



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
MAY 5, 2021
ZOOM
FINAL

“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: Tim Beals, Joe Conley, Heidi Cote, Amy Drinkwater, Judy Gerrish, Joe Kellner, Rich Kindelan, Brent Libby, John Martel, Julie Ontengco, Dennis Russell, Steve Smith, Scott Susi, Ex. Officio: Matt Sholl, M.D., Kate Zimmerman, D.O.

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

Stakeholders: Joanne Lebrun, Rick Petrie, Paul Marcolini, Debbie Morgan, L'Easa Blaylock, Jesse Thompson, Travis Norsworthy, Jeremy Nadeau, Dayna Emerson, Jay Bradshaw, Chip Getchell, Chief MacDonnell, Peter Somerville, John Rolfson, Ed Moreshead, Sally Taylor, Butch Russell, Michael Senecal, Shawn Cordwell

CALL TO ORDER 9:30

1. Introductions

2. Disclosure of any conflicts of interest

Dennis Russell will recuse himself for the waiver request presented by Jeremy Nadeau

3. Modifications to the Agenda

Chair Kellner requests that AAG Guay advise the Board on reconsiderations to consent agreements under the Investigations agenda item.

Chair Kellner requests that Dr. Zimmerman presents the updates to the TAC bylaws and membership under the New Business agenda item.

Dr. Sholl requests that the Board address two IRBs to be presented by Dr. Sholl under the New Business agenda item.

4. Public Comments

Jay Bradshaw spoke to the Board regarding the legislative committee meeting to review LD1258. Mr. Bradshaw shared his concerns over the bill dying in Appropriations due to the fiscal note that is tied to this piece of legislation.

5. Meeting Minutes

a. April 7, 2021

MOTION: To accept the meeting minutes, as amended, from April 7, 2021

Made by: Russell; Seconded by: Drinkwater

Roll Call Vote (Yes): Beals, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Russell, Susi

No: (0)

6. Director's Report

a. Legislative Update

LD1258 An Act To Implement the Recommendations of the Stakeholder Group Convened by the Emergency Medical Services' Board Related to Reimbursement Rates for Ambulance Services by Health Insurance Carriers and to Improve Participation of Ambulance Service Providers in Carrier Networks Director Hurley states that the office cannot support the modifications to this bill without the fiscal note, which would provide MEMS with the additional staffing needed to support this bill.

LD1333 An Act Concerning the Dispensation of Naloxone by Emergency Medical Services Providers This was approved unanimously in committee with an emergency clause; we do not see any major issues with this passing.

LD1653 Resolve, Regarding Legislative Review of Chapter 124: Emergency Medical Services Personnel Reporting Rule, a Late-filed Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention This is a resolve from the DHHS regarding the COVID19 reporting tool that we established in 2020. We will be testifying in support of that rule. We have been using this tool and have found it to be extremely useful.

LD1605 An Act To License Ambulance Drivers Who Are Not Licensed To Provide Emergency Medical Services We are testifying neither for nor against. This would make a new license type for EMS drivers. This would allow them to receive death benefits, but there might be concerns for volunteer agencies concerning the cost for background checks.

LD1290 An Act to Amend the Statement of Purpose of the Maine Emergency Medical Services Act of 1982 To Include Emergency Responses That Do Not Require Transportation We will testify neither for nor against this bill. The language doesn't change what Maine EMS is currently doing, it just further clarifies what we do.

Director Hurley announces that Maine EMS has been included in a 4.3-million-dollar grant that will begin June 1st. The majority of the grant money will be directed to Community Paramedicine programs and systems of care coordination. We will be beginning the process of hiring a systems of care coordinator as soon as possible.

Director Hurley states that he and Dr. Sholl are working on a four-year grant for substance use disorders.

Vaccination efforts continue, however, there are concerns now regarding a declining vaccine uptake rate.

Committee Updates

Education & Exam Committee
Chris Azevedo

Mr. Azevedo states that he will report under the PSE modifications agenda item.

EMS-C
Marc Minkler

We are currently working on a year end report that is due in July for HRSA.

We have recently posted a safe sleep program on MEMSed; this is a hospital-based program, however, it is important for EMS clinicians to be able to recognize safe sleep situations for infants.

We are working with perinatal workgroup working on opportunities for IFT and moving OB and newborns throughout the state safely

Midwifery & EMS- working with this group regarding skills and how they interact with EMS

National Pediatric Readiness Project is in progress; it started May 1st; surveys have been sent out. Once done we'll be able to compare Maine with National metrics

Community Paramedicine Committee
Jason Oko

At the last CP meeting we looked at processes for education for CP clinicians and agencies.

QI Committee

The QI Committee met last month, but we did not have a quorum. We did choose a topic for the next newsletter. We are going to look into doing an education presentation on MEMSed to offer CEH's for the newsletter.

We have several open positions for the Committee, and we have had several applicants interested; they will be interviewed at the next meeting.

Data Committee
Darren Davis

The Data Committee still has five open seats available. We are currently putting together an RFP for the records system (licensure & MEFIRS).

EMD
Melissa Adams

Protocol vendors have switched to digital resources only, MEMS is working with the ESCB to ensure that licensed EMDs continue to have access to educational

resources, specifically for quality assurance reviewers. The IAED has also added a three-hour standardized telecommunication essentials course to recertification requirements, there is no added cost for individuals. The EMD committee workgroups continue to work off-line on quality assurance goals and educational outreach materials.

Labor Committee
Griffin Bourassa

Mr. Bourassa states that he will address the Board under the Investigations and Labor Committee agenda items.

7. Medical Director report

a. MDPB

Dr. Sholl

The MDPB has met seven times since the last Board meeting. We continue to note the status of the pandemic across the nation and the state of Maine.

We held a retreat in April which was intended to orient our new members to projects that we have been working on and the direction that we would like to head in.

The Jackman Project group has finished reviewing proposed protocols. These will be brought to the Board as soon as they are finished.

Protocol review is wrapping up. We are planning on hosting a final protocol discussion later this month.

8. Investigations

MOTION: To accept Investigations Committee Minutes from the April 22, 2021 Meeting

Made by: Conley ; Seconded by: Gerrish

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

No: (0)

Case Summary 21-164: A licensee documented their role as the primary patient caregiver transport on two calls for service although patient care was transferred to another licensed provider who served as the primary patient caregiver during transport.

The Investigation Committees recommendation is to dismiss this case, recognizing the quality assurance and improvement actions and the discipline already taken by the service.

MOTION: To accept the Investigation Committee's recommendation.

Made by: Russell; Seconded by: Kindelan

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

No: (0)

Recusal: Beals

Case Summary 21-167: A licensed non-transporting service failed to maintain minimum equipment standards.

The Investigation Committees recommendation is to resolve this case by issuing a letter of guidance citing the importance of maintaining the appropriate equipment and medications for providing care at the service's license/permit level; to be kept on file for 4 years.

MOTION: To accept the Investigation Committees recommendation.

Made by: Russell ; Seconded by: Conley

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

No: (0)

AAG Guay presents guidance on requests for reconsiderations of consent agreements.

MOTION: To adopt the guidance as a procedure for entertaining requests to reconsider a Board decision on an investigations docket.

Made by: Libby; Seconded by: Russell

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

No: (0)

9. Old Business

a. Workforce Recruitment and Retention Update

Director Hurley states that there was a meeting last week was cancelled due to a lack of quorum. There was a study that was referred to the University of Maine system and we are waiting to hear back from them about that process. The Committee is also working on a survey to put out to EMS leaders

b. COVID-19 Waivers

Chair Kellner states that we have pulled all waivers with regard to COVID. Many have expired, however, we do have a couple that are pending.

The waiver for skills hours requirements expires June 30, 2021. However, the Board has found that the conditions by which was waiver was implemented are still in place.

MOTION: To extend the waiver for skills hours requirements to December 30, 2021.

Made by: Russell; Seconded by: Smith

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

c. PSE Modifications

Chris Azevedo

The MEMS Office and the Exam Committee recommends extending the PSE Modifications waiver through December 31, 2021. The Office will update the skills sheets and exam manuals.

MOTION: To approve the extension of the waiver of PSE modifications to December 31, 2021

Made by: Kindelan ; Seconded by: Libby

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

10. New Business

a. Waiver Request- Nadeau, Jeremy

Dennis recuses himself

Jeremy Nadeau presents his waiver request to the Board.

Chair Kellner presents the Waiver questions:

- 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? no
- 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? no
- 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: no does this weigh in favor of granting the waiver? no
- 4) Would the waiver of the rule in this particular 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? No

- 5) Would waiver of the rule in this particular case establish a precedent that would unduly hinder the Board or Office of EMS in its administration of Maine's EMS system? Finding: yes, Does this weigh in favor of granting the waiver? no

MOTION: To deny the waiver as presented by Jeremy Nadeau

Made by: Drinkwater Seconded by: Gerrish

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

No: Cote

Recused: Russell

b. Evaluation Committee for Regional Contracting Processes

Director Hurley states that the Committee needs to be comprised of State staff as well as subject matter experts. The Commissioner's office has selected three people from the Department of Public Safety, and we are currently looking for three Board members to participate. There is training required in order to participate in the evaluation process and persons participating cannot have ties to the entities that are bidding. Director Hurley also requested that the Board creates a subcommittee to review the QA RFP.

MOTION: To form a subcommittee to review the regional contract RFP proposals.

Made by: Russell; Seconded by: Beals

Roll Call Vote: Beals, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

The Board members participating in this process are: Libby, Conley, Kindelan and Ontengco as an alternate.

MOTION: To form a subcommittee to review the QA RFP proposals.

Made by: Russell, Seconded by: Kindelan

Roll Call Vote: Beals, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

The Board members participating in this process are: Drinkwater, Libby, and Smith. Kindelan and Russell will be alternates.

c. IFT Committee Subcommittee Proposal

Director Hurley states that the reason for the subcommittee will be to perform a needs assessment from multiple perspectives and make recommendations for strategic planning.

MOTION: To Form an IFT Committee and to have a work plan developed after the Committee is formed.

Made by: Russell; Seconded by: Gerrish

Roll Call Vote: Beals, Conley, Cote, Drinkwater, Gerrish, Kellner, Kindelan, Libby, Martel, Ontengco, Russell, Smith, Susi

Tim Beals volunteers to sit on this subcommittee

d. Trauma Advisory Committee

Dr. Zimmerman presented the bylaws that were adopted by the Committee and a request from the Committee to redefine the role of the EMS Board representative. They would like to add the EMS Medical Director as a separate position on the membership list. The Committee is seeking approval for the addition of the EMS Medical Director position as well as the two at large positions.

MOTION: TO approve the addition of the new TAC roles as identified by Dr. Zimmerman

Made by: Ontengco; Seconded by: Conley

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

e. IRB Requests

Dr. Sholl presents

Dr. Theresa May is requesting access to EMS patient identifiable data to support her grant research regarding improving systems of care for the State of Maine that could eventually be replicated in other rural settings.

MOTION: To approve the IRB request for Dr. Theresa May to include access to patient identifiable data for research through December 31, 2026.

Made by: Russell; Seconded by: Gerrish

Roll Call Vote: Beals, Conley, Cote, Gerrish, Kellner, Libby, Martel, Ontengco, Russell, Smith, Susi

This is a project that is being shared between Maine, New Hampshire, and Vermont. This project has two goals, the first is to validate the utilization of the FAST-ED score in the prehospital environment and the second is to are working to validate the FAST-ED score in the prehospital environment. Look at how utilization of the FAST-ED score impacts patient disposition and patient outcome. For both of these reasons, we are requesting identifiable information.

MOTION: TO approve the IRB request for identifiable information for the purpose of research ending May 1st 2023

Made by: Ontengco Seconded by: Cote

Roll Call Vote (Yes): Beals, Conley, Cote, Gerrish, Kellner, Libby, Martel, Ontengco, Russell, Smith, Susi

No:(0)

11. Other

a. Items for next meeting agenda

b. Next meeting date

June 2, 2021 @ 9:30 AM

12. Adjourn 1:29

MOTION: To adjourn

Made by: Russell; Seconded by: Libby