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DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
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**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
WEDNESDAY, DECEMBER 7, 2011
CHAMPLAIN CONFERENCE ROOM, AUGUSTA
RATIFIED BY THE MAINE EMS BOARD ON
MEETING MINUTES**

Members Present: Paul Knowlton, Lori Metayer, Tim Beals, and Mike Senecal at 8:30 a.m.

Staff: Drexell White

Office of Attorney General: Lauren LaRochelle, AAG

1. CASE # 11-047- 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 11-042. (Knowlton; second by Beals) Unanimous.

Entered executive session at 08:32 a.m.

MOTION: To exit executive session. (Metayer; second by Knowlton) Unanimous.

Executive session ended at 8:45 a.m.

Summary: The complaint alleged that Licensee placed an ambulance vehicle in service but failed to license the ambulance vehicle with Maine EMS. The vehicle was in-service approximately one month before the unlicensed status was discovered during an annual Maine EMS inspection of the service's vehicles. The vehicle in question was on-loan to the service while another of the service's ambulances was out-of-service for repair.

Aggravating Circumstances: None

Mitigating Circumstances: The Committee found the following mitigating circumstances:

- Licensee was cooperative and accepted responsibility;
- The (unlicensed) ambulance vehicle was a "spare" vehicle, stationed at a remote site and had not been used during the period of time that it was unlicensed.

- The ambulance met other applicable licensing requirements;
- The ambulance vehicle was licensable by Maine EMS during the period of time that it did not hold a license;
- Licensee took immediate steps to license the ambulance vehicle upon notification of its unlicensed status

MOTION: To recommend that the Board resolve case # 11-047 by offering Licensee a Letter of Guidance to remain in the Licensee's file for one year. The information presented may be sufficient to find that the Licensee's actions constitute a violation of Chapter 3 § (12)(2)(B), which requires that if control of a licensed ground ambulance vehicle, which is owned by a manufacturer or manufacturer's representative, is passed to a service, the ground ambulance vehicle must be licensed to that service, and Chapter 11 § (1)(2), Violating a lawful order, rule or consent agreement of the Board. The Committee recommends, however, that the Board find that, in this instance, any potential violation of these rules would not rise to a level warranting disciplinary action due to the mitigating circumstances. (Beals; second by Knowlton) Unanimous.

Unless otherwise directed by the Board, the Committee will consider its duties with respect to Case # 11-047 complete upon ratification by the Board of the Committee's recommendation or other final action by the Board.

The Committee adjourned at 8:50 a.m.

The next Investigations Committee meeting will be on January 4, 2012.