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STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
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MICHAEL SAUSCHUCK
COMMISSIONER

J. SAM HURLEY
DIRECTOR

INVESTIGATIONS COMMITTEE MEETING
WEDNESDAY, FEBRUARY 26, 2020, 09:00-12:00
GAMBLING BOARD ROOM, AUGUSTA

MINUTES

Call to Order at 09:22

Members Present: Laura Downing, Judy Gerrish, Joe Conley, Brad Chicoine, Tim Beals

Staff: Jason Oko, Melissa Adams, Sam Hurley

Office of Attorney General: Katie Johnson

1. Informal Conference – Case 19-075; Center Director Present

MOTION: To enter executive session pursuant to 32 M.R.S.A. § 90-A(3) and 1 M.R.S.A. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 19-075. (Gerrish, second by Chicoine; unanimous)

Executive session entered at 09:25

MOTION: To exit executive session. (Downing, second by Chicoine; unanimous)

Executive session ended at 09:34

Summary 19-075: The Licensed Emergency Medical Dispatch (EMD) Center allowed an employee to perform EMD without an active license.

MOTION: The committee made a motion 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 5 years. (Downing, second by Gerrish; unanimous).

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Unless otherwise directed by the Board, the Committee will consider its duties with respect to case 19-075 complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

2. Informal Conference – 19-066; Licensee present

MOTION: To enter executive session pursuant to 32 M.R.S.A. § 90-A(3) and 1 M.R.S.A. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 19-066. (Gerrish, second by Downing; unanimous).

Executive session entered at 10:13

MOTION: To exit executive session. (Conley, second by Gerrish; unanimous)

Executive session ended at 10:50

Summary 19-066: The Licensee performed EMD without an active license.

MOTION: The committee made a motion to settle this case by issuing a letter of guidance (LOG) 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 LOG will remain on file for 2 licensing cycles. (Downing, second by Gerrish; unanimous)

Unless otherwise directed by the Board, the Committee will consider its duties with respect to case 19-066 complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

3. Informal Conference – 20-084; Licensee present

MOTION: To enter executive session pursuant to 32 M.R.S.A. § 90-A(3) and 1 M.R.S.A. § 405(6)(E) & (F) to receive legal advice and to conduct an informal conference concerning case number 20-084. (Gerrish, second by Downing; unanimous).

Executive session entered at 11:01

MOTION: To exit executive session. (Downing, second by Gerrish; unanimous)

Executive session ended at 11:39

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Summary 20-084: 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.

MOTION: The committee made a motion to table the case until the March meeting to allow the Licensee to submit documentation supporting compliance with the deferred disposition. (Downing, second by Gerrish; 4 approved, 1 abstained)

4. Case 19-067 and 19-071 Follow up

The Director for both Licensed EMD Centers was present for an informal conference in January to discuss the allegations of permitting the unlicensed practice of EMD by staff. The committee made the following motion and opted to table the cases for board review to allow the Centers to comply with the committee's requests:

The committee made a motion to settle this case by issuing a letter of guidance (LOG) pending the submission of a policy on licensing personnel, and a policy on Quality Improvement by March 4, 2020; the LOG will address the importance of licensure. This will remain on file for 5 years. (Beals, second by Downing; unanimous)

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

Unless otherwise directed by the Board, the Committee will consider its duties with respect to cases 19-067 and 19-071 complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

Meeting Schedule: A regular schedule was approved unanimously by present members to meet the fourth Thursday of each month at 09:00.

Matrices were distributed for committee review; to be discussed at the March meeting.

Next meeting: March 26, 2020 at 09:00

Adjourned at 11:56