



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
NOVEMBER 5, 2008
9:00 AM
DECHAMPLAIN CONFERENCE ROOM

MINUTES (FINAL)

Members Present: Wayne Werts, Chair; Tim Beals, Chair-elect, Ron Jones, Ken Albert, Roy Woods, Judy Gerrish, Peter DiPietrantonio, Jim McKenney, Paul Knowlton, Richard Doughty, Lori Metayer, Bob Hand, Jim Ryan, Geneva Sides, Joe Conley, Steve Diaz (ex-officio)

Staff: Jay Bradshaw, Jan Brinkman, Dawn Kinney, Alan Leo, Drexell White, Ben Woodard

Regional Coordinators: Donnie Carroll, Steve Corbin, Joanne LeBrun, Rick Petrie, Bill Zito

Office of the Attorney General: Lara Nomani, Esq., AAG

Guests: Eric Wellman, Mike Carroll, Patrick Underwood, John Bennett, Brian Chamberlin, John Dovinsky, David White, Kevin Guimond, Patricia Dunn

1. Introductions – those present introduced themselves and were welcomed to the meeting.
2. Minutes

MOTION: To approve the minutes of the November 5, 2008, meeting as distributed. (Beals; second by Woods). Unanimous

3. Public Comments – none
4. Old Business
 1. Rules Committee – Jay reported that the Rules Committee had one meeting to review Rules changes and has another scheduled. The goal is to have a draft available for Board review/discussion at the January 2009 meeting.
5. New Business
 1. Waiver Requests
 - i. United Ambulance Service (UAS) waiver request for single license number.
NOTE: Ken Albert represents UAS and recused himself from this discussion.

United Ambulance operates bases in Lewiston and in Bridgton, and is requesting a waiver of the EMS Rules to allow them to use a single service license number. In reviewing this request, the Board made the following findings:

- UAS has taken reasonable steps to understand and comply with the Rules.
- UAS has not been given inaccurate information by MEMS.
- UAS may be harmed if the waiver is not granted because of additional licensing fees for their e-PCR, estimated to be \$10,000 – 15,000.
- Granting this waiver to UAS will not pose a health or safety risk.
- Although this is not intended to establish a precedent, there have been several similar requests from other services that have been granted.

MOTION: To approve the waiver of Chapter 3, Sections 2 & 3 and permit United Ambulance Service to use a single license number for both their bases. UAS must use a single QI process for both bases and this waiver shall remain in effect until the next Rules revision. (DiPietrantonio; second by McKenney). Unanimous.

- ii. John Bennett. Mr. Bennett was a paramedic for many years whose license expired in January 2005. He is requesting a waiver of the EMS Rules to allow him to use a combination of continuing education programs to relicense as a paramedic. In support of his request, Mr. Bennett explained how his career changed that resulted in letting his license lapse, and of his interest to get relicensed and again work as a paramedic. He presented details of a continuing education package that had been drafted in conjunction with KVEMS and Dr. Tim Pieh, Regional Medical Director. Mr. Bennett said that it is his intention to complete the refresher training program before June 2009.

Following extensive discussion, the Board made the following findings:

- Mr. Bennett did not take reasonable steps to understand and comply with the Rules.
- Mr. Bennett was not given inaccurate information by MEMS.
- Mr. Bennett may be harmed if the waiver was not granted because he would have to take the entire paramedic course over again.
- Granting this waiver to Mr. Bennett would not pose a health or safety risk.
- This would not establish a precedent that would hinder the Board because each waiver is individually reviewed on its own merits.

MOTION: To waive the portion of Chapter 5 § 4.B.1 that requires continuing education programs be within 3 years of Mr. Bennett's license expiration and to accept the proposed refresher training program with oversight and evaluation of Mr. Bennett's performance conducted by Dr. Diaz. (Woods; second by Doughty). Passed with 10 in favor, 3 opposed, and 1 abstention (Beals).

2. Legislative & Budget Update – Jay reported that the Governor issued an Executive Order to state agencies to identify additional general fund cuts for the current fiscal

year. Details on target areas will be forthcoming from the Governor's office and will be forwarded as soon as possible to Board members.

3. Investigation Committee

MOTION: For the Investigations Committee to approve the minutes of the October 1, 2008, meeting as presented. (Doughty; second by Knowlton). Unanimous.

At the Board's request, Dawn reviewed the highlights of cases acted upon by the Committee. There was also discussion about what information Board members would find most helpful, and how to present that in the minutes. Dawn will work with AAG and staff on a modified format.

MOTION: For the Board to ratify the October 1, 2008, minutes of the Investigations Committee. (Albert; second by McKenney) Unanimous.

4. Medical Director Report

i. Dr. Diaz reported that the MDPB has established the following goals for 2008/9:

- Complete the Online Medical Director course
- Conduct the NAEMSP Medical Director Overview Course at the March Emergency Medicine Conference
- Develop companion books for the Protocols to cover areas such as: Wilderness, Disaster, and Specialty Programs
- Continue to work with Maine Quality Forum on the HART project.

MOTION: To approve and support the MDPB's 2008/9 goals as presented. (Woods; second by Beals) Unanimous.

ii. The MDPB is working to collect information on medical oversight and QI activities regarding PIFT transfers

iii. The QI Committee has been working on mental health transfers. Joanne LeBrun and Rick Petrie are working on a form that can be used to help providers gather patient information for these transfers – a draft should be available in December. The QI Committee is also working with Ben to learn more about MEMSRR's QI capabilities.

iv. The MDPB meetings now include a forum discussion each month on a topic assigned to each physician. CEHs are awarded.

v. Dr. Diaz attended the New England Cardiac Consortium meeting in Boston where there was considerable discussion about stroke care. It appears that at this point, EMS involvement is minimal, but the potential impact on EMS is significant. This will be discussed in greater detail at an upcoming MDPB meeting.

vi. Jay & Dr. Diaz will be doing a presentation on MEMSRR at the NAEMSP Annual Conference in January. NAEMSP is covering the expenses.

5. Operations Team – Rick Petrie reported on discussions that took place at the November 4 meeting. In December, the regional coordinators will get training on the new Health Alert Network. Work is also continuing on the EMS Memorial fund raising, an update

to AVOC, and a proposal for funding the state and regional EMS systems from a dedicated source.

6. Committee Reports

- i. Education – Work is continuing on the state approval for training centers. The next step is to update the appendices and present the final document to the Board in January. There has also been discussion on issuing continuing education credits for attending state and regional meetings, provided that there is an educational component to the meeting. Consensus of the Board was that it would be helpful for the Committee to draft a policy for how this could be accomplished.
- ii. EMD – ESCB is in the process of contracting with Priority Dispatch to be the statewide vendor for EMD training, protocols, and QI.
- iii. EMSC – Next meeting will be in December.
- iv. Exam –
- v. Data – as the January 1, 2009, deadline approaches, Ben has been very busy getting new services set up. Chris Connor, Bucksport Fire, has also been assisting under a contract with MEMS. Currently there are > 60% of the services submitting to MEMSRR and almost 200,000 runs in the system since it started.

7. Other

MOTION: To enter Executive Session for the purposes of reviewing a letter submitted to the Board chair regarding a complaint about conduct at a previous Board meeting. (Jones; second by DiPientrantonio), Unanimous.

Executive Session started at 1:17 PM.

MOTION: To exit Executive Session. (Doughty; second by Woods) Unanimous.

Executive Session ended at 1:41 PM.

Lori Metayer was out of the room at this time.

MOTION: After reviewing the Code of Conduct regarding Board meetings and based upon collective recollections of the September meeting, the Board of EMS finds that there was no violation of the Code of Conduct and that the complaint's letter lacked facts under the Code. If the SMEMS Council President would like to discuss this further, Mr. Mirisola may request a meeting with Chairman Werts, Mr. Bradshaw, and Dr. Diaz. (Albert; second by Doughty) Unanimous with one abstention: Jones

6. Staff Report – Jay noted that the staff activity has been covered throughout other agenda items.

7. Other

1. A reminder that the annual Town Meeting with the Board will be held at the Mid Coast (Samoset) Conference on November 14. All Board members who are able to do so are invited to attend.
2. Next Meeting scheduled for Wednesday, January 7, 2009 @ 9:00 AM

8. Adjourned @ 1:45