



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, January 28, 2025, 13:00

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

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

One tap mobile: +13017158592,,91542570561# US

MINUTES

Called to Order at 13:03 by Chairperson Turcotte.

Chairperson Turcotte read the Mission Statement.

Attendance

- Members Present: Judy Gerrish, Laura Downing, Amy Drinkwater, Andrew Turcotte (Chair)
- Members Absent: Brent Libby
- Staff Present: Jason Cooney, Jason Oko, Darren Davis, Melissa Adams, AAG Samantha Andrews
- Stakeholders/Guests: Nathan Sockalexis, A. McPherson, Bob Chase, Bob Hand, Dakota Turnbull, Daniel Molloy, David Ireland, Emily Crowley, Milissa Smart, Matt (?), Paul Landry, Phil MacCallum, Richard Malinowski, rstephe2 (?), Alberta Broomhall

Public Comment: The Committee declined to allow Bob Hand to speak about a case on the agenda at the recommendation of AAG Andrews.

Modifications to the Agenda

Investigations

1. Case 24-873 (Melissa)
 Summary: The licensee has applied to renew their Paramedic license, disclosing a deferred disposition for Driving to Endanger with terms that include substance use education and counseling.

MOTION to issue the license with a letter of guidance citing professional standards including Board Rules Chapter 11 §1(5) and (13) and educating the licensee of their responsibility to report any conviction to the Board within ten (10) days; to be kept on file for two (2) license cycles. (Drinkwater, Downing)

Yes: Gerrish, Drinkwater, Downing, Turcotte

No: None

Abstain/Recused: None

PASSED

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2. Case 24-878 (Melissa)

Summary: The licensee has applied to renew their EMT license, disclosing a deferred disposition for OUI with terms that include education and an assessment for counseling. The applicant has a history of OUI convictions.

MOTION to table the case and invite the licensee to the next Committee meeting for an Informal Conference. (Gerrish, Drinkwater)

Yes: Gerrish, Drinkwater, Downing, Turcotte

No: None

Abstain/Recused: None

PASSED

3. Case 24-680 (Jason)

Summary: The licensee allegedly permitted an individual not licensed at any level with the Emergency Medical Services Board to operate an ambulance in emergency mode or while transporting a patient on eighty-seven (87) occasions and obtained a fee from a government payor or payors on sixty-two (62) of those incidents.

The Committee declined to allow a representative for the licensee to speak to the Committee because an informal conference had not been noticed for this meeting pursuant to 32 M.R.S. § 90-A(3) and Board Rules, Chapter 12 § 1(3).

MOTION to recommend the Board offer a consent agreement citing violation of 32 MRS §90-A.5(F) supported by Board Rules Chapter 11 §1(9) and (23) with: a reprimand; a civil penalty of \$100 for each of the 87 violations, a total of \$8,700 all suspended; and probation with terms for the service to: submit for approval, a written policy to Maine EMS within 90 days of the executed consent agreement that clearly demonstrates their responsibility and procedure for license reconciliation for staff to avoid a reoccurrence of unlicensed practice, and after approval, to submit annually with their service's licensure renewal application, an attestation that the service has complied with the approved policies and procedures during the last annum.

(Drinkwater, Gerrish)

Yes: Gerrish, Drinkwater, Downing, Turcotte

No: None

Abstain/Recused: None

PASSED

4. Case 24-627 (Jason)

Summary: The licensee self-reported that on one occasion they permitted an individual not licensed by the Board at any level to perform emergency medical treatment while transporting the patient to a hospital.

MOTION to issue the license with a letter of guidance citing the importance of professional standards including Board Rules Chapter 11 §1(21) and (34); to be kept on file for two (2) license cycles. (Turcotte, Drinkwater)

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Yes: Gerrish, Drinkwater, Downing, Turcotte
No: None
Abstain/Recused: None
PASSED

5. Case 25-883 (Jason)

Summary: The licensee disclosed on a renewal application for their Ambulance Operator Licensure that they have had disciplinary action taken against their professional licensure as a Licensed Clinical Social Worker. This disciplinary action was not disclosed on the initial application for Ambulance Operator licensure. The licensee has disciplinary action imposed by a Decision and Order from the Maine Board of Social Worker Licensure from April 2016.

MOTION to issue the license with a letter of guidance citing the importance of professional standards including Chapter 11 §1(1) and requirements for disclosure on future applications; to be kept on file for two (2) license cycles. (Drinkwater, Gerrish)

Yes: Gerrish, Drinkwater, Downing, Turcotte
No: None
Abstain/Recused: None
PASSED

6. Malinowski Application Review (Jason)

Summary: The applicant is seeking licensure as an Ambulance Operator and has 131 instances of unlicensed practice recorded in patient care reports between December 16, 2023, and July 8, 2024, including one instance of unlicensed practice where the applicant provided emergency medical treatment to a patient as the sole clinician in the patient care compartment, during patient transport.

MOTION to recommend the Board preliminarily deny the application and offer a consent agreement to resolve the complaint, with terms to issue the license with a warning for violating Chapter 5B§1 (1), 32 MRS §90-A.5(F) supported by Chapter 11 §1(30) and (47). (Turcotte, Gerrish)

Yes: Gerrish, Drinkwater, Downing, Turcotte
No: None
Abstain/Recused: None
PASSED

7. Smart Application Review (Melissa)

Summary: The applicant seeking an ambulance operator license has at least 376 instances of unlicensed practice recorded in patient care reports between December 16, 2023, when the Board's rule became effective, and September 16, 2024.

MOTION to table this case and invite the applicant for an Informal Review at the next Committee Meeting. (Drinkwater, Gerrish)

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Yes: Gerrish, Drinkwater, Downing, Turcotte

No: None

Abstain/Recused: None

PASSED

Old Business - None

New Business

1. Cooney advised at the February meeting staff will present proposed changes to the Board's delegation order for staff to issue letters of guidance, proposed changes are consistent with recent Board decisions.

Next meeting: February 25, 2025, 13:00

Adjourned at 14:28

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