



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
APRIL 2, 2014
DECHAMPLAIN CONFERENCE ROOM

MINUTES

Members Present: Judy Gerrish (chair), Jeff Rowe (chair-elect), Matt Sholl, MD (ex-officio), Roger Audette, Tim Beals, Joe Conley, Nate Contreras, Nancy Jackson, Paul Knowlton, Kalem Malcolm, John Martel MD, Julie Ontengco, Percy Thibeault

Staff: Jay Bradshaw, Alan Leo, Jon Powers

Office of Attorney General: Lauren LaRochelle, AAG

Regional Coordinators: Steve Corbin, Joanne LeBrun, Rick Petrie

Guests: Butch Russell, Chris Paré, Shawn Rideout, Jason Wiley, Dennis Simmon

1. Introductions were made and all were welcomed.
2. Minutes – March 5, 2014
 - a. **MOTION: To approve the minutes of the March 5, 2014, meeting as presented (Beals; second by Jackson). Unanimous**
3. Public Comments – Butch Russell, North East Mobile Health, expressed concern regarding the request from Sterling Ambulance to add Camden to their primary response area. Mr. Russell reviewed the points made in the letters submitted by NEMH and the Town of Camden; both in opposition to the requested change.
4. Old Business
 - a. Sterling Ambulance – Joe Conley disclosed that he works for North East Mobile Health and recused himself from this discussion. Tim Beals disclosed that Delta Ambulance submitted a proposal to provide service to the Town of Camden, which was not selected. Mr. Beals does not feel this will affect his ability to be objective in this matter. Mr. Wiley had no objection to Mr. Beals' participation.

Alan Leo reviewed the request from Sterling Ambulance to add the Town of Camden to its primary response area. Jason Wiley, owner of Sterling Ambulance explained that Sterling is making this request in order to respond to emergency calls from contracted facilities and others who have expressed an interest in receiving care from Sterling.

Mr. Wiley reported that Sterling is licensed at the Basic EMT level with a permit to Paramedic

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

level. Sterling is staffed daily until 6:00 PM with a paramedic and frequently has one available during other hours. The business is located at his home and he is often available to respond.

Sterling does not receive calls through the 9-1-1 system; calls to their business phone are answered 24/7 by an answering service who then dispatches the ambulance. Follow up information is provided by text messages. Mr. Wiley said that when the call sounds serious, or if they don't have a crew available, they notify Knox Communication and request another service to respond and/or assist. Calls placed to the business telephone line do not receive emergency medical dispatch pre-arrival instructions.

The Board and Mr. Wiley then discussed the factors to be considered.

MOTION: To deny the request of Sterling Ambulance to include the Town of Camden in its primary coverage area for the following reasons: Town of Camden has identified North East Mobile Health as the primary responder for the Town; Sterling is not part of the 9-1-1 system, which means callers would not receive emergency medical dispatch pre-arrival instructions; that the availability of a paramedic or of a crew are not guaranteed; that Sterling does not have mutual aid agreements with services to provide assistance; that the increased distance from Sterling's base could mean an increase in response time. (Rowe; second by Beals). Carried with 7 in support (Contreras, Martel, Beals, Rowe, Jackson, Malcolm, Audette); no opposed, and 3 abstain (Knowlton, Ontengco, and Thibeault).

- b. Community Paramedicine Pilot Projects – Jay Bradshaw reported that 11 of the 12 pilot sites are actively seeing patients, with North East Mobile Health expected to begin seeing patients soon. Efforts are now being focused on the evaluation phase, which will involve working with the University of Maine, Muskie School of Public Service.

5. New Business

- a. Investigations Committee
 - i. Committee minutes and recommendations

MOTION: For the Investigations Committee to approve the minutes of the March 5, 2014, meeting as distributed. (Contreras; second by Knowlton) Unanimous

Alan Leo reviewed the cases and responded to questions from Board members.

MOTION: To enter executive session pursuant to 32 M.R.S.A. §92 and 1 M.R.S.A. §405(6)(E) & (F), to receive legal advice and review of confidential material concerning case # 14-002. (Beals; second by Thibeault) Unanimous.

Jeff Rowe previously disclosed he had outside contact with the subject and recused himself from this case.

Executive session began at 10:41.

MOTION: To exit Executive Session (Beals; second by Thibeault) Unanimous.

Executive session ended at 11:03

Judy Gerrish reported that in executive session, Board members discussed case number 14-002 and received legal advice.

MOTION: For the Board to accept the revised consent agreement which resolves case numbers 13-034 and 14-002. (Beals; second by Thibeault). Unanimous.

Jeff Rowe rejoined the meeting.

MOTION: To ratify the Investigation Committee minutes of March 5 2014, in the matter of cases 14-008 & 13-033). (Malcolm; second by Beals) Unanimous.

- b. Legislative and budget updates – Jay Bradshaw reported that LD 1686 “An Act to Address Preventable Deaths from Drug Overdose” has been reported out of Committee with a divided report and is awaiting action in the House of Representatives. As the legislature works to close a budget shortfall in both the current and next fiscal years, it is anticipated there will be a slight reduction in General Funds for FY14 and perhaps a more substantive reduction for FY15. Jay has discussed the significant impact of such cuts with Commissioner Morris. The statutory legislative adjournment date is April 16. Jay will update members as information becomes available.
- c. Committee reports
 - i. Education – Jay Bradshaw reported that due to a winter storm, the Education Committee did not meet in March. Their next meeting is scheduled for April 9. Jay also reported that MEMSEd has outgrown its current server and MEMS is working on other arrangements. In the interim, there may be occasional performance issues with the site.
 - ii. Data - Jon Powers reported that MEMS has been working with the State Fire Marshal’s Office to survey the interest of combining the fire and EMS requirements into a single system, RescueBridge. About 25% of the fire services in the state have responded do date. After the May 1 deadline, MEMS and the FMO will discuss the response and next steps.

Board members complimented Jon on the 2013 MEMSRR Annual Report that was distributed with the minutes. The report will be posted on both the MEMS web site and on the MEMSRR home page.
 - iii. Exam & EMD – Jay Bradshaw reported that Drexell White is attending the Maine NENA Conference in Portland and has provided a written summary of activity.
 - iv. Ops Team – Steve Corbin reported that at the April meeting, the Ops Team: had a presentation by Mike LaPlante, Bureau of Labor Standards, Workplace Safety; met with Tina Love, RN, to discuss the Rural AED grant, discussed the EMS Week insert, the annual EMS awards, and regional updates.
- d. Work Plan for 2014 – Jay Bradshaw reported that the work group has not yet met, but a date will be set to begin the discussion on the roles, responsibility, and funding for regional EMS offices; with a goal of having these updated prior to FY16.
- e. EMS Awards – Jay Bradshaw reported that the awards committee met by conference call and selected the following: EMS Excellence Award to Brian Chamberlin, Paramedic (Augusta Fire and Atlantic Partners EMS); EMS Lifetime Achievement Awards to Donna Bulger, RN (LifeFlight of Maine and Eastern Maine Medical Center) and Carl French, Paramedic (Sanford

Fire, Alfred Fire, and Maine EMS Honor Guard).

There was considerable discussion about the steady decline in nominations being submitted. Ideas suggested included requesting each regional coordinator and each Board member to submit one nomination; and modifying award categories. This will be placed on the Board's agenda for later this year.

- f. Aroostook EMS appeal – Percy Thibeault recused himself from participation as a Board member because of his involvement with the Aroostook EMS Council.

Jay Bradshaw reported that the FY14 regional contracts have a deadline of September 1, 2013, for submitting the annual work plan and the final report for FY13. The contract also has a 5% penalty for reports that are not received on time.

The Aroostook report was not received prior to the deadline, but was received after Jay contacted Steve Corbin to inquire about the report. As a result, the 5% penalty was withheld from the December payment to Aroostook EMS.

Aroostook EMS requested the Board not impose the penalty because the report was only a few days late and due to the impact the loss of income would have upon the region.

MOTION: To authorize payment of the penalty that was withheld from the December payment and to send a letter of warning to Aroostook EMS that the reports required in the contract must be received as described in the contract. (Rowe; second by Contreras). Carried with 9 in favor, 0 opposed, and 1 abstain (Beals).

- g. Appeal of staff decision – Shawn Rideout. Joe Conley recused himself from this discussion because of his relationship with the applicant.

The chair asked a series of questions regarding any relationships, personal or business, or personal/financial interest in the outcome. Board members answered no to all questions. The chair then asked if the Board wanted to proceed to allow information to be provided by staff and the applicant in terms of additional documentation or statements, to which the Board answered in the affirmative.

Alan Leo reviewed the application from Mr. Rideout on which the applicant indicated he has never had a criminal conviction, nor OUI conviction. When Mr. Rideout delivered the application to MEMS, upon questioning from MEMS, he was asked about convictions and OUI and responded that he may have had an OUI; however, the application was not changed.

In the course of processing the application, it was found that Mr. Rideout had several convictions in addition to OUI.

Mr. Rideout acknowledged that this was an oversight on his part. He stated that for several years when he was younger, he made poor decisions often related to alcohol consumption. He also stated that he misunderstood the question on the application, which was completed at the beginning of his EMT class.

Jeff Rowe left the meeting at 12:23 PM.

After both parties presented information and responded to questions, the chair closed the proceedings with regard to receiving testimony and moved into discussion among Board members.

MOTION: To issue a letter of guidance emphasizing the importance of full disclosure on all applications and remind the applicant of the importance of appropriate conduct. The letter of guidance will remain in the applicant's file for 6 years. (Ontengco; second by Beals). Carried with 8 in favor and 1 opposed (Audette).

h. Other - none

6. Staff Reports

- a. MEMS – Jay Bradshaw reported after conducting the first round of interviews, it was decided to re-post the notice and accept additional applications until April 30.
- b. Medical Director report – Dr. Sholl reported that:
 - The MDPB is beginning the process of protocol revisions and will be integrating the PEGASUS pediatric guidelines into the next iteration.
 - Work is continuing on Interfacility Transfers. A survey has been sent to all services licensed to provide Paramedic Interfacility Transfers that will be used in the development of guidelines that will be discussed with the Maine Hospital Association prior to finalization and implementation.
 - The QI Committee has compiled impressive data regarding cardiac arrest outcomes. As these data are reviewed, it will provide information that will be used in future discussions about areas to improve.
- c. Other – Tim Beals reported that the Centers for Medicare and Medicaid Services (CMS) has extended the rural subsidy for another year.

7. The next scheduled Board meeting will be on Wednesday, June 4, 2014 @ 9:30 AM

8. Meeting adjourned at 1:10 PM.