



JOHN ELLAS BALDACCI
GOVERNOR

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



ANNE H. JORDAN
COMMISSIONER

JAY BRADSHAW
DIRECTOR

BOARD OF EMS MEETING
MAY 7, 2008
9:00 AM
DECHAMPLAIN CONFERENCE ROOM

MINUTES

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

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

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

Office of the Attorney General: Melissa O'Dea, Esq., AAG

Guests: Eric Wellman, Bob Hawkes, Dan Batsie, John Dietter, Eric Beaulieu, Joseph Stefano, Peter McWalter, Eric Lane

1. There were several guests and new Board members present who introduced themselves. All were welcomed by Board Chair Werts.

Wayne Werts requested a moment of silence in memoriam of long time Board member Oden Cassidy who died recently.

2. Approval of March, 5, 2008, minutes.

MOTION: To accept the minutes of the March 5, 2008, meeting as presented. (Beals; second by DiPietrantonio). Unanimous.

3. Public Comments – none

4. Old Business

- a. Sterling Ambulance. Dawn Kinney summarized the history of events with Sterling Ambulance and the Consent Agreement that required them to submit run reports for an independent QI review. Jeff Regis conducted the review and reported to MEMS

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that Sterling has provided adequate documentation. Consensus of the Board was that this was acceptable.

- b. Jason Hirst – Tim Beals chaired this portion of the meeting, where Alan Leo reported that Mr. Hirst both called and sent an e-mail confirming his withdrawal of an appeal to the staff decision to deny his application.
- c. Andrew Higbie

MOTION: To enter Executive Session regarding the application of Andrew Higbie to review confidential information pursuant to 1 M.R.S.A. §405(6)(E) and (F). (Doughty; second by Albert) Unanimous

Executive Session started 9:45.

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

Executive Session ended at 9:55

Wayne reported that in Executive Session the Board reviewed confidential information regarding Mr. Higbie.

MOTION: To find that Mr. Higbie has satisfied the terms of his Consent Agreement and to issue his license in accordance with the terms of that Agreement. (Leach; second by Doughty). Unanimous.

5. New Business

- a. Legislative & Budget Updates – Jay reported that there were not additional budget cuts for FY09 beyond those previously discussed. There was a letter received from the Criminal Justice & Public Safety Committee requesting MEMS to convene a group of interested stakeholders to review issues surrounding mental health transfers. Similar letters were also sent to the AG & DHHS. Jay has contacted the Maine Sheriff's Assn and the Maine Chiefs of Police requesting they identify someone to participate, and as soon as all names have been submitted a meeting will be scheduled.

- b. Investigation Committee Action Items

MOTION: For the Investigations Committee to ratify the minutes of the April 1, 2008, meeting. (Doughty; second by Leach). Unanimous.

MOTION: To enter Executive Session regarding case # 07-43 to review confidential material and obtain legal advise, pursuant to 1 M.R.S.A. §40(6)(E). (Doughty; second by Woods). Unanimous.

Executive session started at 9:35.

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

Executive session ended at 9:44

Wayne reported that in Executive Session, the Board discussed confidential matters pertaining to case # 07-43 with AAG Melissa O'Dea.

MOTION: To accept the minutes of the April 1, 2008, Investigations Committee as corrected. (Doughty; second by Woods). Unanimous

c. Waiver Requests

- i. Penobscot Valley Hospital – Jill Bouchard was present to request the Board approve a waiver of Chapter 3, Sections 2 & 3 of the Maine EMS Rules and allow PVH to run both bases under a single license number. The Board considered the requirements in Section 13 of the Rules regarding such a waiver and determined that in the majority of cases, the material presented was either supportive or neutral on the request.

MOTION: To approve the waiver of Chapter 3, Sections 2 & 3 and permit Penobscot Valley Hospital to use a single license number for both their bases. PVH must use a single OI process for both bases and this waiver shall remain in effect until the next Rules revision. (Leach; second by Beals). Unanimous.

- ii. SMCC Course Approval – Note: Ron Jones, Peter DiPietrantonio, and Tim Beals recused themselves from this discussion. Jay explained that SMCC is requesting a waiver of the course approval process previously approved by the Board that requires all courses leading to licensure to be approved by the regional EMS office in which the course is held.

Bob Hawkes then explained that SMCC is required to submit a request to SMEMS for every class they offer, even though the classes are taught at the same facility and with the same I/C. This has provided an added expense that SMCC is not able to pass along to the students because the course rates are established by the CC system based upon credit hours.

MOTION: To deny the waiver request by SMCC due to the inability to demonstrate that this presents an economic hardship to the college and that the precedence may be harmful to the EMS system. (Conley; second by Doughty. Carried 11/2 (Werts & Sides).

SMCC was advised that they have the right to appeal this decision if they so choose.

d. Medical Director Report (Dr. Diaz)

i. MDPB

1. John Dietter, North Haven EMS service director, requested approval to have the NP who lives on the island approved to respond to emergencies with the North Haven Ambulance Service. A similar situation was approved many years ago for Islesboro because of the

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unique island settings and the ability to inform residents and visitors to the fact that emergency care on the island may be provided by a NP who is part of the medical practice on the island. The MDPB agreed that the manner of supervision provided by the physician is such that it is consistent with intention of the EMS Law and would benefit care to patients on North Haven.

MOTION: To approve the nurse practitioner on North Haven, who is supervised by the physician on the island, to respond to emergency medical calls and provide patient care with a notice about this to be posted at the ferry landing. (Woods; second by Leach) Unanimous.

- ii. Dual DEA license – Dr. Busko raised the question about medical directors having a separate DEA license to cover their responsibilities as a regional medical director separate from the license they use as part of their clinical practice. He will be looking into this further and provide an update at a future MDPB meeting.
 - iii. NAEMSP – MEMS has received funding from the Office of Rural Health to subsidize the cost of bringing the NAEMSP OLMC program to Maine. This will be held at Maine General in Waterville on October 11. If funding and interest are available, there may be an effort to have the 2 day program offered.
 - iv. Protocols – Effective July 1, CPAP becomes an option for services. Many services are working toward getting trained and equipped to offer this treatment, which has previously required MDPB approval as a pilot project. However, in light of the change taking place, the MDPB agreed that if a service wants to begin prior to July 1, that approval can be extended by Dr. Diaz acting on behalf of the MDPB.
- e. Approval of new Intermediate out of drug box medications.

MOTION: To approve the new Intermediate medications to be carried outside of a sealed drug box provided it has been done in accordance with the requirements of such a plan. (Leach; second by DiPietrantonio) Unanimous.

- f. Operations Team Report (Joanne LeBrun) – The Operations Team met the previous day and received a presentation from LifeFlight of Maine regarding their new plans for the HPS, including a new process for scheduling and fees (\$50 for hospital personnel; \$25 for EMS personnel). These fees are necessary to support the ongoing expenses of operating the HPS.

Also discussed was the Training Standards Manual, which will be presented later as part of the Education Cmte meeting.

- g. Committee Reports

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- i. Education (Dan Batsie)
 1. Dan reviewed the discussions that led to the drafting of a Training Standards Manual. The intention of this document is to provide a mechanism for training entities to be approved on an ongoing basis to provide EMS courses that lead to licensure.
There was considerable discussion about how this would affect the regional offices and others who wanted to offer licensure programs, and recommendations for wording changes to clarify several points.

Consensus was that the concept is good and that this is heading in the right direction. As additional information is added to the TSM, that will be presented to the Board for approval.

- ii. EMD (Drexell White) – Work is continuing with regard to continuing education requirements for EMD. Jim Ryan expressed his concern that the MEMS CEH categories seem to conflict with national vendor requirements (e.g. NAED)
- iii. EMSC (Jay Bradshaw) – EMSC Committee will next meet in June, and the annual EMSC Grantee meeting will be in Bethesda, MD, June 24 – 27. Jay, Jan, and Kelly Roderick will be attending as required by the federal EMSC grant.
- iv. Exam (Drexell White) – The Committee has concluded its update of the EMT-I state exam, and has been reviewing the data and survey opinions collected regarding the IPE process. One of the issues regarding IPE has been the use of critical skills, and a scoring system that did not adequately consider the implications of failing a critical skill on the student’s overall score. As such, the Committee recommends amending the scoring criteria for critical skills.

MOTION: To accept the Exam Committee’s recommendation to include negative scoring on critical skills. (Leach; second by DiPietrantonio) Approved with 1 opposed (Doughty)

- v. Data (Ben Woodard) – The Data Committee has a list of recommended changes (both additions and deletions) to the MEMSRR data elements that Ben distributed and explained.

MOTION: To accept the changes in MEMSRR data elements as suggested. (Woods; second by Conley) Unanimous.

Ben also showed the Board the plaque provided by NEMSIS to Maine EMS in recognition of Maine becoming the 4th state to submit run report data to NEMSIS, the national data bank.

- h. EMS Week Awards (Jay Bradshaw). Jay reported on the award recipients and the ceremony that will be held at the State House Hall of Flags on Tuesday, May 20 @ 2:00 PM. All are invited.
- i. EMS Rules Committee – Jay asked if there are Board members willing and able to participate in a Rules Committee. The intent is to have this group work on a draft of changes that will be presented to the Board at a future meeting. Members offering to participate are: Tim Beals, Steve Leach, Ken Albert, Judy Gerrish, Wayne Werts. Roy Woods is also interested in participating if the meetings are held surrounding another meeting when he would be in Augusta.
- j. Other

MOTION: To enter Executive Session regarding case # 06-16 to review confidential material and obtain legal advise, pursuant to 1 M.R.S.A § 405(6)(E) and (F). (Doughty; second by Leach) Unanimous

Executive session started at 11:47.

MOTION: To exit Executive Session. (DiPientrantonio; second by Beals) Unanimous.

Executive session ended at 11:54

Wayne explained that in Executive Session, the Board reviewed confidential information with AAG Melissa O’Dea.

MOTION: To approve the Consent Agreement in case # 06-16 as amended. (Doughty; second by Beals) Approved with 1 abstention (Hand)

6. Staff Reports (Jay Bradshaw)

- a. EMS Management Program. This is a series of programs that have been developed by the New England Council for EMS that is intended to provide training for EMS service managers/chiefs/supervisors. Funding for the first module was provided by the New England Rural Health Roundtable. The first module (Regulations, Federal Requirements, etc.) was held on April 11 with 50 people attending (which was the maximum for the program). The response was very positive and those who attended were enthusiastic about getting subsequent modules offered as soon as possible. Module 2 (Policies, Procedures, Personnel, & HR issues) will be held on June 19.
- b. FLEX Grant – funding has been received from the Office of Rural Health to support: Trauma Advisory Committee activities, EMS Management Program, and the NAEMSP medical control program.
- c. TRCC Grant – an additional \$150,000 has been received from the Bureau of Highway Safety as part of the NHTSA 408 project for getting EMS and crash records into conformance with national guidelines. These funds are used to subsidize the cost of computers for services and hospitals to use for MEMSRR.

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7. Other

- a. Meeting Schedule. The next regular Board meeting will be on Wednesday, July 2, 2008, @ 9:00.

8. Adjourn – meeting adjourned at 2:35PM.

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