



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
152 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0152



JOHN E. MORRIS
COMMISSIONER

JAY BRADSHAW
DIRECTOR

BOARD OF EMS MEETING
JANUARY 5, 2011
DECHAMPLAIN CONFERENCE ROOM

MINUTES

Members Present: Tim Beals (chair), Judy Gerrish (chair-elect), Matt Sholl (ex-officio), Richard Doughty, Peter DiPietrantonio, Paul Knowlton, Steve Leach, Lori Metayer, James Ryan, Jeff Rowe, Percy Thibeault, Wayne Werts, Roy Woods

Staff: Jay Bradshaw, Dawn Kinney, Alan Leo, Jon Powers, Drexell White

Regional Coordinators: Joanne LeBrun, Donnie Carroll, Steve Corbin. Rick Petrie

Office of Attorney General: Laura Yustak Smith, AAG

Guests: Stephan Bunker, Dave Robie, Chris Paré, Patrick Underwood

1. Introductions
2. Approval of November 3, 2010, minutes

MOTION: To approve the minutes of the November 3, 2010, meeting as distributed. (Woods, second by Doughty). Unanimous

3. Public Comments – Steve Bunker noted that the ESCB web site has been updated and now includes training dates.
4. Old Business
 - a. Unlicensed practice – no report
 - b. Personnel – no report
5. New Business
 - a. Investigations Committee

MOTION: For the Investigations Committee to approve the minutes of the November 3 and December 1, 2010, meetings as corrected. (Doughty; second by Knowlton) Unanimous.

PHONE: (207) 626-3860

FAX: (207) 287-6251

TDD: (207) 287-3659

With offices located at: Central Maine Commerce Center, 45 Commerce Drive – Suite 1, Augusta, ME 04330

MOTION: For the Board to approve the minutes of the November 3 minutes as corrected. (Woods; second by DiPietrantonio) Unanimous.

Steve Leach arrived at 9:30

MOTION: To table action on the December 1, 2010, Investigations Committee until later in the meeting. (Werts; second by Doughty) Unanimous.

- b. Legislative & Budget Updates – Jay reported that Sen. Chris Rector has submitted the legislation to make several technical changes to the EMS law, including: reference to the Assistant State EMS Medical Director, criminal background checks, regional references, and the confidentiality sections.

John Morris has been named by Gov. LePage to be the next DPS Commissioner. The confirmation hearing is scheduled for later this month.

Governor LePage will be submitting his biennial budget recommendations in early February. DPS administration has been meeting with the transition team to provide input on budget proposals.

- c. Committee Updates and Annual Reports
 - i. Operations – Joanne LeBrun (?) reviewed the items discussed at the Operations Team meeting. No Board action is required.
 - ii. Data – Jon Powers reported that over the past year, the Data Committee met 9 times and worked on the new dynamic run report form, new report writer and new login screen. Goals for the coming year include increased use of the QA/QI tools for spinal assessment, airway management, and cardiac treatment. There are no recommended data changes at this time.
 - iii. Education – Kerry reported that the Education Committee met 11 times during the past year. Accomplishments include: the Training Center application and site visit process. There are currently 9 approved Training Centers, 7 have already had their on-site review, and the remaining 2 are scheduled. Goals for the coming year include a round table discussion for TC's to share best practices. Other activities include a proposed revision to the Instructor/Coordinator process that will include an optional Assistant I/C. The goal is to give instructors an opportunity to learn about instructing and to assist with course instruction without the added responsibilities of course coordination.

For the coming year, the committee will continue to work on changes to the Continuing Education Hours, impact of protocol changes, training center requirements, and the transition to the new national education standards.

There are 2 committee members whose attendance has been inconsistent. The committee chair will contact those members to ascertain their interest in continuing and may request that new members be appointed.

- iv. EMD – Drexell reported that he visited all PSAPs this year and met with the PSAP directors on their EMD rosters, quality assurance, and training needs. Goals for the coming year include recommending benchmarks for Quality Improvement standards, education about EMD for EMS providers, health care facilities, and the public.

There were 9 cases of unlicensed practice handled by a Letter of Guidance as directed by the Board. That process will expire 1/31/11.

Drexell also reported on the PSAP consolidation study and the QA report that supports the merits of the statewide EMD system.

There are no changes recommended in the Committee composition.

MOTION: To send a notice to PSAP directors that the grace period has ended and that unlicensed EMD practice will be handled on a case-by-case basis. (Leach; second by Thibeault). Carried with 7 in favor and 3 opposed (Rowe, Ryan, Werts).

MOTION: To send a letter to the PUC in support of 9-1-1 telephone surcharges only being used for the intended purpose. (Ryan; second by DiPietrantonio). Unanimous.

- v. Exam – Drexell reported that the committee will be working on the impact of changing to the national education standards for EMT-A, and for the 2013 deadline that in order to qualify for the NREMT Paramedic exam, candidates must graduate from an accredited program.

Drexell also reported that there is now a calendar for testing opportunities on the MEMS web site, and that Kerry Pomelow will be participating in an NREMT paramedic question writing work session in February. All expenses are covered by the NREMT.

- vi. Inspections – Alan reported that many services this year were unaware of the requirement for tourniquet and LMA/King airways. There was a noticeable decrease in the number of expired items found. Five trucks were temporarily taken out of service for either equipment or safety reasons.
 - vii. Investigations – Dawn reported that there are currently 18 open investigations. During 2010, there were 68 investigations started and 62 resolved (some from previous years) with 47 conferences and 13 informal reviews. One third of all cases were for unlicensed practice. Staff and the committee are working with the AG's office to streamline the process.
- d. Licensing Issues – Jay reported that during the transition to the new licensing program, it was learned that there were some discrepancies between two data bases that resulted in some licensing being issued with an expiration date that differed from the licensing system. Staff is requesting a waiver that would provide an additional 6 months for affected licensees to obtain the required CEHs.

MOTION: To approve a 6 month waiver of Chapter 10 § 2 and set an expiration date of 6/30/11 for licensees Sophia Njaa, Joseph Swanson, Luke Thomas, and Christopher Wilson who were previously given different expiration dates as a result of the license program conversion. (DiPietrantonio; second by Thibeault). Unanimous.

e. Appeal of staff decision (Rita Lundin)

Ms. Lundin applied for a paramedic license based upon reciprocity from New Hampshire. Ms. Lundin had previously been denied licensure in Maine based upon a finding that she did not meet the educational requirements for taking the paramedic written exam (too many attempts). Therefore, staff position was that she did not meet the requirements of Chapter 10 § 2.

Ms. Lundin spoke on her behalf and explained the process through which she was able to get a NH license based upon her NREMT certification, during the period when her previous case in Maine was ongoing.

MEMS staff presented documentation that following her paramedic course, Ms. Lundin failed the NREMT written exam 3 times, then took a refresher course and failed the written exam another 3 times. Ms. Lundin acknowledged that she was aware of the state and NREMT policy that it would be necessary for her to re-take a paramedic course before being eligible to continue the testing process; however, she then discovered that she had inadvertently registered for a 7th test prior to failing her 6th attempt. Due to a computer error, she was then able to take the test a 7th time, which she passed.

In [date], the Board of EMS found that she was aware of the testing policy when she took the 7th test. Therefore, staff opinion was that she did not meet the requirements of Chapter 10 § 2 and Chapter 5.

Jim Ryan left the meeting at 1:00.

Following extensive discussion, the following motion was made:

MOTION: To support the staff denial of Rita Lundin's application because it does not meet the requirements of Chapter 10 § 2.2 and Chapter 5 § 5.3.C (Rowe; second by Gerrish) Unanimous.

f. Investigations (cont).

MOTION to enter executive session in accordance with 1 MRSA § 405.6 (E) & (F) and 32 MRSA § 92 to obtain legal advise and to discuss case # 08/10, 10/24, and 10/47. (Rowe; second by Gerrish). Unanimous.

Executive session started at 1:47 PM.

MOTION: To exit executive session. (Doughty; second by Rowe). Unanimous.

Tim Beals reported that in executive session the Board discussed the above referenced case numbers.

MOTION: To ratify the 12/1/10 minutes of the Investigations Committee (Leach; second by Rowe). Unanimous.

g. Other

6. Staff Reports

- a. MEMS – Jay noted that the regional annual reports were all received as required by the contract. Electronic copies were provided to members of the Board sub committee that worked on the contract & report template – and are available by request to anyone interested. The sub committee should meet to discuss these reports and provide comments to the regional offices.
- b. Medical Director – Dr. Sholl reported that work is continuing on the next revision to the EMS treatment protocols. Draft 4.0 of the protocols has been distributed electronically and is available on the MEMS web site. The deadline for comment is January 7, at which time he will compile the comments received. Then over the next several months, the MDPB will conduct work sessions on each section with input from Education and Operations on the impact of proposed changes. Once that has been completed, there will be a final review of the entire document and an effective date established.

The MDPB is also forming an Interfacility Transfer Work Group to discuss issues surrounding transfers, including but not limited to PIFT and critical care transport.

The QI Committee is reviewing the KVEMS QI Manual and discussing the merits of using that manual as the basis for a state QI manual.

7. Other

- a. Jeff Rowe reported that there was a Line of Duty Death with a firefighter from Shapleigh Fire Department. David Remington apparently lost control of his vehicle while responding to a call and was ejected when the vehicle rolled over. He was pronounced dead at the scene.
- b. Next Meeting – Wednesday, March 2, 2011.

8. Adjourn – meeting adjourned at 3:00 PM.