



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
MARCH 04, 2020
9:30 AM
DE CHAMPLAIN CONFERENCE ROOM
MINUTES (DRAFT)

Members Present: Joe Kellner (Chair), Brent Libby (Chair-Elect), Brad Chicoine, Joe Conley, Amy Drinkwater, Judy Gerrish, Dennis Russell, Steve Smith, Tim Beals, Heidi Cote, Scott Susi, Laura Downing, Rich Kindelan, Nate Allen (phone), Kate Zimmerman, DO (ex-officio)

Staff: Kendra Coates (Commissioner’s Office), Christopher Azevedo, Sam Hurley, Marc Minkler, Jason Oko, Melissa Adams, Jessica Ricciardelli, Katie Johnson (Assistant Attorney General)

Stakeholders: Wayne Bradbury, L’easa Blaylock, Janet Bradbury, Jill Rusby, John York, Travis Fillmore, Joanne Lebrun, Nathan Yerxa, Jay Bradshaw, Rick Petrie, Stacey Muier, Rebecca Quinn, Robert Russell

1. Introductions

2. Disclosures of Conflicts of Interest

Mr Kellner read the following statement for the Board. “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/committee should strive to promote the core values of excellence, support, collaboration, and integrity. In serving on this Board/Committee, we commit to serve the respective providers, communities, and residents of the jurisdictions that we represent.”

3. Additions or deletions to the agenda

Mr. Kellner would like to discuss the Awards Committee

4. Public Comments

None

5. Meeting Minutes (February 4th, 2020)

MOTION: To accept the meeting minutes as amended.

Made by: Libby, Seconded by: Drinkwater Vote: Unanimous

6. Directors Report

- 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

- a. Staffing
MEMS hired Griffin Bourassa as the new Licensing Agent. He will start Monday March 9, 2020. We are excited to welcome him to our team.

MEMS has put the job description out again for the Data Coordinator.

- b. Budget
MEMS is spending appropriately based on our budget allotment. We are working on putting forth our financial order to secure financing for the strategic planner to with the Board.

The US HRSA program did not allow a carryover from the EMSC grant. We attempted to carry over \$63,000 and this request was denied.

- c. Legislation
There are no new bills to be discussed.

LD# 2105- *“An Act to Protect Consumers from Surprise Emergency Medical Bills”*

This is legislation regarding surprise billing. MEMS is actively tracking this bill to see what happens with it.

LD# 2050 - *“An act to Establish the Central Aroostook County Emergency Medical Services Authority”*

This bill passed and was signed by the Governor with no changes that MEMS proposed.

LD# 1169- *“An Act Provide Ready Access to Defibrillators in Businesses and Pharmacies”*

We are still waiting on this bill to be heard on the floor. It passed in the committee 11-1. This would create a state-wide registry for AEDs.

Mr. Bradshaw gave some insight regarding LD 2105. The original language of the bill did not include emergency services. The current bill adds emergency services back into the language of the bill. We are currently trying to get legislators to strike the words “and settings” from the bill to exclude EMS services.

- d. Committee Updates

Trauma Committee- Dr. Zimmerman

Committee has not yet met this quarter.

Education Committee- Chris Azevedo

The last meeting focused on conducting interviews to fill the Region 4 and the non-municipal rep. positions. The nominees were submitted and approved by the Board Chair. The Region 4 representative position will be filled by Aiden Koplovsky and the Non-Municipal Rep. position will be filled by David Mejia.

Exam Committee- Chris Azevedo

The Committee discussed dropping the two skills (Seated spinal immobilization and supine spinal immobilization) from the PSE and how to move forward with the transition to a portfolio approach. The timeline for all training centers to have this transition completed is January of 2021. The Committee needs time to develop a plan and get the rest of the training centers on board. SMCC has submitted a package on portfolios for these two skills that has been reviewed and approved.

Mr. Susi raised the question regarding what it would take to conduct ALS PSE exams for providers in our own state. Currently all AEMT and Paramedic candidates test outside of Maine (typically in New Hampshire).

Mr. Azevedo stated that the cost efficiency and logistics are limitations of testing people in Maine.

Mr. Petrie also stated that there is a lot of difficulty and challenges in efforts to get paramedics to agree to come assist with testing as examiners.

MOTION: To go to Exam Committee to evaluate how we can test in our state.

Made by: Susi Seconded by: Gerrish Vote: Unanimous

EMD- Melissa Adams

The Committee has completed a guide for membership qualifications and the application process.

The Committee posted an advertisement for five open positions and we are accepting applications through March 22nd.

Data Committee- Jason Oko

After our last Board meeting the Board Chair appointed Nate Yerxa and Chris Connor as co-chairs of the Data committee which allowed us to begin the process of collecting applications from interested parties and holding interviews. The application period closes on March 13, 2020

The opportunities for open positions within the Data Committee have been posted on social media and our MEMS website.

EMSC- Marc Minkler

The Committee is looking at sending out a transport survey to determine what devices are used in the state by services for pediatric transport devices for children.

Pediatric preparedness conference is March 9th in Waltham Massachusetts. There are still a few spots available.

Operations Committee- Joanne Lebrunn

The Ops Committee discussed the Supplement for EMS week and decided that Stroke Care will be the lead story.

We are maintaining contact with the CDC regarding COVID-19. MEMS has also sent out a notice about COVID-19 and preparation.

The Committee also worked on the Line of Duty Death handbook guide.

QI Committee- Jason Oko

The third newsletter has already been released and the next newsletter has been discussed and the focus will be cardiac arrest documentation.

The dashboard is up and running

We have several open positions on the Committee that have not yet been posted.

CP Committee- Jason Oko

The Committee last met on February 13th, 2020. We discussed the 2019 CP stats. There were 2,249 CP visits, 1,995 procedures were performed on these visits and 373 patients were seen.

We discussed the need for vigilance in patient demographics as several of the patients had multiple entries due to different variations of their name.

There was a presentation by the Cutler Institute of Health regarding a review of the Lincoln Health CP programs.

We discussed education standards for a CP technician

A job description for a Primary Care Medical Director was shared with the group by Lincoln Health.

7. Investigations Committee

MOTION: To accept the minutes of the February 26, 2020 meeting.

Made by: Beals Seconded by: Conley Vote: Unanimous (1 abstention, Kellner)

a. Presentation of Cases

As there were no recusals for the investigations, all cases were heard with one vote at the end.

Case #19-075

Summary: The licensed Emergency Medical Dispatch Center allowed an employee to perform EMD without an active license.

The Committee made a recommendation to settle this case by issuing a letter of guidance stressing the importance of tracking and understanding the difference between certification and training. This will remain on file for five years.

Case #19-066

Summary: The licensee performed EMD without an active license.

The committee made a recommendation to settle this case by issuing a letter of guidance stressing the difference between the Academy certification and Maine EMS license, understanding the individual processes for maintaining these, and using the Center's EMD point of contact for any questions. The letter of guidance will remain on file for two licensing cycles.

Case #20-084

Summary: The licensee submitted an upgrade application disclosing that he was charged with OUI in July of 2019 after responding in his personal vehicle to an emergency call visibly intoxicated. The licensee has pled to the lesser charge of driving to endanger with a deferred disposition.

The committee made a recommendation to table this case until the March meeting to allow the licensee to submit documentation supporting compliance with the deferred disposition.

Case #19-076 and 19-071 Follow up

The Director for both licensed EMD Centers involved was present for an informal conference in January to discuss the allegations of permitting the unlicensed practice of EMD by staff.

The committee made a motion to settle this case by issuing a letter of guidance pending the submission of a policy on licensing personnel and a policy on

Quality Improvement by March 4, 2020; the letter of guidance will address the importance of licensure. This will remain on file for five years.

The Director has since submitted the requested policies which were reviewed and found acceptable as they meet or exceed the expectations set forth in rules and guidance previously issued by MEMS.

*MOTION: To accept the committee's recommendations for all cases.
Made by: Kindelan, Seconded by: Russell Vote: Unanimous*

- b. Re-Consideration request of Case #19-064
Summary: A consent agreement was offered to the licensee. The licensee agreed to the agreement with a request for the removal of the following two violations in the Covenants sections of the agreement.
 - a. Chapter 11§1(18), for possessing, obtaining, furnishing, or administering prescription drugs, equipment, or supplies to any person, including one's self, except as directed by a person authorized by law to prescribe such items; and
 - b. Chapter 11 §1(24) for acting negligently or neglectfully in conducting an ambulance service.

*MOTION: To reject the changes.
Made by: Cote Seconded by Ontengco (13 in favor, 2 opposed, 1 absent)*

8. Medical Director Report

- a. MDPB
MDPB is moving along with the protocol review, with the yellow section slated for this month.

The Death with Dignity act is adding a new section when responding to crime scenes. We have been discussing how to respond to hospice patients.

We are continuing to work on staying up to date on COVID-19.

The Northern Resuscitation Academy save the dates went out.

9. Old Business

- a. Moving PSE to portfolio approach
The Exam Committee is still working on a proposal for the Board.

10. New Business

- 1. CACEMSA Waiver Request
Mr. Oko and the Aroostook County Emergency Medical Services Authority presented the waiver request. They are requesting that the Board waive the waiting period to become a licensed transporting EMS service because they need a license number in order to apply for a grant to secure funding in order to begin their service. The Board went through and answered the following waiver questions.

- 1) Whether the person seeking the waiver took reasonable steps to ascertain the rule and comply with it. Finding: Yes, which supports the waiver request
- 2) Whether the person seeking the waiver was given inaccurate information by an agent or employee of the State EMS Program. Finding: No, which supports the waiver request.
- 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, which does not support the waiver request.
- 4) Would the waiver of the rule in this case pose a health or safety risk to the public at large, or an individual or community? No, which does not support the waiver request
- 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? Yes, which does not support the waiver request.

MOTION: Mr. Kellner asked the Board for a vote on the waiver. Vote: 13 in favor (Nate Allen, recused) Vote carries; waiver will not be granted.

2. Awards Committee

Mr. Kellner asked the Board who would like to be part of the Awards Committee. The following people volunteered: Rick Petrie, Brent Libby, Rich Kindelan, Judy Gerrish, Steve Smith & Kate Zimmerman, DO.

11. Other

a. Items for next meeting agenda

- I. Moving PSE to portfolio approach
- II. Committee Assignments
- III. Biospatial Updates
- IV. PIFT; IFT

b. Next meeting date (April 1, 2020 @ 9:30 AM)

12. Adjourn

MOTION: To Adjourn.

Made by: Russell; Seconded by Kindelan Vote: Unanimous