



JANET T. MILLS
 GOVERNOR

MICHAEL SAUSCHUCK
 COMMISSIONER

WIL O'NEAL
 DIRECTOR

Maine Emergency Medical Services Board Meeting
 Wednesday, February 5, 2025, at 9:30 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.”

Attendance:

Board:

Board Member	In Attendance	Late Arrival (if applicable)	Early Departure (if applicable)
Nate Allen			
Bill Cyr	X		
Laura Downing	X		
Amy Drinkwater	X		
Judy Gerrish	X		
Brian Langerman	X		
Jack Lewis			
Brent Libby	X		
Julie Ontengco	X (virtual)		
Matthew Sholl	X		
Steve Smith	<i>PENDING REAPPOINTMENT</i>		
Andy Turcotte	X (virtual)		
Christopher Whytock	X		
Kate Zimmerman	X		

Staff:

- In person: Wil O’Neal (Director), Melissa Adams, Victoria Clyde, Jason Cooney, John DeArmond, Robert Glaspy, Soliana Goldrich, Anna Massefski, Marc Minkler, Jason Oko, Taylor Parmenter
- Virtual: Darren Davis, Erin Ludwig, Amber McCormick, Ashley Moody, Samantha Andrews (Assistant Attorney General)

● **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

Stakeholders & Guests:

- In person: Aiden Koplovsky, Anthony Roberts, Robert Russell
- Virtual: "Jay B", "Damona", Andrew Gagnon, Kathryn Gooch, David Ireland, Joe Kellner, Joanne Lebrun, Christopher Paré, Don Sheets, Benjamin A. Wallace Jr., Eric Wellman

Agenda Items:

1. Introductions

There was a moment of silence for Bangor Regional Communications Center dispatcher Dustin Nevells and State Police K9 Preacher who passed recently.

2. Conflict of Interest Disclosures

None.

3. Modifications to the Agenda

None.

4. Public Comments

Butch Russell from Maine Ambulance Association (MAA) offered comment on several bills relating to Maine EMS for the Board's consideration.

Don Sheets spoke on behalf of the Maine Community College System (MCCS) and EMS education in general. Sheets suggests a brief presentation to the Board in a future meeting to have a dialogue about education in the Maine EMS System. The Board invites Sheets to present at a future meeting.

5. Investigations

a. Committee Meeting Minutes – January 28, 2025

MOTION: To accept the Investigations Committee meeting minutes as written.

(Drinkwater, seconded by Gerrish)

VOTE:

In Favor: Downing, Drinkwater, Gerrish, Turcotte

Opposed: None

Abstained/Recused: Libby (abstain)

MOTION CARRIES

b. Case 24-680

- 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 87 occasions and obtained a fee from a government payor or payors on 62 of those incidents.

- ii. The Committee recommends 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: 1) a reprimand; 2) a civil penalty of \$100 for each of the 87 violations, a total of \$8,700 all suspended; and 3) probation with terms for the service to:
 1. 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
 2. 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.

MOTION: To approve the Committee's recommendation.

(Libby, seconded by Langerman)

VOTE:

In Favor: Cyr, Downing, Drinkwater, Gerrish, Langerman, Libby, Ontengco, Turcotte, Whytock

Opposed: None

Abstained/Recused: None

MOTION CARRIES

c. Malinowski Application

- i. 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.
- ii. The Committee recommends 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).

MOTION: To approve the Committee's recommendation.

(Libby, seconded by Whytock)

VOTE:

In Favor: Cyr, Downing, Drinkwater, Gerrish, Langerman, Libby, Ontengco, Turcotte, Whytock

Opposed: None

Abstained/Recused: None

MOTION CARRIES

6. Old Business

a. Meeting Minutes – January 8, 2025

MOTION: To approve the January 8, 2025 Board meeting minutes as written.
(Langerman, seconded by Downing)

VOTE:

In Favor: Cyr, Downing, Drinkwater, Gerrish, Langerman, Libby, Ontengco,
Turcotte, Whytock

Opposed: None

Abstained/Recused: None

MOTION CARRIES

b. Maine EMS Director's Update

Given by Maine EMS Director Wil O'Neal.

i. Team Updates:

1. John DeArmond joined the team as the new Education Coordinator.
2. Interviews for the Regional Manager positions are concluded and offers will hopefully be going out shortly.

c. Medical Directors' Update

Given by Statewide Medical Director Matthew Sholl.

i. Dr. Sholl offers appreciation and thanks to Maine EMS staff, specifically recognizing Marc Minkler, Jason Oko, and Jason Cooney.

ii. MDPB Updates:

1. There are several OB unit closures predicted in the near future, and the MDPB is working on clinical bulletins that would inform people about these closures and their impact.
2. They expect to complete a review of all sections of the protocols with a summer timeframe, supporting the production of education for the fall in advance of a December 1, 2025 rollout.
3. There is currently a Cyano Kit shortage, so Dr. Sholl is working with the MDPB pharmacist to understand if there are resources in our EMS system that can be shared with hospitals as needed. Additionally, they are working with the Northern New England Poison Control Center to draft a bulletin to release imminently regarding the Cyano Kit shortage.
4. There are two candidates who will be interviewed next week by the interview panel for the ACEP position. After conducting the interviews, they will make a recommendation to the MDPB at their February meeting.

iii. Pilot Project Updates:

1. Sanford was expected to go live with their ultrasound project on February 1. More information to come.
2. Delta continues reporting on its stable-vented-patient project. There is ongoing collaboration with their affiliate hospitals around sedation and decision-support tools for patients eligible for these transfers.

- iv. Drs. Sholl, Zimmerman, and Lewis attended the NASEMSO Conference and NAEMSP's Medical Director Council meeting in California last month.
 - d. Update on Consideration of Public Comments & Proposed Responses, Basis Statement, and Proposed Modifications to Chapter 27: Implementation of EMS Sustainability Program
 - i. Chapter 27 is out for public comment for a second time, following the changes made at the last Board meeting. This commenting period will close on February 15, 2025.
 - e. Committee Vacancies and Application Process Review
 - i. Director O'Neal reports that there have been a lot of committee applications, which will go to the respective committees for review. Maine EMS staff gave a brief walkthrough of how to access and submit the application, which can be found here: [Maine EMS Committee Application Form](#).
7. New Business
- a. Discussion on Federal Funding Updates
 - i. With the transition to a new federal administration, Director O'Neal reports that there have been several directives which could impact the Maine EMS office and its federal funding lines. He is keeping a close eye on what comes out from the current administration to ensure Maine EMS can continue to be flexible and responsive.
 - b. Discussion on the Proposed Ambulance Tax (LD210, Part TT, Chapter 380)
 - i. The intent of this bill is to tax non-municipal/non-government agencies 6% of general revenue, putting that money into MaineCare for a 2/3 Federal match to all agencies billing MaineCare. Director O'Neal states that the Commissioner was not aware of this bill, and we were unable to prepare for it or provide comment on it; he states the Commissioner advised the Governor's office of this and encouraged timely engagement around proposed legislation to departments that would be impacted.
 - c. Other Legislative Updates
 - i. LD35: An Act to Strengthen Local Emergency Medical Services by Increasing the MaineCare Reimbursement Rate for Ambulance Services

Director O'Neal states we support any increase for ambulance rates across the state of Maine as long as it's done correctly and in a measured way. However, the speed at which LD210 would infuse money into the system could destabilize it.

Director O'Neal spoke with the Director of MaineCare Services, Michelle Probert. Probert expressed concern with the sudden influx of cash, saying that it could take up to 24 months to put a program in place to manage it, a program which could potentially require a rulemaking process.

- ii. LD238: An Act to Protect Emergency Medical Services Persons’ Right to Work in Multiple Health Care Settings

Director O’Neal points out that lines 13-16 of LD245 has the same “contractor” language as LD238. This language would put “contractors” somewhere between EMS and DHHS, making no regulatory body authorized for oversight or competing bodies authorized for oversight. Both agencies, as well as nursing associations, and Director William Montejo of the Division of Licensing & Certification within DHHS, and others, are opposed to this language.

- iii. LD245: An Act to Implement Recommendations of the Blue Ribbon Commission to Study Emergency Medical Services in the State

Director O’Neal spoke about the current structure of the Maine EMS Office and the Board. The stance of Maine EMS on this matter is that adding an additional 26-member commission (which would include three members of the House, three members of the Senate, and other representatives, but not guarantee the inclusion of someone in an EMS position) will not increase efficiency. Rather, the creation of the commission seems duplicative to the committees, councils, and Board already in place.

Associate State Medical Director Kate Zimmerman points out that the language outlining “representatives” is not specific enough to ensure EMS knowledge or expertise in most cases. She states she is also concerned about the “contractor” language in this bill, which is not a recommendation of the Blue Ribbon Commission.

8. Other

- a. The Maine EMS Board of Directors will hold a special, off-cycle meeting on Thursday, February 20, 2025, starting at 9:30 AM.
 - i. This meeting will be held virtually.

MOTION: To hold a virtual, off-cycle meeting on Thursday, February 20, 2025, starting at 9:30 AM.

(Libby, seconded by Turcotte)

VOTE:

In Favor: Cyr, Downing, Drinkwater, Gerrish, Langerman, Libby, Ontengco, Turcotte, Whytock

Opposed: None

Abstained/Recused: None

MOTION CARRIES

- b. The next regularly scheduled meeting of the Maine EMS Board of Directors will be held in-person on Wednesday, March 5, 2025, starting at 9:30 AM.
 - i. This meeting was to begin with a hearing, but that hearing has been postponed.

The meeting was adjourned at 10:44 AM
(Motion by Cyr, seconded by Libby; unanimously in favor)

DRAFT