



STATE OF MAINE  
DEPARTMENT OF PUBLIC SAFETY  
MAINE EMERGENCY MEDICAL SERVICES  
152 STATE HOUSE STATION



JANET T. MILLS

GOVERNOR

AUGUSTA, MAINE 04333

MICHAEL SAUSCHUCK

COMMISSIONER

J. SAM HURLEY

DIRECTOR

BOARD OF EMS MEETING  
NOVEMBER 3, 2021  
ZOOM

“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 Members Present: Nate Allen, Tim Beals, Brad Chicoine, Joe Conley, Heidi Cote, Judy Gerrish, Joe Kellner, Rich Kindelan, John Martel, Julie Ontengco, Dennis Russell, Steve Smith, Scott Susi Ex. Officio: Dr. Kate Zimmerman, Dr. Matthew Sholl

Staff Present: Director Sam Hurley, Melissa Adams, Marc Minkler, Jason Oko, Darren Davis, Jessica Ricciardelli, A.A.G. Ron Guay

Stakeholders: Dan Masselli, public comment guy, R. Silvia, Joann Lebrun, Dwight Corning, John Cordts, Andrew Braley, Jim-Lisbon, Carol Tibbetts, John Cordwell, Phil MacCallum, Sally Taylor, Benjy Lowry, Butch Russell, Chase Labbe, Aiden Koplovsky, Dayna Emerson, Walter Mosher, Ben Wallace

CALL TO ORDER 9:30

1. Introductions

2. Disclosure of any conflicts of interest

Recusals from investigative reports; Brent Libby, Tim Beals, Amy Drinkwater

3. Modifications to the Agenda

Director Hurley would like the Board to review the PSE modifications that expire at the end of December. Director Hurley has requested that the modifications be extended for 3-6 months.

Director Hurley states that Maine EMS has received additional grant funding and he is requesting authorization from the Board to spend \$36,000 in grant money.

4. Public Comments

John Cordts speaks regarding the state of the EMS system.

Sue Salisbury representing house district 35 speaks to address the current workforce shortage.

Rick Petrie speaks regarding work that he is doing to address the workforce shortage.

Gerry Pineau speaks regarding uploading trainings and getting approval for training. He is asking for guidance from Maine EMS about the new process.

5. Robert's Rules of Order Update

Director Hurley

Requests that the Board formally state their motions so that we can have a direct recorded translation of the motion. The office requests that the motions are explicitly stated for the record so the minutes can correctly reflect the motions that are voted on.

6. Minutes

a. October 6, 2021

*MOTION: To approve the minutes of the October 6, 2021 Board meeting.*

*Made by: Kindelan ; Seconded by: Gerrish*

*Roll Call Vote (Yes):0*

*No: Allen, Beals, Chicoine, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Martel, Ontengco, Russell, Smith, Susi*

***Motion Fails***

*MOTION: To table the minutes of the October 6, 2021 Board meeting until the 10D vote can be clarified.*

*Made by: Kindelan; Seconded by Gerrish*

*Roll Call Vote (Yes): Allen, Beals, Chicoine, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Martel, Ontengco, Russell, Smith, Susi*

*No: 0*

***Motion Carries***

7. Directors Report  
Director Hurley

There have been concerns regarding EMS workforce recruitment and retention and we do have confirmation that EMS will be included in that funding that is being put forward from the Department of Labor. There will be a survey going out to assess concerns and it reflects items unique to EMS.

a. Legislative Proposals

There are several bills that will pertain to EMS, however, one in particular that is being put forth by Representative Ross, however we do not have the language for that bill yet. We are working on setting up a meeting with Representative Ross so that we have a better understanding of the content of the bill.

We received additional funding of approximately \$36,000 for recruitment and retention focus groups as well as for a quality improvement standardization project.

Maine EMS should have the Systems of Care Program Coordinator and CP Program Manager positions posted this week.

Maine EMS is beginning the process of hiring a Substance Abuse Coordinator.

Community Paramedicine  
Jason Oko

This Committee has not met since the last Board meeting.

QI/QA Committee  
Jason Oko

The QA/QI Committee finished the sepsis newsletter posted it yesterday. We will be sending it out to service leadership today

Mr. Oko states that there was a change in the education module when ImageTrend updated the licensing site. The training module was moved to the education module. We continue to work through some issues with ImageTrend and they are also working on some issues on their end.

Data Committee  
Darren Davis

The Data Committee has reached out to service agencies to see if they want to continue being vaccinating agencies. We've received half of those surveys back. We are currently preparing some guidance to send out to vaccinating agencies.

The Data Committee is sending out a survey to get some feedback from clinicians and medical directors on the status of our records systems.

EMSC Advisory Committee  
Marc Minkler

The Committee did not have a quorum at our last meeting. However, we did provide an update on our ongoing projects.

We continue with our VR program and we are looking to extend contract to allow for more pediatric education. Mr. Minkler will be presenting on the role of VR programs in Maine to the NSEMSO pediatric meeting.

IFT Committee  
Marc Minkler

This Committee has not met. The Committee has been given a list of candidates and Mr. Minkler is currently waiting to hear back from the Committee members on when they would like to review the apps and meet again.

Melissa Adams

Maine EMS has reviewed safety programs that will be due in November of 2022 with the service license renewal.

Ms. Adams informs the Board that the licensing waiver of definition of skills hours will expire at the end of December 2022.

EMD

Melissa Adams

The Committee continues to work on EMD the priority reference system guide. It was last reviewed in 2014 and we are making some proposed updates.

The Committee is working on updated education for the EMD program about EMD response plans.

Education Committee

Chris Azevedo

The Education Committee has not met within the last month.

The 2021 protocol updates concluded on October 28<sup>th</sup>. The update course went live on MEMSEd last night. The next education up for MEMSEd will be supplemental education modules for scope of practice expansion.

Exam Committee

Chris Azevedo

The Exam Committee has not met within the last month.

Labor Committee

Griffin Bourassa

The Committee had interviews for 6 applicants seeking to fill 3 vacancies. The selected have been approved by Chair Libby

Rules Committee

Griffin Bourassa

The Chapter 21 immunization requirements are finished and at the Secretary of State's office awaiting approval.

The committee is nearing the proposed requirement for ambulance operators that the legislature has requested from us and after that, the Committee will take on the AED registry.

Vaccination rule: broad in requirements to spark some discussion and we are encouraging the public to make comment during the public comment sessions.

Maine Stroke Alliance  
Dr. Zimmerman

The Alliance passed set of bylaws and are currently working on nominations for the Maine Stroke Alliance Board. We would like to have that done prior to Thanksgiving and after that we will work on launching the website.

Trauma Advisory Committee  
Dr. Zimmerman

The Committee did not have a quorum at the last meeting. However, we did discuss discussed CMMC staffing and how they were not able to admit trauma or pediatric patients and how the messaging was relayed.

## 8. Medical Director Report

- a. MDPB  
Dr. Sholl

The protocol updates have been completed. Dr. Sholl thanked, Chris Azevedo, Marc Minkler, the members of the MDPB and DR. Zimmerman for their involvement and efforts ensuring that the protocol update went smoothly.

Chris Azevedo updated the Board with the feedback received from the protocol update webinars.

Dr. Sholl states that the MDPB will be debriefing for the recently updated protocols and they will begin pre-briefing for the upcoming protocol update.

9. Investigations

*MOTION: To accept the minutes from the November 1, 2021 meeting*

*Made by: Kellner; Seconded by: Conley*

*Roll Call Vote (Yes): Beals, Conley, Gerrish, Drinkwater, Kellner*

*No: 0*

*Absent: Downing*

***Motion Carries***

**Case Summary 21-168:** A licensee allegedly responded to a request for service and provided care while intoxicated. This case was tabled at the September 23, 2021 meeting to allow staff to work with the licensee to voluntarily seek an evaluation for substance abuse disorder and participate in an informal conference.

***The Committee recommends resolving case 21-168 by issuing a letter of guidance citing Maine EMS Rules chapter 11 §1 (7) “Responding to the scene of a call while under the influence of drugs or alcohol, whether or not the use of such substances is habitual”, encouraging the use of support systems and being conscientious about responding to calls following any use of alcohol or other intoxicating substances. This will remain on file for four (4) years.***

*MOTION: To accept the Investigation Committees recommendation.*

*Made by: Russell; Seconded by: Ontengco*

*Roll Call Vote (Yes): Allen, Chicoine, Conley, Gerrish, Kellner, Libby, Martel, Ontengco, Russell, Smith*

*No: Cote, Kindelan*

*Absent: Susi*

*Recused: Beals, Drinkwater*

***Motion Carries***

**Case Summary 21-182:** A patient complaint that a licensed service failed to take any improvement measures when notified that a crew dropped the patient.

***The Committee recommends dismissal of case 21-182.***

*MOTION: To accept the Investigation Committees recommendation*

*Made by: Smith; Seconded by: Russell*

*Roll Call Vote (Yes): Allen, Beals, Chicoine, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi*

***Motion Carries***

**Case Summary 21-193:** A licensee allegedly abandoned a patient and failed to complete a patient care report.

***The Committee recommends resolving case 21-193 by issuing a letter of guidance citing Maine EMS Rules chapter 11 §1 (14) “Violation of any standard established in the profession” for not documenting a patient refusal and Chapter 5 §4. Requiring the licensee who provided primary patient care to enter an electronic patient care report within 24 hours. This will remain on file through April 30, 2025.***

*MOTION: To accept the Investigation Committees recommendation*

*Made by: Kindelan ; Seconded by: Drinkwater*

*Roll Call Vote (Yes): Allen, Beals, Chicoine, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Martel, Ontengco, Russell, Smith, Susi*

*No: Cote*

*Recusals: Libby*

***Motion Carries***

**Case Summary 21-184:** A licensed service failed to maintain required equipment and medications.

***The Committee recommends resolving case 21-184 by offering a consent agreement citing violation of Maine EMS Rules chapter 3 §14 (1) for a probationary period of six (6) months with terms that include a \$2,500 fine for each failed inspection, for a total of \$5,000; a requirement for 100% QA/QI review of each request for service to ensure an ePCR is entered, documentation is appropriate, and adequate care is provided; QA/QI must be contracted with a third party pre-approved by the EMS Office; requiring a comprehensive review of service operations by a third party with experience in such reviews; the reviewer must be pre-approved by the EMS Office; a detailed plan of how the service will address any deficiencies and/or make suggested improvements noted in the operations review; the service’s license renewal may be issued upon successful completion of all terms of probation.***

*MOTION: To accept the Investigations Committee recommendation.*

*Made by: Beals ; Seconded by: Susi*

*Roll Call Vote (Yes): Allen, Beals, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Smith, Susi*

*No: Chicoine, Russell*

***Motion Carries***

**Case Summary 21-187:** A licensee has demonstrated incompetent practice in failing to acknowledge contaminated equipment generally used for an invasive procedure and made inaccurate statements regarding their response to calls for service.

***The Committee recommends resolving case 21-187 by issuing a letter of guidance encouraging the licensee to either downgrade their licensee to a level in which they feel comfortable providing care on all calls or to seek training to improve skills to a point in which they feel comfortable responding to all calls at their current license***



***level; and to be mindful of providing accurate statements. This will remain on file for a period of two licensing cycles.***

*MOTION: To accept the Investigation Committees recommendation.*

*Made by: Kindelan; Seconded by: Cote*

*Roll Call Vote(Yes): Allen, Beals, Chicoine, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi  
No:0*

***Motion Carries***

**Case Summary 21-202:** Non-compliance with a consent agreement from case 20-124.

***The Committee recommends setting a firm deadline (such as November 30, 2021) for the licensee to come into compliance with the terms of the consent agreement requiring the licensee to identify a third party QA reviewer and have the reviewer pre-approved by the Maine EMS Office; and, if the licensee does not comply, then the staff is authorized to issue a preliminary license denial on the licensee's renewal.***

*MOTION: To accept the Investigation Committees recommendation*

*Made by: Kellner ; Seconded by: Kindelan*

*Roll Call Vote(Yes): Allen, Beals, Chicoine, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi  
No:0*

***Motion carries***

Fielder Application Review Summary: EMT new provider application disclosing a criminal conviction for three counts of theft by receiving stolen property in 2007; two of these are class D and one is a class B offense.

***The Committee recommends issuing the applicant a license, finding they have been sufficiently rehabilitated to warrant the public's trust.***

*MOTION: To approve the Investigation Committees recommendation to issue Fielders EMT license*

*Made by: Kindelan; Seconded by: Drinkwater*

*Roll Call Vote (Yes): Allen, Beals, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi  
No: Chicoine*

***Motion carries***

Nappi Application Review Summary: EMT new provider application disclosing a criminal conviction for assault, a class D offense, in 2013.

***The Committee recommends issuing the applicant a license, finding they have been sufficiently rehabilitated to warrant the public's trust.***

*MOTION: To approve the Investigation Committees recommendation.  
Made by: Kellner; Seconded by: Ontengco  
Roll Call Vote (Yes): Allen, Beals, Conley, Cote, Drinkwater, Gerrish,  
Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi  
No: Chicoine  
**Motion carries***

10. Old Business

PSE exam modifications

*MOTION: To extend the PSE modifications through June 30, 2022  
Made by :Beals; Seconded by; Kindelan  
Roll Call Vote (Yes): Allen, Beals, Chicoine, Conley, Cote, Drinkwater,  
Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi  
No: 0  
**Motion carries***

11. New Business

a. State of the System

The Board discussed the state of the Maine EMS system. There was already a shortage of staff and the vaccine mandate exacerbated the issue. Furthermore, there are not enough people going through the Maine EMS education system. The Board has issued a resolution to address this staffing and retention crisis.

*RESOLUTION: The Board of Maine EMS acknowledges that we are in a staffing crisis and we commit to making this an immediate priority to obtain and recruit qualified professionals.*

*Made by: Libby; Seconded by: Martel*

*Roll Call vote (Yes): Allen, Beals, Conley, Cote, Drinkwater, Gerrish,  
Kellner, Kindelan, Martel, Ontengco, Russell, Smith, Susi  
No:0*

**Resolution passes**

b. Social Media Policy

Director Hurley presents the Social Media Policy which will be available on the website.

c. QA/QI Survey

Director Hurley

This was developed as a deliverable under the regional contract RFP.  
We are requesting the board to endorse this survey as a QA/QI project.

*MOTION: To send out the 2021 EMS service level quality assurance and quality improvement assessment as a Board approved quality initiative.*

*Made by: Smith; Seconded by: Drinkwater*

*Roll Call Vote (Yes): Allen, Conley, Cote, Drinkwater, Gerrish, Libby, Martel, Ontengco, Russell, Smith, Susi*

*No: 0*

***Motion carries***

- d. Maine Health Access Foundation \$36,000 grant

*MOTION: To approve the grant and associated expenditures.*

*Made by: Russell; Seconded by: Drinkwater*

*Roll Call Vote (Yes): Allen, Conley, Cote, Drinkwater, Gerrish, Libby, Martel, Ontengco, Russell, Smith, Susi*

*No: 0*

***Motion carries***

12. Other

- a. Items for next meeting's agenda

Recruitment and Retention

CP protocols that were presented to the MDPB

Education recommendation to the CP committee

EMT Portfolio process; sunseting of the AEMT and Medic moving forward

- b. Next meeting date (December 1, 2021)

13. Adjourn

*MOTION: To adjourn.*

*Made by: Russell; Seconded by: Gerrish*

1:57