

**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
THURSDAY, JANUARY 18, 2007
DE CHAMPLAIN CONFERENCE ROOM, AUGUSTA
RATIFIED BY THE MAINE EMS BOARD – FEBRUARY 7, 2007**

MEETING MINUTES

Present: Rick Doughty, Paul Knowlton, Oden Cassidy, Carol Pillsbury

Staff: Dawn Kinney, Alan Leo

Maine EMS Investigator: Karen Packard

AAG: Laura Yustak Smith

1. Call To Order: The meeting was called to order at 10:00 a.m.

A. Additions/Deletions to the Agenda

2. Complaint/Investigation Cases 06-19, 06-20, 07-01, 07-02, 07-03, 07-04, 07-05 and 07-06.

The committee entered executive session for the purpose of review and reviewing investigations and discussing cases 06-19, 06-20, 07-01, 07-02, 07-03, 07-04, 07-05 and 07-06.

Motion: To enter executive session pursuant to 32 M.R.S.A. §90(A)(3), §92(3) and 1 M.R.S.A. §405(6)(F) for the purpose of discussing cases 06-19, 06-20, 07-01, 07-02, 07-03, 07-04, 07-05 and 07-06 and 1 M.R.S.A. §405(6)(E) for receiving legal advice. (Doughty; Knowlton - motion carries)

The committee entered executive session at 10:00 a.m. and exited at 11:05 a.m.

During executive session, the committee discussed options for disposition of cases 06-19, 06-20, 07-01, 07-02, 07-03, 07-04, 07-05 and 07-06.

Motion: That Inre case 06-19 the committee directed staff to notice Licensee of complaint and to schedule an Informal Conference with Licensee for February 15, 2007. (Doughty; Knowlton - motion carries.)

Motion: That Inre case 06-20, the committee directed staff to notice Licensee of complaint and to request the Licensee to submit to MEMS a policy to prevent unlicensed providers responding on their behalf. (Doughty; Knowlton - motion carries.)

Motion: That Inre case 07-01, the committee directed staff to notice Licensee of complaint and to resolve case # 07-01 by issuing a Letter of Guidance. The committee finds that Licensee was in violation of the Maine EMS Statue Title 32, Chapter 2-B§82(3) Violation. An ambulance, ambulance service, nontransporting emergency medical service or emergency medical services person that fails to obtain licensure under subsection 1 commits a Class E crime, unless other penalties are specified, and MEMS Rules Chapter 11§1(14) Violation of any standard established in the profession and Chapter 11§1(30) Providing treatment at a level for which a person is not

licensed or for which a service is not licensed or permitted.. That the Letter of Guidance be kept on file for 5 years. (Doughty; Cassidy - motion carries).

Motion: That Inre case 07-02, the committee directed staff to notice Licensee of complaint and to request the Licensee to submit to MEMS a policy to prevent unlicensed providers responding on their behalf. (Doughty; Cassidy - motion carries).

Motion: That Inre case 07-03, the committee directed staff to notice Licensee of complaint and initiate an investigation.

Motion: That Inre case 07-04, the committee directed staff to notice Licensee of complaint and to request the Licensee to submit to MEMS a policy to prevent unlicensed providers responding on their behalf. (Doughty; Cassidy - motion carries).

Motion: That Inre case 07-05, the committee directed staff to notice Licensee of complaint and initiate an investigation. (Doughty; Cassidy - motion carries).

Motion: The committee directed staff to send a letter of appreciation to Buxton Fire and Rescue for their prompt response upon learning of an unlicensed provider responding on 4 calls; their actions and policies that have been put in place since the incident; and to continue the practice of updating the list of members with the expiration date posted.

Motion: That Inre case 07-06, the committee directed staff to notice Licensee of complaint and initiate an investigation. (Doughty; Cassidy - motion carries).

Motion: To enter executive session pursuant to 32 M.R.S.A. §90(A)(3), §92(3) and 1 M.R.S.A. §405(6)(F) for the purpose of discussing case 05-02, and 1 M.R.S.A. §405(6)(E) for receiving legal advice. (Doughty; Cassidy - motion carries).

The committee entered executive session at 1:30 p.m. and exited at 2:15 p.m. Prior to entering executive session Paul Knowlton recused himself for the following reasons:

- Worked with subject and spoke with him regarding the pending case.
- Has information directly related to the case that he received outside of the committee.

During executive session, the committee discussed options for disposition of case 05-02.

Motion: The committee directed staff to continue investigation of case 05-02 (Doughty; Cassidy - motion carries).

2. Investigations – Executive Session

A. Informal Conference – Case # 06-07

The committee entered executive session for the purpose of receiving legal advice for case 06-07.

Motion: To enter executive session pursuant to 32 M.R.S.A. §90(A)(3), §92(3) and 1 M.R.S.A. §405(6)(F) for the purpose of discussing case 06-07, and 1 M.R.S.A. §405(6)(E) for receiving legal advice. (Doughty; Cassidy - motion carries).

The committee entered executive session at 11:15 a.m. and exited at 11:25 a.m.

The committee received legal advice for the informal conference for case 06-07.

Motion: The committee directed staff to continue investigation (Doughty; Cassidy - motion carries).

Motion: To enter executive session pursuant to 32 M.R.S.A. §90(A)(3), §92(3) and 1 M.R.S.A. §405(6)(F) for the purpose of conducting an informal conference concerning case 06-07, and 1 M.R.S.A. §405(6)(E) for receiving legal advice. (Doughty; Cassidy - motion carries)

The committee entered executive session for the purpose of conducting an informal conference with the subject of case 06-07 at 11:25 am and exited at 1:30 p.m.

During executive session, the committee conducted an informal conference with licensee and discussed options for disposition of case 06-07.

Motion: The committee directed staff to continue investigation of case 06-07(Doughty; Cassidy - motion carries).

3. Applications

A.

4. Next Meeting

The next meeting is scheduled for Thursday, February 15, 2007 at 9:30 a.m.

5. Adjourn

Adjourn – The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Dawn Kinney, EMT-P
Licensing Agent