



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  
JANUARY 5, 2022  
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, Bill Cyr, Katelyn Damon, Rosie Davis, Laura Downing, Amy Drinkwater (Chair Elect), Judy Gerrish, Brandon Giberson, Joe Kellner, Rich Kindelan, Brent Libby (Chair), John Martel, Steve Smith, Tiffany Tscherne, Andy Turcotte, Chris Whytock, Ex. Officio: Kate Zimmerman D.O., Matt Sholl M.D.

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

Stakeholders: Brian Chamberlain, Ellin, Joanne Lebrun, Sally Taylor, Paul Marcolini, Kacie Bragdon, Tyler Riley, Dwight Corning, Jay Bradshaw, Pret Bjorn, Ben Wallace Jr., Srbenotti, Ann Kim, Phil MacCallum, Jason Cooney, Renee Gray, Patrick Underwood, Mike Norton, Eric Wellman, Miles Villalobos, Matt Duross, Steve Almquist, Kacie Bragdon, Abigail McMahon, Alexandra Hamm, Steve Leach, Lance Zeli, Don Sheets, Matthew Quinn, Dayna Emerson, Allan Leo, Benjy Lowry, Tammy Lachance, Jesse Thompson, Aiden Koplovsky, Pawl Hewey, Ed Moresehead

CALL TO ORDER 9:30

1. Introductions
2. Disclosure of any conflicts of interest  
Joe Kellner and Bill Cyr will recuse from the LifeFlight waiver.
3. None
4. Modifications to the Agenda
  - i. Waiver request from LifeFlight
  - ii. Vote to ratify TAC recommendation from previous TAC meeting
  - iii. Request by Kindelan to move the Chapter 21 discussion to follow investigations
5. Public Comments  
Marc Minkler requested for the Board to consider drafting a letter or plaque recognizing the former Board members for their efforts while serving on the Maine EMS Board.
6. Minutes
  - i. December 1<sup>st</sup> Meeting Minutes  
*MOTION: To table the December 1<sup>st</sup> meeting minutes*  
*Made by: Kindelan; Seconded by: Gerrish*  
*Roll Call Vote: Allen, Beals, Cyr, Damon, Davis, Downing, Drinkwater, Gerrish, Giberson, Kellner, Kindelan, Libby, Martel, Smith, Tscherne, Whytock*  
*No: 0*  
*Abstain: Turcotte*  
**MOTION CARRIES**
  - ii. December 23<sup>rd</sup> Meeting Minutes  
*MOTION: To accept the December 23<sup>rd</sup> minutes as submitted.*  
*Made by: Beals; Seconded by: Kindelan*  
*Roll Call Vote (Yes): Allen, Beals, Cyr, Damon, Davis, Downing, Drinkwater, Gerrish, Giberson, Kellner, Kindelan, Libby, Martel, Smith, Tscherne, Turcotte, Whytock*  
*No: 0*  
**MOTION CARRIES**
7. Directors Report  
Director Hurley

The Office received a six-million-dollar grant which will be disbursed over 3 years. This will be used to employ a full-time medical director for the first year and two full time medical directors for the second and third year of the grant. The grant funds also include a Deputy Director position and two substance use disorder coordinator positions.

The Office is working with DHHS to secure supplemental funding for booster clinics.

The language for LD 1859 has been published for review.

The Office of Behavioral Health has received grant funds to help build out mental health resources specifically for the EMS workforce.

#### EMS-C Committee

Marc Minkler

The carryover funds request that was submitted to HRSA has been approved. We will be able to spend that during this fiscal year and we have it earmarked for pediatric education. EMS-C will be sending out a new round of surveys.

#### Exam and Education Committee

Chris Azevedo

We are working on hiring two new PSE administrators. The Committee is working on exam scenario revisions to move towards a portfolio competency model. We are beginning discussions regarding the Education and Exam Committee merging.

#### QI Committee

Jason Oko

Working on the Naloxone newsletter with a draft to be ready by the end of January.

#### CP Committee

Jason Oko

CP Committee is working with Director Hurley and others on grant funding. We are currently waiting for the coordinator position to be hired. We have also been reviewing guidelines/protocols for CP.

Mr. Oko states that he will be the staff representative for the Rules Committee.

#### Labor Committee

Darren Davis

Darren will be the staff representative for the Labor Committee.

#### Data Committee

Darren Davis

The Data Committee has completed data system survey with a total of 253 responses. RFP for a new records system is almost finished, the draft should be available soon

Licensing

Melissa Adams

The Office is working on the audit process for clinician renewal applications that will allow automating the system. We will continue to keep users informed of process changes that impact them. The licensing team is working with a higher than usual number of agencies on upgrade/downgrade of license permit levels and transitioning from non-transporting license to a transporting license. We have licensed one new service in Southern Aroostook County.

EMD

Melissa Adams

The next quarterly meeting is January 20<sup>th</sup> with a focus on how to support quality assurance requirements.

8. Medical Director Report

a. MDPB

Dr. Sholl

The MDPB has voted to increase the frequency of their meeting from monthly to weekly to have regular discussions around re-activating the pandemic protocols.

The MDPB is working to address the reduction in trauma care services at CMMC. They approved guidance for EMS regarding destination decision for transport of trauma patients based on recommendations from the Trauma Advisory Committee.

The Committee is currently working on debriefing the 2021 protocols. The process for education development has been difficult and the MDPB has decided to take more ownership over the protocol education process.

9. Investigations

*MOTION: To approve the minutes of the Investigation Committee meeting.  
Made by Kellner; Seconded by Drinkwater*

*Roll Call Vote (Yes): Kellner, Gerrish, Drinkwater, Beals*  
*No: 0*  
*Abstain: Downing*

#### Riley Application

**Case Summary:** An EMT new provider application disclosing a criminal conviction for domestic violence assault, a Class D offence in 2013. The

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

*MOTION: To approve the Committee's recommendation*

*Made by: Smith; Seconded by: Giberson*

*Roll Call Vote (Yes): Allen, Beals, Bill, Damon, Davis,  
Downing, Drinkwater, Gerrish, Giberson, Kellner,  
Kindelan, Martel, Libby, Smith, Tscherne, Turcotte,  
Whytock*  
*No: 0*

#### 10. Old Business

##### a. Chapter 21

Joe Kellner (Chair of Rules Committee) Presents

The Rules Committee has reviewed public comments and made recommended changes for the Board to consider. However, there were additional public comments that were recovered that were not included in the original summary. The Committee recommends tabling the conversation to allow the Rules Committee to review and respond to the additional comments.

*MOTION: To table chapter 21 discussion and allow the Rules Committee to review and reply to the additional comments before bringing it back to the Board.*

*Made by Beals; Seconded by: Gerrish*

*Roll Call Vote (Yes): Allen, Beals, Damon, Davis, Gerrish, Giberson,  
Kellner, Libby, Smith*

*No: Cyr, Downing, Drinkwater, Kindelan, Martel, Tscherne, Turcotte,  
Whytock*

***MOTION CARRIES***

b. Labor Committee

Steve Smith

Mr. Smith states that the Rules Committee has met once since the last Board meeting and they have been working on putting the four commitments into place.

c. Committee Assignments

Trauma Advisory Committee- Tiffany Tscherne

Data Committee- Steve Smith

Community Paramedicine Committee- Andy Turcotte

Education Committee- Steve Smith

Exam Committee- Amy Drinkwater

EMD Committee- Laura Downing

EMS-C Committee- Rosie Davis

IFT Committee- Tim Beals

Rules Committee- Katelyn Damon, John Martel

*MOTION: To add a 7<sup>th</sup> position to the Investigations Committee*

*Made by: Beals; Seconded by Drinkwater*

*Roll Call Vote (Yes): Allen, Beals, Cyr, Damon, Davis, Downing, Drinkwater, Gerrish, Giberson, Kellner, Kindelan, Libby, Martel, Smith, Tscherne, Turcotte, Whytock.*

*No: 0*

***MOTION CARRIES***

*MOTION: To expand the Rules Committee to six members.*

*Made by: Turcotte; Seconded by Downing*

*Roll Call Vote (Yes): Allen, Beals, Cyr, Damon, Davis, Downing, Drinkwater, Gerrish, Giberson, Kellner, Kindelan, Libby, Martel, Smith, Tscherne, Turcotte, Whytock*

*No: 0*

***MOTION CARRIES***

d. Administrative Consent Agreements

Director Hurley Presents

This would allow a licensee to voluntarily enter a non-disciplinary administrative consent agreement to surrender their license during the investigation process. The advantage to the Board and the system is the ability to initiate formal action without delay or the need for an emergency board meeting.

*MOTION: TO adopt resolution 2022.01.05.01 as presented.*

*Made by Kellner; Seconded by: Kindelan*

*Roll Call Vote (Yes): Allen, Beals, Cyr, Damon, Davis, Downing, Drinkwater, Gerrish, Giberson, Kellner, Kindelan, Libby, Martel, Smith Tscherne, Turcotte, Whytock*

*No: 0*

***MOTION CARRIES***

## 11. New Business

### a. Data Rule & Drivers Rule

Joe Kellner states that the Rules Committee has almost finished the draft of these rules, but the Committees focus has been on the Chapter 21 rule. The Committee would like to have drafts of these rules to the Board members for review during the February meeting.

### b. Trauma Advisory Committee Recommendation

Dr. Zimmerman presents

Dr. Zimmerman states that the Committee met several times during December to address the reduction in neurological services at CMMC. The TAC has put forth some recommendations for Board approval.

*MOTION: TO approve the December 28, 2021 TAC meeting recommendations minus recommendation number three, the guidance around transfers and CQI.*

*Made by Libby; Seconded by Giberson*

*Roll Call Vote (Yes): Allen, Cyr, Damon, Davis, Giberson Libby, Tscherne*

*No: Beals, Downing, Drinkwater, Gerrish, Kellner, Kindelan, Martel, Smith, Whytock*

***MOTION FAILS***

*MOTION: To adopt the resolution as presented by TAC from their December 28, 2021 meeting effective immediately, and to share feedback from the Board as they wish to evaluate it on subsequent recommendations.*

*Made by Kellner; Seconded by: Downing*

*Roll Call Vote (Yes): Allen, Beals, Cyr, Davis, Downing, Drinkwater, Gerrish, Giberson, Kellner, Kindelan, Libby, Martel, Smith, Whytock*

*No: Tscherne*

***MOTION CARRIES***

Kindelan leaves 1:01

c. LifeFlight Waiver Request

Joe Kellner and Bill Cyr recuse themselves

The waiver request is to allow LifeFlight of Maine to respond to both IFT and scene requests with a Nurse/Nurse configuration, without an EMS licensed provider in the crew configuration on rare occasions when there are no other staffing options available. LifeFlight would need to report each instance to Maine EMS

Chair Libby presents the waiver

- 1) Whether the person seeking the waiver took reasonable steps to ascertain the rule and comply with it. Finding: Yes, does this weigh in favor of granting the waiver? Yes
- 2) Whether the person seeking the waiver was given inaccurate information by an agent or employee of the State EMS Program. Finding: No Does this weigh in favor of granting the waiver? Yes
- 3) Whether the person seeking the waiver or any other individual or group would be significantly injured or harmed if the rule is not waived. Finding: yes, does this weigh in favor of granting the waiver? Yes
- 4) Would the waiver of the rule in this case pose a health or safety risk to the public at large, or a particular individual or community? Finding: No Does this weigh in favor of granting the waiver? yes
- 5) Would waiver of the rule in this case establish a precedent that would unduly hinder the Board or Office of EMS in its administration of Maine's EMS system? Finding: No Does this weigh in favor of granting the waiver? Yes

*MOTION: To approve the waiver of the Maine EMS Rule Chapter 4§9, paragraph 1.A.3 as requested.*

*Roll Call Vote (Yes): Allen, Beals, Damon, Davis, Downing, Drinkwater, Gerrish, Giberson, Libby, Martel, Smith, Turcotte, Whytock*

*Recused: Cyr, Kellner*

***MOTION CARRIES***



12. Other

- a. Items for next meeting's agenda  
Resolution review
- b. Next meeting date (January 14, 2022)

13. Adjourn

Adjourned at 1:29 with no objections