



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
FEBRUARY 1, 2012
DECHAMPLAIN CONFERENCE ROOM

MINUTES

Members Present: Tim Beals (chair), Ken Albert, Nate Contreras, Laura Downing, Paul Knowlton, Nancy Jackson, Kalem Malcolm, Lori Metayer, Jeff Rowe, Mike Schmitz, Mike Senecal, Percy Thibeault, Matt Sholl (ex-officio)

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

Regional Coordinators: Steve Corbin, Joanne LeBrun, Rick Petrie

Office of Attorney General: Lauren LaRochelle, (AAG)

Guests: Chris Paré, Sue Hludik, Leah Rachin

1. Introductions made.
2. Approval of December 7, 2011, minutes

MOTION: To accept the minutes of the October 5, 2011, meeting as presented. (Thibeault; second by Schmitz) Unanimous.

3. Public Comments – none

4. Old Business

- a. Community Paramedicine Pilot Project Update – Jay Bradshaw reported that he, Lauren LaRochelle, and Commissioner Morris met with the Governor's Legal Counsel to discuss the AG's report and request the Governor to submit legislation to clarify the authority of the Board to approve CP pilot projects. The Governor has agreed to do so and language is being drafted. This will go through the regular legislative process. Jay will advise when the hearing date has been posted.

Jay also reported that MEMS is working on the RFP for a new CP and TAC Coordinator. Kevin McGinnis, CP and TAC coordinator, has taken a new position as the CEO of North East Mobile Health, but will stay on and assist until a replacement has been obtained.

- b. Unlicensed Practice sub-committee report – Ken Albert reported that this committee was formed at the request of the Board to review what could be done about the number of investigation cases dealing with unlicensed EMS providers. The Committee, working with MEMS staff, implemented a number of changes that include: education, notification, and

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

expiration date reminder when logging into MEMSRR. This seems to have helped decrease the number of violations coming to the Board.

The committee also worked with staff and the AG's office to develop a matrix for cases that would be handled by staff. This would provide an option for first time offenders (individuals and services) to sign a consent agreement and pay a fine of \$100/run for individuals and \$150/run for services. In order to be eligible for this option, in addition to being a first offense, it must have been self-reported, the person must be licensable at the time care was provided, must have fewer than 5 unlicensed runs, and there must have been no apparent patient harm.

Individuals and services would still have the option of going through the investigation process if they declined the consent agreement.

MOTION: To approve the recommendation of the unlicensed practice sub-committee to implement the matrix and consent agreement process described, which will provide an option for first time offenders (individuals and services) to sign a consent agreement and pay a fine of \$100/run for individuals and \$150/run for services. The offense must be self-reported, the person must be licensable at the time care was provided, must have fewer than 5 unlicensed runs, and there must have been no apparent patient harm. Individuals and services would still have the option of going through the investigation process if they declined the consent agreement.

This option will apply to all licenses issued by Maine EMS, effective immediately. (Albert; second by Thibeault) Unanimous.

The consensus of the Board was that the unlicensed practice sub-committee has concluded its work.

c. Personnel Committee report – nothing to report.

5. New Business

a. Investigations Committee

MOTION: For the Investigations Committee to approve the minutes of the December 7, 2011, meeting as presented. (Metayer; second by Knowlton). Unanimous

Alan Leo reviewed the case discussed at the December 7, 2011, meeting.

MOTION: For the Board to ratify the Investigation Committee minutes of December 7, 2011, as presented. (Rowe; second by Alberts), Unanimous

MOTION: For the Investigations Committee to approve the minutes of the January 4, 2012, meeting as presented. (Metayer; second by Senecal). Unanimous

Alan Leo reviewed the cases discussed at the January 4, 2012, meeting.

MOTION: For the Board to ratify the Investigation Committee minutes of January 4, 2012, as presented. (Thibeault; second by Schmitz), Unanimous

b. Legislative and budget update – Jay Bradshaw reported that the current budget discussions have not included proposals that would affect MEMS this year. Work is continuing on the Zero Based Budget templates in every state agency to identify that which is mandated and that which may not be mandated, but is being done. Part of this will include identifying the costs

associated with each task. Tim Beals and Matt Sholl have offered to assist MEMS in this process.

LD 1621 – An Act to Remove a Barrier to Response by Emergency Medical Personnel (Sen. Sullivan). This bill would have provided an exemption to the seat belt law for EMS providers when performing in an official capacity. The bill would have provided an exemption for the driver and front seat passenger, who are currently required to wear a seat belt, as well as personnel in the rear of an ambulance, who are not currently required to wear a seat belt. MEMS testified in opposition. Committee vote was majority Ought Not To Pass (7), minority Ought To Pass (4), and 2 members absent.

LF 1636 – An Act to Extend Certain Insurance Protection to Emergency Responders (Rep. Luchini). This bill would prohibit an insurer from increasing the insurance premium policy of an EMS or fire responder for a motor vehicle accident that occurs while acting in the course and scope of their employment. MEMS testified in opposition to the bill as written, because it was unclear if this would apply to responders in personal vehicles, and if it would apply to non-municipally owned services. The work session is scheduled for Feb. 1, 2012.

LD 1614 An Act To Create Efficiency in E-9-1-1 Call Centers (Sen. Thibodeau). This bill would reduce the number of PSAPs in Maine to reduce the cost of converting centers to the Next Generation 9-1-1 equipment. Also under consideration is how to handle cellular phone calls. Following the hearing and work session, further action was tabled until the Committee can get more information, including the impact on telephone surcharge rates. MEMS will continue to monitor the status of this bill.

c. Committee action items (as necessary)

- i. Education – Jay Bradshaw reported that Kerry Pomeleau’s last day was January 27, and that the vacancy has been posted with applications being accepted until February 17. Until a new education coordinator is hired, responsibilities will be shared by other MEMS staff. At their next meeting, the Education Committee is hoping to complete the work on Clinical Behavioral Objectives. He also reported that the Training Center annual reports from Atlantic Partners, Southern Maine, and Tri County EMS were late this year. Southern Maine’s was just received this morning. The annual report is a requirement of being an approved Training Center, and the timeliness of these reports is a matter the Board may have to consider in the future.
- ii. Data – no meeting since last report
- iii. Exam – Drexell White reviewed the recommendation of the combined Exam, Education, and Operations team to transition to the National Registry practical exam for First Responders and EMTs, effective June 1, 2012, which was included in the Board packet.

MOTION: To approve the recommendation of the combined committees to transition the NREMT practical examination for First Responder and EMT, effective June 1, 2012. (Senecal; second by Contreras). Unanimous

- iv. EMD – Drexell White reviewed a request from the EMD Committee to formally approve an EMD QA Committee that will enable multiple centers to review otherwise confidential material for QI purposes. Laura Downing explained to the Board how this would assist the EMD centers to improve quality statewide.

MOTION: To approve the Emergency Medical Dispatch Quality Assurance Committee. (Rowe; second by Thibeault) Unanimous.

- v. Ops Team – Rick Petrie reported that the Ops Team is working with the Bangor Daily News again this year to have a supplement for newspapers statewide on the Friday before EMS Week. Comments about last year’s insert are helpful to make this one even better. Suggestions for articles or sponsorship may be directed to any Ops Team member.

- d. Rules revisions and process – Jay Bradshaw reported that the Rules sub-committee met to discuss areas where the rules may need to be updated. At the first meeting, the committee reviewed suggestions from staff that have been compiled since the previous version was implemented. The next step is to meet with the AAG to discuss and develop draft language, which will be presented to the Board in April. Following that meeting, the draft will be open for comments from interested parties, with those comments reviewed at the Board’s June meeting. When a draft is finalized by the Board, the formal rule-making process will begin in accordance with the Administrative Procedures Act and a hearing schedule developed.

In the meantime, suggestions for areas to consider should be sent to Alan Leo.

- e. Other – none

6. Staff Reports

- a. MEMS Report
 - i. Staff changes – previously reported.
 - ii. Other - Jay Bradshaw reported that the office is conducting a formal investigation at the request of the family of a skier who died following an accident at Sugarloaf Mountain. Because of the concerns that were raised, MEMS requested and has received the assistance of a detective from the Attorney General’s Office. Interviews and records continue to be collected with a goal of doing a thorough investigation in as timely a manner as possible.

Once the investigation is completed, the findings will be discussed with the AAG and a decision made about the next steps.

In the meantime, Board members are reminded of the importance of not discussing investigations and other licensing matters outside of Board meetings.

- b. Medical Director report
 - i. MDPB – Dr. Sholl reported that at the January meeting, LifeFlight of Maine made their annual report, which includes activities and performance measures.

The MDB has been very busy the past few months in response to unprecedented levels of medication shortages. This is a national crisis as many hospitals are running out of both primary medication and in some cases many levels of back up medications (e.g. pain management and benzodiazepines). Hospital pharmacies have so far been willing to help work with other hospitals to keep EMS supplied, but some of these shortages may reach a critical point in the coming weeks/month.

A resolution to this situation seems distant, at best – and services/hospitals are advised to communicate their status with others to avoid last minute surprises.

Board members requested that Jay Bradshaw talk with Commissioner Morris to request Governor LePage to send a letter to Maine’s Congressional delegation about this situation and how it is affecting EMS care.

- ii. QI – the Committee did not meet in January. Recommendations for membership to the QI Committee will be presented to Tim Beals for consideration and action.
 - iii. Agitated Patient Pilot Project update – the training is underway for services participating in this project. Anecdotally, it appears that calls to the Poison Control Center regarding Bath Salts seem to have diminished in recent weeks.
 - iv. Other – none
7. The next regularly scheduled Board meeting will be on Wednesday, April 4, 2012 @ 9:30 AM
8. Meeting adjourned at 11:30.