

**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
THURSDAY, NOVEMBER 16, 2006
DE CHAMPLAIN CONFERENCE ROOM, AUGUSTA
RATIFIED BY THE MAINE EMS BOARD – DECEMBER 6, 2006**

MEETING MINUTES

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

Staff: Dawn Kinney

Maine EMS Investigator: Karen Packard

AAG: Laura Yustak Smith

1. Call To Order: The meeting was called to order at 9:35 a.m.

A. Additions/Deletions to the Agenda

1. Case 04-33

2. Case 06-07

2. Investigations – Executive Session

The committee entered executive session for the purpose of discussing case 06-13.

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, 06-13, and 1 M.R.S.A. §405(6)(E) for receiving legal advice. (Doughty; Knowlton - motion carries)

The committee entered executive session at 9:37 a.m. and exited at 10:10 a.m.

A. 06-13

The committee received legal advice for the informal conference for case 06-13.

The committee entered executive session for the purpose of conducting an informal conference with the subject of case 06-13 at 10:15 am and exited at 10:50 a.m.

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 06-13 (Doughty; Knowlton - motion carries)

Following executive session, the committee discussed options for disposition of case 06-13

Motion: That the subject of case # 06-13 violated Maine EMS Rules (dated July 1, 2003) Chapter 11. §1.1 – Obtaining a license or certification by fraud, by deceit, by misrepresentation, or by concealing material facts; Chapter 11 § 1.14 – Violation of any standard established in the profession; Chapter 11 §1.29 Willfully making a false statement in application for a license or renewal of a license, or in any activity of documents intended to be used to satisfy a requirement for licensure; that the violation is based upon Licensee’s failure to disclose a November 14, 1975 conviction for Solicitation To Murder (Felony Unknown Class) on his renewal application dated January 23, 2003 and his renewal application dated March 24, 2006;) that the committee proposes to resolve the investigation by Consent Agreement; that the terms of the Consent Agreement include that the Licensee pay a fine of \$200.00 for each application for a total of \$400.00. (Doughty; motion dies for lack of second).

Motion: *That the subject of case # 06-13 violated Maine EMS Rules (dated July 1, 2003) Chapter 11. §1.1 – Obtaining a license or certification by fraud, by deceit, by misrepresentation, or by concealing material facts; Chapter 11 § 1.14 – Violation of any standard established in the profession; that the violation is based upon Licensee’s failure to disclose a November 14, 1975 conviction for Solicitation To Murder (Felony Unknown Class) on his renewal application dated January 23, 2003 and his renewal application dated March 24, 2006;) that the committee proposes to resolve the investigation by Consent Agreement; that the terms of the Consent Agreement include that the Licensee pay a fine of \$200.00 for each application for a total of \$400.00. (Cassidy; Knowlton; For Cassidy; Knowlton – against Doughty; Pillsbury - tie vote motion doesn’t carry).*

The committee entered executive session for the purpose of conducting an informal conference with the subject of case 06-13 at 11:05 am and exited at 11:10 a.m.

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 06-13 (Pillsbury/ Knowlton - motion carries)*

Following executive session, the committee discussed options for disposition of case 06-13.

Motion: *That the subject of case # 06-13 violated Maine EMS Rules (dated July 1, 2003) Chapter 11. §1.1 – Obtaining a license or certification by fraud, by deceit, by misrepresentation, or by concealing material facts; Chapter 11 § 1.14 – Violation of any standard established in the profession; Chapter 11 §1.29 Willfully making a false statement in application for a license or renewal of a license, or in any activity of documents intended to be used to satisfy a requirement for licensure; that the violation is based upon Licensee’s failure to disclose a November 14, 1975 conviction for Solicitation To Murder (Felony Unknown Class) on his renewal application dated January 23, 2003 and his renewal application dated March 24, 2006;) that the committee proposes to resolve the investigation by Consent Agreement; that the terms of the Consent Agreement include that the Licensee pay a fine of \$200.00 for each application for a total of \$400.00; that the Licensee’s EMT license number 13813 be suspended 15 days for each application and that the suspension be served concurrently; that the suspension is to start at the time of license renewal; that the Consent Agreement contain a Reprimand; and that the Consent Agreement be for 6 years.. (Pillsbury/ Doughty – 3-1 – motion carries)*

B. Cases 04-39, 06-07, 04-33, 06-PP/06-16

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, 04-39, 06-07, 04-33, and 1 M.R.S.A. §405(6)(E) for receiving legal advice. (Doughty; Knowlton - motion carries)*

The committee entered executive session for the purpose of discussing cases 04-39, 06-07, 04-33 and 06-PP/06-16 at 12:30 p.m. and exited executive session at 3:00 p.m.

Case 04-39

The committee discussed case 04-39 and requested staff to schedule an informal conference for the December meeting and request the Licensee to provide letters of recommendation. The committee will not be recommending a denial on Licensee’s renewal and would like the Board to consider issuing the license pending resolution of this case, (license renewal application was received January 2005) in order to allow Licensee to license as a National Registry as this case has been pending since 2004.

Case 06-PP/06-16

The committee discussed case 06-PP/06-16 and requested staff to continue investigation and notify Licensee of an informal conference to be scheduled for the December 2006 meeting.

Case 06-07

The committee reviewed the information provided and directed staff to continue with the investigation and schedule an informal conference for the January 2007 meeting.

Case 04-33

The committee reviewed the information provided and discussed resolution of Case 04-33.

Motion: That Inre: case 04-33, the committee finds evidence to warrant issuing a Letter of Guidance to resolve this case. (Doughty;Cassidy3-0 Knowlton abstained.)

Next Meeting

The next meeting is scheduled for Thursday, December 21, 2006 at 9:30 a.m.

Adjourn – The meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Dawn Kinney, EMT-P
Licensing Agent