



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

WIL O'NEAL  
 DIRECTOR

**INVESTIGATIONS COMMITTEE MEETING**

**Tuesday, July 23, 2024, 09:00-12:00**

45 Commerce Dr. Fallen Heroes Conference Room, Augusta, ME 04333

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

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**MINUTES**

- I. Call to Order at 09:03 by Chairperson Turcotte  
Turcotte read the mission statement.
- II. Attendance  
Committee Members Present: Andy Turcotte (Chair), Laura Downing, Judy Gerrish, Steve Smith, Brent Libby  
Committee Members Absent: Dr. Brandon Giberson  
Maine EMS Staff: Director Wil O’Neal, Melissa Adams, Jason Cooney, Anthony Roberts, AAG Samantha Morgan  
Guests: Michele Mullin, Joe Lemont, Joanne Lebrun, Jay Reeves, Robert Tripp
- III. Public Comment: None
- IV. Modifications to the Agenda: None
- V. Meeting Minutes – June 25, 2024  
**MOTION** to accept the minutes as presented. (Smith, Libby)  
In favor: Gerrish, Downing, Smith, Libby, Turcotte  
Abstain/Recuse: Drinkwater  
**PASSED**
- VI. Investigations
  - a. **Tiernan Application Review**  
**Summary:** The applicant for an EMT license disclosed a conviction for class D reckless conduct in 2021.  
  
**MOTION** to issue the license. (Turcotte, Downing)  
In favor: Drinkwater, Gerrish, Downing, Smith, Libby, Turcotte  
Opposed: None  
Abstained/Recused: None

**PASSED**

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

**b. Pooler Application Review**

**Summary:** The applicant for a new Ambulance Operator license has previously had their EMT license revoked, an application to relicense as an EMT denied, and must have all new applications reviewed by the Board. At the June meeting, the committee tabled the application to allow staff to gather more information about any steps the applicant has taken toward remediation and allow the applicant to provide letters in support of their application with at least one from their employer. The applicant submitted an altered letter on behalf of his employer without their knowledge or consent.

**MOTION** to recommend the Board preliminarily deny the application and direct staff to refer the conduct to the District Attorney's office. (Smith, Downing)

In favor: Drinkwater, Gerrish, Downing, Smith, Libby, Turcotte

Opposed: None

Abstained/Recused: None

**PASSED**

**c. 24-339 Case Review**

**Summary:** The licensed non-transporting service allegedly responded to a request to transport a patient from a hospital to the patient's home utilizing an unlicensed service vehicle; the only licensed clinician who responded operated the vehicle, leaving the patient unattended with a family member in the back; and there is no documented record of this request for service or patient interaction in the Maine EMS electronic reporting system (MEFIRS).

**MOTION** to recommend the Board offer a consent agreement with a Warning and a recommendation that the non-transporting service remove the stretcher from their vehicle; citing violations of Maine EMS Rules, chapter 11 §1(26) Operating an ambulance or EMS vehicle that is not licensed or authorized by the Board and chapter 3, §11(1) Except as otherwise exempted by 32 MRS §82, no vehicle shall be operated as an ambulance (from within Maine) or emergency medical services vehicle unless it is licensed or authorized in accordance with these rules. (Libby, Drinkwater)

In favor: Drinkwater, Gerrish, Downing, Smith, Libby, Turcotte

Opposed: None

Abstained/Recused: None

**PASSED**

**d. 24-350 Case Review**

**Summary:** The licensee allegedly obtained a patient's contact information while caring for the patient as the primary patient caregiver and, after completion of the call for service, attempted to solicit a date and/or initiate a romantic relationship with that patient using that contact information.

Downing disclosed that she works with this agency regularly but has no authority or financial relationship with any persons involved in this case, can be impartial in considering the facts as presented, and will participate in the Board's process.

**MOTION** to recommend the Board offer a consent agreement with a Reprimand, Suspension of the AEMT license for 90 days for each finding with a maximum of one (1) year, and a consecutive period of probation during which the licensee must continue counseling with their established counselor with at least one (1) session each month and the counselor shall provide quarterly updates directly to the Investigator regarding the licensee's participation: citing violations of 32 MRS §90-A(5)(H) concerning Board rules Chapter 14 §4. Sexual Impropriety; and 32 MRS §90-A(5)(F), Unprofessional Conduct, specifically under Maine EMS Board Rules Chapter 11§1(12), (14), (37) & (38). (Libby, Drinkwater)

In favor: Drinkwater, Gerrish, Downing, Smith, Libby, Turcotte

Opposed: None

Abstained/Recused: None

**PASSED**

**e. 24-343 Case Review**

**Summary:** The licensee allegedly urinated in the patient care compartment while making eye contact with the accompanying RN while transporting a patient on an interfacility transport.

Drinkwater and Smith recused themselves and were removed from the virtual room.

**MOTION** to recommend the Board offer a consent agreement revoking the Paramedic license citing violations of 32 MRS §90-A(5)(F) Unprofessional conduct, specifically Maine EMS Board Rules chapter 11§1(5) & (14); 32 MRS §90-A(5)(B-3) A condition that affects the licensee's ability to provide emergency medical services; and 32 MRS §90-A(5)(E)(1) Inability to respond appropriately to a client, patient, or the general public. (Libby, Gerrish)

In favor: Gerrish, Libby, Downing, Smith, Turcotte

Opposed: None

Abstained/Recused: None

**PASSED**

VII. Old Business - None

VIII. New Business—Staff advised the Committee of an Office-generated complaint noticing all licensees recorded on a patient care report on or after December 1, 2023, when the Naloxone Leave Behind Protocol became effective, who had not completed the required online Naloxone Leave Behind Protocol Update training in MEMSEd as of July 2, 2024. The complaint will come to the Board with a summary of factors and seek a swift resolution, specifically for individuals who have completed the training since being notified of the complaint.

IX. Adjourned at 10:23

Next meeting: Tuesday, August 27, 2024, at 09:00