



JANET T. MILLS
 GOVERNOR

MICHAEL SAUSCHUCK
 COMMISSIONER

WIL O'NEAL
 DIRECTOR

Board of EMS Meeting
 September 4, 2024, at 9:00 AM
 Champlain Conference Room
 DRAFT 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 (virtual)		
Bill Cyr	X		
Laura Downing	X		
Amy Drinkwater	X		
Judy Gerrish	X		
Brent Libby		X (arrived 9:19am)	
Matthew Sholl	X		
Steve Smith	X		
Andy Turcotte		X (arrived 9:20am)	
Christopher Whytock	X		
Kate Zimmerman	X		

Staff: Director Wil O’Neal, Deputy Director Anthony Roberts, Anna Massefski, Jason Cooney, Jason Oko, Melissa Adams, Soliana Goldrich, Victoria Clyde, Alex Gibson, Robert Glaspy, Marc Minkler, Darren Davis, Amber McCormich, Ashley Moody, Taylor Parmenter, AAG Samantha Morgan

Stakeholders & Guests:

- In Person: Chip Getchell, Brian Langerman, Rick Petrie, Joanne LeBrun, Ashley Wax-Armstrong, Matthew Bowen
- Zoom: AJ Gagnon, Benjamin Wallace Jr., Bob Hand, Chris Paré, Elizabeth (no last name given), Eric Wellman, Jay Bradshaw, John Cordts, Mike Senecal, Phil MacCallum, Rob McGraw, Sean Donaghue, Shawn Cordwell, Bill Montejo, Dwayne Lee Philbrook, David Ireland, Pete Tilney, Aiden Koplovsky, Joe Kellner, John Hoak, John Lennon, Maine Ambulance Association, Jesse Thompson, Rebecca Royer

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

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

1. Introductions

2. Disclosure of any conflicts of interest

None

3. Modifications to the Agenda

Consideration of a proposed consent agreement in Case 18-028

MOTION to accept the proposed consent agreement, with an amendment to paragraph 19B to include a clause after "paramedic" that says, "or at any licensure level."

(Whytock, seconded by Cyr)

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

Motion Carries

MOTION to authorize the Board Chair to sign the proposed consent agreement as amended. (Whytock, seconded by Gerrish)

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

Motion Carries

Libby and Turcotte marked in attendance and introduced at 9:31am.

4. Public Comments

None

5. Investigations

a. Case 24-345

MOTION to accept the appeal as presented, with a letter of guidance for one licensure cycle. (Cyr, seconded by Libby)

Discussion of the actions the service is now taking to prevent this type of incident from happening again. The Board invited Chief Ashley Wax-Armstrong to answer questions.

(Yes) Allen, Cyr, Drinkwater, Libby, Smith, Turcotte, Whytock

(No) Downing, Gerrish

Motion Carries

The Board directed the Office to look at the Delegation of Authority for issuing Letters of Guidance in order to ensure that the handling of appeals is consistent, and to prevent appeals from needing to be brought before the Board every time a Letter of Guidance is issued.

6. Old Business

a. Meeting Minutes

i. August 7, 2024

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

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

(Abstain) Whytock

Motion Carries

b. Maine EMS Director Update:

Given by Director Wil O'Neal.

The Director re-presented the EMS Golden Eagle Award (renamed the Joanne LeBrun Award) to Joanne LeBrun.

The regional contractors for Regions 1, 2, and 3 signed a bridge contract to continue service for their regions as the regional transition continues. Region 4 did not sign the bridge contract. Continuity of service for Northern Maine will be performed by Regional Medical Director Beth Collamore, as well as Maine EMS staff members Marc Minkler and Ashley Moody.

Update on Maine EMS staff positions: The 4 regional coordinator positions are with State of Maine HR. The Office Specialist position and the Education Coordinator position are expected to be posted imminently.

Update on newly-appointed Maine EMS Board members Brian Langerman, Dr. Jack Lewis, and Dr. Julie Ontengco. The new members still need to take their Oath of Office, after which they will take their seats upon the Board.

There has been an increase in COVID-19 cases in Maine. The Director encourages stakeholders to get protect themselves by getting the most up-to-date COVID-19 vaccination, practicing good hand hygiene, and avoiding touching their faces.

The Director commends Maine EMS Staff for their hard work, particularly the Substance Use Disorder Program team's Rob Glaspay for connecting MedCare with SAMHSA to collaborate on funding SUD work.

Maine EMS was made aware of a letter sent by Atlantic Partners EMS requesting 1% of their Stabilization & Sustainability funding allotment as an assessment fee. Maine EMS has sent a response asking for clarification of the letter's intent, and how it stays in line with the rules surrounding the acceptable uses of the Stabilization & Sustainability funding. The Office expects a response within two weeks.

The Director also spoke about an email that went out from a Committee Chair to EMS stakeholders, legislators, and the public, stating that the rulemaking process for the Sustainability funding is underway, and that stakeholders should request public hearings on the proposed rule. The Director expressed his commitment to, and the importance of, working with stakeholders collaboratively for the greater good. The Director expressed his disappointment that a Committee Chair sent this email despite never speaking on the matter during numerous public comment periods at various Board and Committee meetings at which he was present. The Director stressed that public hearings are an option that is rarely used, due to the lengthy, collaborative process used to draft rules before they are proposed; in the recent past, hearings held in all 4 regions yielded minimal participation. The Director expressed anger that the important and timely work on the Sustainability Funding rule will now be delayed by a public comment period pushed by a potentially profit-driven member who is claiming the same weight as the appointed and neutral collective representatives of the system. The Director expressed that a reasonable person could assume that the push for public hearings is intended to delay the rulemaking process until the Legislature is back in session, so that the remaining funding can be clawed back and given to MaineCare to distribute to only transporting agencies as rate increases over time. This intent is enshrined in the last-minute Senate Amendment (B) on LD 2214. The Director reiterated the Board's vision for the future of the Maine EMS system, which includes a robust and supported EMS education system, a clear workforce development pipeline, and a properly resourced and configured regional structure. The Director respectfully requested that the Board move this matter to public hearings immediately, so as to minimize the delay caused by taking this extra step.

Discussion of the disruption and confusion caused to the Maine EMS community by these emails, and the conflicts of interest at play. The Board also discussed the rulemaking process as it is usually done, with written comments submitted that the Rules Committee reviews, responds to, and can use to inform changes to the proposed rule; in a public hearing, the Board is not able to respond to, or engage in conversation about, comments given, and can only listen.

c. Medical Directors' Update

Given by Statewide Medical Director Dr. Matt Sholl.

Infectious diseases have been on the rise, including COVID-19, flu, monkey pox, Eastern Equine Encephalitis (EEE), West Nile Virus. The MDPB recommends that individuals practice good hand hygiene, and consider vaccination where applicable to reduce risk of contracting and spreading communicable diseases.

There are currently no medication shortages of note, however, there remain vulnerabilities in the supply chain with high cost of some medications.

Update on pilot projects, including Sanford, Delta, Portland Fire MMO Project, and Jackman project.

Special thank you to Aiden Koplovsky for supporting the MDPB's educational needs.

Protocol update webinars are coming up, starting with one in September. Anticipated that these will be held every other month, announced by email.

- d. Discussion of Critical Care Transport Matrix
The MDPB drafted a document envisioning the critical care transport system in Maine.

Discussion of creating a committee of the Board to review and develop materials regarding critical care transport.

The Board directed the Office to develop a list of potential seats for the Critical Care Committee, and bring it to the Board at the next meeting.

10:47 am – Board Chair directed for a 5-minute recess without objection.

10:58 am – Recess concludes

7. New Business

- a. Pilot Project Resolution Memo

Maine EMS Staff proposes a resolution that the Board limit the number of pilot projects to 3 at one time so as to balance available resources with opportunity for innovation. The resolution includes a potential for exceeding the 3-project limit for important, time-sensitive initiatives.

The Board discussed how pilot projects have evolved over the years, and the pros and cons of limiting the number of pilot projects. The Board expressed concern at setting a hard limit that might unintentionally prevent individuals from submitting their pilot projects for approval.

The Board asked the Office and the MDPB to develop a process for scoring potential pilot projects, so as to inform the review of pilot submissions. The Board also recalled previously asking the Rules Committee to develop rules regarding pilot projects, and added that these rules should include a process for the application process and review criteria.

The Board tabled this matter.

- b. Discussion/Review of the Atlantic Partners EMS Report
This report was submitted for the last quarter.

- c. Discussion/Review the “EMS System Funding” presentation
IFT Committee Chair Rick Petrie reached out to the Maine EMS Office with notification that, as part of the IFT Committee’s work, the Maine Hospital Association had requested a presentation on EMS finance on Thursday, September 5th. The Office requested that this presentation be brought to the Board for their approval prior to being delivered to stakeholders. However, the presentation that was sent before the Board meeting was incomplete, and therefore not ready to be reviewed by the Board. The Director stressed the importance of the Board, the Office, and the Committees working in tandem and maintaining clear, concise messaging to the EMS community and stakeholders. The Director asked that the September 5th meeting be cancelled. The Board may consider speaking with IFT Committee Chair Rick Petrie to reiterate previous admonishments for acting in his official capacity without the approval of the Board.

Public comment given by Joe Kellner stating that he had been asked to give his presentation as a private citizen, and that, like the Office, he was not aware that the IFT Committee was involved.

The Board directs all Committees and their Chairs to review current bylaws, code of conduct, and behavior expectations.

- 8. Other
 - a. There is no longer a hearing on September 25th.
 - b. Next Board meeting on Wednesday, October 2nd, 2024, beginning at 9:30AM. This meeting will be in person.
 - c. Public Hearings for proposed rules chapter 27:

MOTION to schedule public hearings on proposed Rules Chapter 27 in all four EMS regions as soon as possible. (Libby, seconded by Whytock)

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

Motion Carries

Meeting adjourned at 11:55 AM.