be made. He provided comments on the response to the Lewiston shooting and discussed mental health support for providers.

9. MDPB Update

Dr. Sholl – Extended appreciation for clinicians and hospital response to Lewiston. He thanked the staff for their hard work to get education ready to go live on MEMSed.

10. Old Business

a. Proposed Bylaws Changes

Director Hurley proposes having the previous Chair become the Parliamentarian. He would like to meet with the Chair and Chair-Elect to discuss bylaws changes, present them to the Board in December, and vote on adoption in January.

b. Chapter 15 Rules Comments

Jason Cooney – Chapter 15 has been published, and hearings have been scheduled. At least two board members are scheduled for each hearing.

c. Stabilization Program Update

Director Hurley hopes the RFA will be approved to go out this week or early next week. All service leaders will receive an email announcing the published RFA and can go to the procurement website to see the entire application packet. The office is working with procurement to create an online application with 50 questions. The state will be able to do a mail merge for contracts to push the money out – funds will be frontloaded instead of reimbursed. A separate form will be sent out to capture performance metrics.

d. Opinion RE Frisbee EMS

A data inquiry found that Frisbee was doing approximately 100 calls, and there is concern that will likely exceed “routine.” We need to look again at how to define “routine.” Another service is inquiring about relinquishing their license. This needs to be defined for transporting and non-transporting services, with the idea that “non-routine” will be less than 10% of the average call volume per service.

e. Maine EMS Connectivity and Roadway Safety Project Update

66 services expressed interest in the program. Director Hurley provided an overview of the project.

f. Data Release

i. Patient Journey Authorization

Darren Davis – The data use agreement expires on December 31, 2023. The request is to extend the data use agreement for another year. Data to be released is de-identified.

Andy Turcotte left the meeting

MOTION to extend the release until December 31, 2024, pursuant to §91-B (2)(E)
(Smith, seconded by Libby)

(Yes) Allen, Beals, Cyr, Downing, Drinkwater, Gerrish, Libby, Smith, Whytock

Motion Carries

ii. Master Data Repository

The Board was asked to table this due to hiring a new project manager.

MOTION to table the request (Libby, seconded by Cyr)

(Yes) Allen, Beals, Cyr, Downing, Drinkwater, Gerrish, Libby, Smith, Whytock

Motion Carries

g. Vision for 2035 Work Plan

Director Hurley provided an overview of the Vision Plan document. The purpose of the plan is to help focus the mission of the office and prioritize important strategies.

Andy Turcotte returned to the meeting

MOTION to adopt the two-year action plan for Maine EMS Vision for 2035 Workplan (Libby, seconded by Cyr)
(Yes) Allen, Beals, Cyr, Downing, Drinkwater, Gerrish, Libby, Smith, Turcotte, Whytock
Motion Carries

Nate Allen left the meeting

11. New Business

a. LifeFlight Waiver of Chapter 22 Section (4) (1)

Amy Drinkwater asked the board the list of questions from Maine EMS Rules, Chapter 13, §2:

1. Whether the person or organization seeking the waiver took reasonable steps to ascertain the rule and comply with it, and does this weigh in favor of granting the waiver?
Board Response: Yes, Yes
2. Whether the person or organization seeking the waiver was given inaccurate information by an agent or employee of the State EMS program, and does this weigh in favor of granting the waiver?
Board Response: No, Yes
3. Whether the person or organization seeking the waiver, or any other individual or group, would be significantly injured or harmed if the rule were not waived, and does this weigh in favor of granting the waiver?
Board Response: Yes, Yes
4. Whether waiver of the rule in the particular case would pose a health or safety risk to the public at large or a particular individual or community, and does this weigh in favor of granting the waiver?
Board Response: No, Yes
5. Whether waiver of the rule in the particular case would establish a precedent that would unduly hinder the Board or office of EMS in its administration of Maine's EMS System, and does this weigh in favor of granting the waiver?
Board Response: No, Yes

MOTION to grant the waiver as it relates to Chapter 22 Section (4) (1) until March 1, 2024 (Turcotte, seconded by Gerrish)

(Yes) Beals, Downing, Drinkwater, Gerrish, Libby, Smith, Turcotte, Whytock
(Recused) Cyr

Motion Carries

b. Special Board meeting to discuss Chapter 21

Proposed to take place November 14th.

c. Waiver of Chapter 21

MOTION *to enter executive session pursuant to 1 MRS §405 (6)(E) to receive legal advice from council (Beals, seconded by Libby)*

(Yes) Beals, Cyr, Downing, Drinkwater, Gerrish, Libby, Smith, Turcotte, Whytock

Motion Carries

Board Entered executive session at 11:42 am

Board returned to regular session at 11:54 am

Based on the discussion with legal council, Tim Beals withdraws his request to waive Chapter 21.

12. Other

- a. Items for next meeting
 - i. Bylaws change proposal
 - ii. Opinion RE Frisbee EMS
 - iii. Master Data Release
 - iv. Director Position
- b. Next Board meeting is scheduled for December 6, 2023, at 9:30 am, via Zoom.

Meeting adjourned at 11:57 am