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STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
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JOHN E. MORRIS
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DIRECTOR

**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
WEDNESDAY MARCH 5, 2014
GAMBLING BOARD ROOM, AUGUSTA,
RATIFIED BY THE MAINE EMS BOARD ON APRIL 2, 2014
MEETING MINUTES**

Members Present: Tim Beals, Judy Gerrish, Paul Knowlton, Mike Senecal,
Nathan Contreras and Lori Metayer

Staff: Alan Leo

Office of Attorney General: Lauren LaRochelle, AAG

1. CASE #14-008 –Craig Shaw--Application Review—Applicant Present

Summary: MEMS initiated a complaint against an applicant for an EMT license based on the disclosure of two Disorderly Conduct convictions (Class E), one on August 2, 2005 and one on April 6, 2010. A routine criminal background check also showed a conviction for Refusal to Submit to Arrest (Class D) on April 6, 2010 that had not been disclosed on the application. The incidents were alcohol related.

Aggravating Circumstances: None

Mitigating Circumstances: Applicant stated he has quit drinking, sought counseling through a member of the clergy, now has a family and there have not been any further incidents since 2010.

MOTION: The Committee recommends that the Board issue the license and dismiss case # 14-008 because it does not rise to a level warranting discipline. (Contreras; second by Knowlton) Unanimous.

Unless otherwise directed by the Board, the Committee will consider its duties with respect to Case # 14-008 complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

2. CASE #14-002 –Licensee not present. Attorney Reben was present via teleconference.

Summary: Case #14-002 is the second of two currently outstanding complaints against the licensee. Lauren LaRochelle, AAG, identified the status of the first complaint and summarized the second complaint in order for the Committee to determine what, if any, further action to take.-

MOTION: To recommend that this case be scheduled for an informal conference. A recommendation for resolution of case # 14-002 will be made at that time.
Unanimous.

Attorney Reben informed the Committee that he concedes the allegations are serious and would like to short circuit the process by proposing a consent agreement to resolve the outstanding complaints. The Committee will consider the proposal.

3. CASE # 13-033 – 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 13-044. (Beals; second by Senecal) Unanimous.

Executive session entered at 2:10 p.m.

MOTION: To exit executive session. (Senecal; second by Gerrish) Unanimous.

Executive session ended at 2:35 p.m.

Summary: MEMS initiated a complaint against an I/C based on information received by a student that alleges unprofessional conduct during an AEMT class.

Aggravating Circumstances: None

Mitigating Circumstances: None

MOTION: The Committee recommends that the Board resolve case # 13-033 with a Letter of Guidance as the licensee's conduct does not rise to a level warranting disciplinary action. The letter should express that EMS expects that instructors will treat all students with respect, will exercise sensitivity when it comes to the use of profanity and teasing, and will strive to create an environment where students feel comfortable asking questions and learning. The letter will also encourage the licensee to seek out classes related to IC. It is recommended that the Letter of Guidance be maintained in the file for three years. (Metayer; second by Contreras) Unanimous.

The Committee adjourned at 12:30 p.m.

The next meeting will be on May 7, 2014 at 9:00 a.m.