



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
152 STATE HOUSE STATION
AUGUSTA, MAINE 04333

MICHAEL SAUSCHUCK
COMMISSIONER

J. SAM HURLEY
DIRECTOR

BOARD OF EMS MEETING
OCTOBER 7, 2020
9:30 AM
VIA ZOOM
MINUTES

Members Present: Nate Allen, Tim Beals, Brad Chicoine, Joe Conley, Heidi Cote, Laura, Downing, Amy Drinkwater, Judy Gerrish, Joe Kellner, Rich Kindelan, Brent Libby, John Martel M.D., Julie Ontengco, Steve Smith, Scott Susi, Matt Sholl M.D. (ex-officio), Kate Zimmerman D.O. (ex-officio)

Staff: Christopher Azevedo, Sam Hurley, Marc Minkler, Jason Oko, Melissa Adams, Jessica Ricciardelli, Griffin Bourassa, Darren Davis, Katie Johnson (Assistant Attorney General)

Stakeholders: Jay Bradshaw, L'easa Blaylock, Eric Wellman, Brian Chamberlin, Andrew Gagnon, Rick Petrie, Debbie Morgan, Bucksport Public Safety, Dayna Emerson, Andrew Black, E.Sullivan, Benjy Lowry, Joanne Lebrun, Aiden Koplowsky, Sean Tuemmler, Shawn Cordwell, Chip Getchell, Ben Zetterman, Chief MacDonnell

9:32

1. Introductions
2. Disclosure of any conflicts of interest

Tim Beals discloses that he has a training center application that is pending; however, he is able to participate in the Education Committee discussion without bias.

3. Modifications to the agenda

Mrs. Johnson would like to add Case 20-103 to the Investigations agenda item.

4. Public Comments

None

5. Meeting Minutes (September 2, 2020)

*MOTION: To approve the minutes of the September 2, 2020 meeting as amended.
Made by: Beals ; Seconded by Conley*

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*Roll Call Vote:(Yes:13)Allen, Beals, Chicoine, Conley, Cote, Downing, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Smith, Susi
No: (0)*

6. Director's Report

Mr. Hurley

The Pandemic Playbook has been approved by CDC and we are now working with the Office of Behavioral Health to add wellness and mental health services. Once we received the language from the, we will make the additions to the Playbook and send it out.

Starting today, we will have video advertisements from Maine EMS encouraging people to take care of themselves and gives a link for helpful resources including contact information for the front-line warm line.

Legislation has not been approved by the Governor's office. She has until October 15th, 2020 to do so. If the proposed legislation is approved the information will be distributed to the Board members for review and comment.

COMMITTEE UPDATES

Jason Oko

Data Committee

The Data Committee is working to schedule interviews for open positions. We have sent out information regarding interview dates and times.

QA/QI Committee

We are currently wrapping up the next iteration of the newsletter regarding cardiac arrest.

Community Paramedicine

CP is meeting tomorrow; working with guidelines of community paramedicine.

Marc Minkler

EMSC

EMSC met Sept 24thdiscussed upcoming national surveys; looking at pediatric statistics and procedures with services. We will be sending a survey out in the spring.

Chris Azevedo

Exam Committee

The Exam Committee met last month, and we are working to revise the PSE model and looking at possibly changing to a skills exam portfolio.

Education Committee

The Education Committee has training centers that are moving through the approval process.

Griffin Bourassa

LD2105

LD2105 is meeting on a regular basis; working with Darren to summarize data regarding the expense survey. We received responses from around 22% of our agencies. The next meeting will be on October 23rd.

Melissa Adams

EMD

The EMD Committee will be meeting October 15th, Interviews for PSAP Manager position and discussing goals for the Committee over the next year.

7. Medical Director Report

a. MDPB

Dr. Sholl

MDPB continues to meet on the 2nd and 4th Monday of each month as well as our regular monthly meetings. We have completed review of Brown, Purple, Gray and Blue sections. We are currently finishing the Red section and we are on schedule for the rollout in December 2021.

The next protocol discussion forum is November 25th, 2020 at 12:30 pm. We are looking for more participation from clinicians. Dr. Pieh is working on a bridge and standards for Physicians to practice within pre-hospital EMS system. Dr. Busko continues to work on the Jackman Project and developing protocols. I have been working with Dr. Tinley on the PIFT program.

Dr. Kevin Kendall has notified us that he is stepping down as the Maine representative for the American College of Emergency Physicians (ACEP). ACEP has nominated Dr. Kelly Megan-Cousee and the MDPB has voted to recommend her appointment. (See new business agenda item)

8. Investigations

MOTION: To approve the minutes of the September 24th Investigations Committee meeting.

Made by: Beals; Seconded by Conley

Roll Call Vote: (Yes:5) Beals, Conley, Downing, Drinkwater, Kellner

No: (0)

Abstain: (1) Gerrish

Informal Review: Case: 20-128

Brent Libby recuses himself

Summary 20-128: Licensee who is currently expired, disclosed a criminal conviction for OUI in 2019.

The Investigation Committees recommendation is to resolve this case with a letter of guidance citing the importance of compliance with 32 M.R.S. 90-C(1)B regarding

appropriate timeline for reporting to MEMS, and Maine EMS Rules Chapter 11§1.4 as unprofessional conduct. The letter is to be kept on file for a period of six years.

MOTION: To accept the Investigation Committee's recommendation.

Made by Kellner ; Seconded by: Ontengco

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

No: (0)

Recusals: (1) Libby

Informal Conference: Case 20-118

Summary 20-118: A family member made a complaint that the licensee failed to treat a patient after being requested to respond by a BLS unit. The licensee then allegedly abandoned the patient to the care of the lower level provider and his assessment and care were not documented.

The Investigation Committees recommendation is to resolve this case by offering a consent agreement with a warning; citing violations of Maine EMS Rules Chapter 11 §1(14) as unprofessional conduct. The agreement will require a 100% AQ/QI review of all the licensee's PCRs for a period of one year, conducted by a qualified individual not related to the service where the licensee is employed; the reviewer must be approved by MEMS staff, and the reviewer will report to the EMS Office quarterly. All associated costs will be the burden of the licensee.

MOTION: To accept the Investigation Committee's recommendation.

Made by: Kindelan; Seconded by Libby

Roll Call Vote: (Yes:13) Allen, Beals, Chicoine, Conley, Cote, Downing, Drinkwater, Kellner, Kindelan, Libby, Martel, Gerrish

No: (2) Smith, Susi

Informal Review: Case 20-129

Summary 20-129: Applicant for an EMT license disclosed a conviction for three counts of manslaughter and felony OUI stemming from a motor vehicle crash in 2002, of which he was the driver and the only surviving occupant of the vehicle.

The Investigation Committees recommendation is to issue the applicant's license, finding that the applicant has be sufficiently rehabilitated to warrant the public's trust.

MOTION: To accept the Investigation Committee's recommendation.

Made by Conley; Seconded by: Smith

Roll Call Vote (Yes:7) Conley, Downing, Drinkwater, Gerrish, Kellner, Libby, Smith

No:(6) Allen, Chicoine, Kindelan, Martel, Ontengco, Smith

Recusals: (2) Beals, Cote

Case 20-103

Summary: 20-103: Applicant disclosed a criminal conviction for class D assault. This case was originally addressed in June.

MOTION: To enter executive session pursuant to Title 1MRS §405 (6) E to receive legal advice concerning the case in question.

Made by: Smith; Seconded by Libby
Roll Call Vote (Yes:15) Allen, Beals, Chicoine, Conley, Cote, Downing,
Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Smith, Susi
No(0)

Enter session 10:42

MOTION: To exit executive session.

Made by: Ontengco; Seconded by: Beals
Roll Call Vote: (Yes:15) Allen, Beals, Chicoine, Conley, Cote, Downing, Drinkwater,
Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Smith, Susi
No: (0)

Exit session: 10:49

Request for reconsideration from Mrs. Johnson, is to issue the license with a consent agreement, citing Maine EMS Rules Chapter 11 §1.5. as unprofessional conduct. The agreement would require the applicant to notify the Board within 5 days of an arrest or charges and his license would be automatically suspended for 30-days in this situation to allow for a hearing; his EMS Supervisor would be required to submit quarterly reports for a period of 6 months; and he would be required to notify the Board of any changes with employment within 5 days

MOTION: To deny the request for reconsideration.

Made by Susi; Seconded by: Kindelan
Roll Call Vote: (Yes:12) Allen, Chicoine, Cote, Downing, Drinkwater, Gerrish,
Kellner, Libby, Martel, Ontengco, Smith, Susi
No: (3) Beals, Conley, Gerrish

9. Old Business

None

10. New Business

a. Non-Discrimination/Anti-Harassment Resolution

Mr. Hurley requests that this item is tabled so the AAG can further review the statement.

MOTION: To table the Non-Discrimination/Anti-Harassment Resolution item pending legal review.

Made by: Beals; Seconded by: Smith
Roll Call Vote:(Yes:14): Allen, Beals, Chicoine, Conley, Cote, Downing,
Drinkwater, Gerrish, Kellner, Kindelan, Martel, Ontengco, Smith, Susi
No:(0)

b. Education Committee Proposal

Education Committee Chair Brian Chamberlain presents:

The Education Committee requests that the Board table defining what the term “supervision” entails regarding the role of I/C’s in training programs for the next nine months. During this time the committee will review and update the Training

Center Document and develop a set of recommendations for the Board's consideration. The MEMS Office is in support of the request, noting that the timeline seems tight.

MOTION: To require each Training Center to submit their current supervision plan to the Education Committee for consideration during a review and update of the Training Center document over the next nine months; the Education Committee will return to the Board in nine months with a set of recommendations.

Made by Libby; Seconded by: Gerrish

Roll Call Vote: (Yes:15) Allen, Beals, Chicoine, Conley, Cote, Downing, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Smith, Susi

No: (0)

c. MDPB Appointment

MOTION: To accept the recommendation of the MDPB and ACEP to appoint Dr. Meghan-Cousee to the MDPB as the Maine ACEP representative.

Made by: Beals; Seconded by: Susi

Roll Call Vote: (Yes:15) Allen, Beals, Chicoine, Conley, Cote, Downing, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Smith, Susi

No: (0)

11. Other

a. Items for next meeting agenda

i. Non-Discrimination/Anti-Harassment Resolution

b. Next meeting date (November 4th, 2020 @ AM)

12. Adjourn 11:36

MOTION: To Adjourn

Made by: Kindelan; Seconded by: Drinkwater