



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



JOHN ELIAS BALDACCI  
GOVERNOR

ANNE H. JORDAN  
COMMISSIONER

JAY BRADSHAW  
DIRECTOR

BOARD OF EMS MEETING  
SEPTEMBER 2, 2009  
DECHAMPLAIN CONFERENCE ROOM

MINUTES

Members Present: Tim Beals (chair), Steve Diaz (ex-officio), Joe Conley, Steve Leach, Richard Doughty, Paul Knowlton, Judy Gerrish, Roy Woods, Lori Metayer, Bob Hand, Geneva Sides, James Ryan, Percy Thibeault, Ken Albert

Staff: Jay Bradshaw, Jan Brinkman, Dawn Kinney, Alan Leo, Jon Powers, Drexell White

Regional Coordinators: Steve Corbin, Joanne LeBrun

Office of Attorney General: Lara Nomani, AAG

Guests: Mike Senecal, David Robie, Steve Bunker, Dan Batsie, Randy Mitchell

1. Introductions were made and guests welcomed.
2. Minutes

**MOTION: To approve the minutes of the July 1, 2009. (Thibeault; second by Doughty)**  
**Unanimous**

3. Public Comments – Steve Bunker, ESCB, reported that Kimball Associates have been hired to conduct a study on an efficient PSAP design and provide a report to PUC that will go to the Utilities & Energy Committee at the beginning of the Legislature's 2<sup>nd</sup> Regular Session in 2010. Kimball Associates may contact MEMS for input.
4. Old Business – none at this time
5. Medical Director Report
  - a. No MDPB Meeting in August.
  - b. HART Committee: Dirigo Health (Maine Quality Forum) was working on developing a state data base for STEMI but was unable to complete due to lack of funding and conflicts with confidentiality laws.
  - c. Flu Season: Vaccination protocol was changed to allow ALS providers who have received EMS Medivax training to administer flu vaccines as part of a physician prescribed event.

- d. Southern Maine EMS has a new medical director, Marlene Cormier, MD. Dr. Cormier is an emergency physician at Mid Coast Hospital.

*MOTION: To approve Marlene Cormier, MD, as the regional medical director for Southern Maine EMS. (Woods; second by Gerrish). Unanimous.*

- e. The MDPB, Education Committee, and Operations Team have each approved a Specialty Training Approval process that would be used whenever there is a request for specialty training. This does not apply to programs like PHTLS, ACLS, etc., but would apply for a program like, for example, tactical EMS. The process involves review by the above committees with reporting and monitoring by the MDPB.

*MOTION: To approved the process as presented, but change the name to "Expanded Care Program Approval" to help clarify the intent. (Leach; second by Doughty). Unanimous.*

#### 6. New Business

- a. Legislative & Budget Updates – Jay reported that the Appropriations Committee is continuing to meet and work on cuts to the biennial budget. The current target amount is somewhere between \$75 – 100 million. Current focus is on Education and DHHS. It is unknown when they will focus on DPS.
- b. Investigations Committee Action Items
  - i. Disciplinary Guidelines Clarifications. The Committee requested clarification as to the intent of the guidelines matrix. After discussion, the following motions were made:

*MOTION: It is the Board's intent that the disciplinary guidelines allow for the Investigations Committee to deviate as deemed appropriate based upon the facts of the investigation. (Albert; second by Ryan) Carried 9-3 (Conley, Knowlton, Doughty).*

*MOTION: Investigations Committee minutes shall indicate when a deviation decision is made. (Albert; second by Thibeault). Unanimous.*

*MOTION: The disciplinary guidelines apply to all licenses issued by Maine EMS. (Conley; second by Doughty). Unanimous.*

*MOTION: To refer cases # 09-12 and 09-19 back to the Investigations Committee for review. (Metayer; second by Leach). Unanimous.*

*MOTION: To ratify the July 1, 2009, Investigations Committee minutes with the exception of case # 09-12. (Doughty; second by Gerrish) Unanimous.*

The Committee was requested to include in their minutes expanded details especially on unlicensed practice regarding the number of calls, the type of treatments provided, and the length of unlicensed practice.

**MOTION: To ratify the August 5, 2009 Investigations Committee minutes except for case # 09-19 which has been referred back to the Committee and 09-14, which will tabled until later in the Board meeting. (Doughty; second by Leach) Unanimous.**

- c. Operations Team – Steve Corbin reported on behalf of the Ops Team that the previous day, topics discussed at their meeting included: EMS Memorial update, Maine Safe Kids projects, CEH roster issues, EMSC, regional updates, and the contract reporting template.
- d. Regional EMS Contract Report Template – Jay presented the template that was drafted by MEMS and discussed at Ops. There was a request to clarify the demographics requested for educational programs.

**MOTION: To approve the template with a change that the student demographic information for educational programs only applies to license programs. (Leach; second by Albert). Unanimous.**

- e. Committee Reports
  - i. Education – Jan reported that over the summer the Committee conducted an analysis of entrance requirements for EMT programs both across the state and across the country. The results were that the requirements vary greatly and are determined by the educational center. The Committee consensus was that provided the entrance requirements are readily available to prospective students, this variation is acceptable. The Committee also continued its work on TCAP supplemental material and on a gap analysis between the current MEMS license levels and the new national education standards.
  - ii. EMD – Drexell reported that the EMD Committee did not meet in July or August. United Ambulance Service in Lewiston is now licensed as an EMD Center, which is the first non-governmental agency to apply for licensure. Drexell also reported that Cape Elizabeth and Old Orchard Beach have both dropped their licenses. Cape Elizabeth is being handled by So. Portland and OOB by the Scarborough RCC.
  - iii. EMSC – Jan reported that the next meeting will be a site visit from the National Resource Center and the National EMS Data Analysis and Resource Center to review the EMSC Performance Measures that are a requirement of the EMSC Grant.
  - iv. Exam – Drexell reported that the Data Committee did not meet over the summer, but work is continuing on updating the Exam Administrator Manual to align with the Training Center Approval Process when it becomes implemented in January 2010.
  - v. Data – Jon reported that the Committee is reviewing the required data elements for services who are exporting data to MEMSRR, with a goal of getting all services to report the same data elements. Currently exporting services are only providing the NEMESIS minimum data and many elements used for evaluation and QI are missing. MEMSRR currently has over 407,000 records since it started in January 2006. Efforts are being focused at the service level to improve the understanding of MEMSRR and review/improve the quality of their data being submitted.

- f. Other – Chief Woods asked that when Committees submit their annual activity report in November, that they provide information on the length of service for committee members and their attendance records.
- g. Dr Diaz requested samples of comparative reports available from NEMSIS.

7. Investigation Case # 09-14. Lori Metayer recused herself from this case and left the room.

Lara Nomani began by asking a series of questions of the Board:

- a. Have Board members heard or read about this case beyond the information that has been presented in the Investigation Committee minutes?. All except Joe Conley said they had been contacted.
- b. Of those who were contacted, how many of those communications requested Board members to take a position on this case. All answered in the affirmative.
- c. How many of those recommendations were to be more lenient than the Investigation Committee recommendation. All answered in the affirmative.
- d. Were any recommendations received to be more stringent than the Investigations Committee recommendations? No.
- e. Based upon the information received, do any members feel it would impair their ability to review this case fairly and impartially? No.

Lara then advised that Board members must disregard any information that was received or that they may have heard outside of the administrative record. The administrative record is that information provided by the Investigations Committee. She then asked if members would be able to comply with this guidance? All answered in the affirmative.

Following extensive discussion, the following motion was made:

MOTION: To accept the Investigation Committee recommendation in the matter of case # 09-14. (Conley; second by Leach) Carried with 7 in favor (Hand, Leach, Knowlton, Doughty, Gerrish, Conley, and Ryan); and 4 opposed (Albert, Thibeault, Woods, and Sides).

8. Other

- a. Next meeting – November 4, 2009 @ 9:00.

9. Meeting adjourned.