



PAUL R. LEPAGE  
GOVERNOR

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



JOHN E. MORRIS  
COMMISSIONER  
SHAUN A. ST. GERMAIN  
DIRECTOR

Maine Board of EMS  
Minutes of August 1, 2018 Board Meeting  
Held in the Champlain Conference Room at 45 Commerce Drive, Augusta, ME

**CALL TO ORDER**

Chair Scott Susi called the meeting to order at 9:30 a.m.

**MEMBERS PRESENT**

Scott Susi, Chair, Fire Chiefs Assn. Rep  
Joe Kellner, Chair-Elect, Region 4 Rep  
Dennis Russell, Not-for-Profit Rep  
Julie Ontengco, Hospital Rep  
Brent Libby, Fire Chief Rep  
Laura Downing, EMD Rep  
Heidi Cote, Emergency Nurse Rep

Judy Gerrish, Public Rep  
Tim Beals, Region 3 Rep  
John Martel, Emergency Physician Rep  
Joe Conley, For-Profit Rep  
Greg Coyne, Region 6 Rep  
Matthew Sholl, State Medical Director  
Brad Chicoine, Municipal EMS Rep

**MEMBERS ABSENT**

Vacant, Region 1 Rep  
Vacant, Region 2 Rep  
Nathan Allen, Region 5 Rep  
Carolyn Brouillard, Non-Transporting Rep

**STAFF PRESENT**

Shaun St. Germain, Director  
Jason Oko, Licensing Agent  
Tim Nangle, Data Coordinator  
Marc Minkler, EMS-C Manager

Katie Johnson, Assistant Attorney General  
John Morris, Commissioner of Public Safety  
Janet Joyeux, Assistant to the Commissioner

**PUBLIC PRESENT**

Kate Zimmerman, Associate State Med. Dir.  
Ben Zetterman, Aroostook EMS  
Joanne Lebrun, Tri-County EMS

Jay Bradshaw  
Emily Downs  
Robert Russell

● **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

Jim MacDonnell  
Bonnie Johnson  
Martin Johndro  
Ed Moreshead

Charles Eichacker  
Daryl Boucher, by phone  
Travis \_\_\_\_\_, by phone

### **DISCLOSURE OF CONFLICTS OF INTEREST**

*Joe Kellner and Heidi Cote disclose a conflict of interest.*

### **MINUTES REVIEW AND APPROVAL**

*Review and approval of the minutes of July 11, 2018. The approval of minutes was tabled.*  
Shaun St. Germain informs the Board of additions to the minutes.

### **PUBLIC COMMENT**

Bonnie Johnson spoke on a complaint regarding a breach of confidentiality on two separate occasions from Crown Ambulance.

### **MAINE EMS UPDATE**

#### **Budget**

Shaun St. Germain states that the budget is still early for fiscal year 2019 but looks to remain on track.

#### **Legislation**

Shaun St. Germain reports that there is no pending legislation, however there are things related to ASMI that he anticipates discussing before beginning the next session.

#### **Regional Office Updates**

Shaun St. Germain reports that this section of the agenda will replace the Ops Meeting section and allow the regional offices to speak for themselves. The offices will make their first reports for this section in September. The Ops team did meet and had a productive meeting.

#### **In Office Update**

Shaun St. Germain reports that based off Jay Bradshaw's comments at the last Board meeting, the phone tree has been turned off., and a ring down feature has been implemented. In regards to the website, Shaun informs the Board that the office is trying to balance building a new website with maintaining the current site to ensure that everyone has accurate information.

In a motion by Beals, seconded by Martell, to add to the agenda under new business a discussion about getting the MEMS board the ability to revoke a license. Motion carries unanimously.

### **MEDICAL DIRECTOR REPORT**

*Kate Zimmerman provides the Medical Director Report, as she ran the last MDPB meeting.*

The MDPB has recommended extending the expiration date for a critical medication [insert med name here] which is facing a shortage. As there is no FDA approval or backup regarding this extension it is the advice of the AAG to not recommend the extension at this time.

Kate Zimmerman reports that the green section of the protocols is complete. It will be posted to the website with the change document. This month will begin talking about the gold section as well as mechanical CPR. An FAQ document has been developed out of the webinars and meetings. It will continue to be updated moving forward. The next webinar is 8/6/2018 at 9:30 am. The next MDPB meeting will be 8/15/2018 at 9:30 am. QI committee did not meet.

Matt Sholl brings up termination of resuscitation while in route to a hospital and the policies surrounding situations such as the recent situation.

## **INVESTIGATIONS**

### **Investigations Minutes**

*Jason Oko presents the Investigations cases.*

In a motion by Kellner, seconded by Coyne to accept the minutes of the Investigation Committee as presented. Motion carries unanimously with one abstention (Beals).

Jason Oko presents case 18-008. In a motion by Ontengco, seconded by Russell to approve the recommendations of the Investigations committee. Motion carries unanimously with one recusal (Kellner).

Jason Oko presents case 17-011. In a motion by Russell, seconded by Downing to table decision on this case to next meeting. Motion carries unanimously with one recusal (Beals).

Jason Oko presents case 18-017. Discussion was held on whether the recommendations were strict enough. In a motion by Libby, seconded by Martel to send a consent agreement with a surrender of a license and to accept the violations as stated by the committee. Motion carries with one member opposed (Kellner).

Jason Oko presents case 15-072: In a motion by Libby, seconded by Russell to accept the committee recommendations. Motion carries unanimously.

Jason Oko presents case 18-004: In a motion by Downing, seconded by Coyne, to accept the committee recommendations. Motion carries unanimously with one recusal (Cote).

Jason Oko presents an informal review on a license application for Kenneth Chase. Committee voted to issue license and dismiss the case. In a motion by Ontengco, seconded by Libby, to accept the committee recommendations. Motion carries unanimously.

Jason Oko presents an informal review on a license application for Ashley Gray. Committee voted to issue the license and dismiss the case. In a motion by Ontengco, seconded by Libby to accept the committee recommendations. Motion carries with one member opposed (Cote).

There is a need to fill a seat on the investigations committee. Brad Chicoine volunteered and was approved.

### **OLD BUSINESS**

Shaun St. Germain will send a letter to Lori Metayer and Jeff Rowe to thank them for their service.

### **AG Discussion of Data Release Policy**

Katie Johnson provides the Board with a draft order to permit the release of EMS data to the regional medical directors, regional coordinators, and regional performance improvement coordinators which would be signed by the Board chair, the MDPB chair, and the Maine EMS Director. Katie asks questions of the Board. There is a lot of Board discussion on the content of the order and the access to the data. In a motion Ontengco, seconded by Libby, to accept the draft order. Motion carries unanimously.

### **ASMI Discussion**

Shaun St. Germain opens the floor to a discussion on Regional Contracts. He asks that a measurable dataset for QI be included. There is discussion on what this would look like. Scott Susi asks that next meeting be focused on ASMI report, not all of the general agenda items.

### **Draft Rule Changes**

Jason Oko provides an update. There is a section for EMS for Children that will be going to the committee. The committee did not meet last week. After the committee reviews the final document, there will be a public comment period, then the Board will vote to move to formal rule making process which includes Public Hearings and then will likely end up at the legislature.

### **PIFT Subcommittee Recommendations**

Shaun St. Germain informs the Board that Don Sheets is the staff participant and he is not here. Shaun asks Judy to speak as she is involved. Motion to form a subcommittee for IFT based on the composition requested by the Board. Reaching out to all PIFT services. Kellner/Coyne, unanimous (Brent abstains).

### **NEW BUSINESS**

#### **Northern Light Medical Transport: Waiver Requests**

Joe Kellner recuses himself from the discussion and votes on this matter and presents the waiver requests on behalf of Northern Light Medical Transport.

Waiver #1: To waive the ground vehicle ambulance equipment requirements for the neonatal transport vehicle (originally waived for Meridian in May 2008).

- a) *Did the person seeking the waiver take reasonable steps to ascertain the rule and comply with it? Does this weigh in favor of granting the waiver?*
  - *Yes*
- b) *Did the person seeking the waiver receive inaccurate information by an agent or employee of the State of Maine EMS program? Does this weigh in favor of granting the waiver?*
  - *No, yes*
- c) *Would the person seeking the waiver, or any other individual or group, be significantly injured or harmed if the rule were not waived? Does this weigh in favor of granting the waiver?*
  - *Yes, yes*
- d) *Would waiver of the rule in this particular case pose a health or safety risk to the public at large or a particular individual or community? Does this weigh in favor of granting the waiver?*
  - *No, yes*
- e) *Would the waiver of the rule in the particular case establish a precedent that would unduly hinder the Board or office of EMS in its administration of Maine's EMS system? Does this weigh in favor of granting the waiver?*
  - *No, yes*
- f) *Do extraordinary circumstances exist?*
  - *Yes*

In a motion by Beals, seconded by Conley, to approve the request for a waiver. Motion carries unanimously with one recusal (Kellner).

Waiver #2: There is question on whether a waiver is needed. The Board decides that no waiver was needed as it is specific to one truck each, and Joe Kellner withdraws his request.

Joe Kellner presents his request to approve an alternative drug storage plan for Northern Light Transport. In a motion to accept the plan request by Coyne, seconded by Ontengco. Motion carries unanimously with one recusal (Kellner).

### **Data Requests from DHHS**

Katie Johnson asks the Board to answer questions regarding to the release of identifiable patient data to the Office of Substance Abuse and Mental Health Services (SAMHS). In a motion by Russell, seconded by Conley to release identifiable patient data to SAMHS for public health

surveillance for 417 individuals who died in 2016 and 2017, excluding social security numbers. Motion carries unanimously.

## **COMMITTEE REPORTS**

**Education**

**Exam**

**EMD**

**Community Paramedicine**

## **OTHER**

There is discussion about license revocation. In a motion by Libby, seconded by Beals, to direct the AAG to work with ED to develop legislation to mirror the Nursing Board's ability to revoke licenses. Motion carries unanimously.

## **ADJOURNMENT**

*The next Board meeting will be held on September 5, 2018.*

*Respectfully submitted by:*

*Katie L. Boynton, Project Manager*

*Board approved: September 5, 2018*