



ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF PUBLIC SAFETY  
MAINE EMERGENCY MEDICAL SERVICES  
16 EDISON DRIVE  
AUGUSTA, MAINE  
04330

MICHAEL F. KELLY  
COMMISSIONER

JAY BRADSHAW, EMT-P  
DIRECTOR

**Investigations Committee Meeting  
Wednesday, November 4, 1998  
Maine EMS Conference Room, Augusta**

**Meeting Minutes**

**Present:** S. Hayes; S. Leach; E. Murray, Jr.

**Staff:** D. White; B. Montejo

**Guests:** W. Werts; C. Pillsbury; J LeBrun, J. Fields, Malcolm Porter, Dana Knight, Paul Connelly, John Perrino

**1. CALL TO ORDER** - The meeting was called to order at 10:40 a.m.

**A. Additions/Deletions to the Agenda**

- ◆ Review list of current investigations - Hayes
- ◆ John Sawicki - Case #98-02 - Staff

**B. Accept Minutes of October 7, 1998, meeting**

The minutes of the October 7, 1998, meeting were reviewed.

**MOTION: TO ACCEPT THE MINUTES OF THE OCTOBER 7, 1998, MEETING  
(Leach; Hayes - Motion Carries).**

**2. INVESTIGATIONS**

**A. John Perrino - Informal Conference**

The committee conducted an informal conference with John Perrino regarding case #98-15. Present for the informal conference were committee members Hayes, Leach and Murray; as well as J. Fields, C. Pillsbury, W. Werts, D. White, B. Montejo, J. LeBrun, John Perrino and Paul Conley.

The committee entered executive session at 12:15 p.m. for the purpose of conducting the informal conference and exited executive session at 1:15 p.m. following conclusion of the informal conference.

Committee discussion ensued regarding the circumstances of the case and an attempt was made to negotiate a resolution via consent agreement (which met with negative results).

**MOTION: TO UPHOLD THE OCTOBER 7, 1998, DECISION OF THE INVESTIGATIONS COMMITTEE CONCERNING CASE #98-15, JOHN PERRINO (HAYES;LEACH - MOTION CARRIES - 2 IN FAVOR, 1 OPPOSED - MURRAY).**

**B. Malcolm Porter**

The Committee conducted an informal conference with Malcolm Porter Jr. regarding cases #91-18 and #95-03. Present for the informal conference were committee members Hayes, Leach and Murray; C. Pillsbury, W. Werts, D. White, B. Montejo, Malcolm Porter Jr, and Dana Knight.

The committee entered executive session at 1:45 p.m. for the purpose of conducting the informal conference and exited executive session at 2:26 p.m. following conclusion of the informal conference.

Committee discussion ensued regarding the investigation of Mr. Porter and, action to be taken.

**MOTION: THAT THE COMMITTEE FINDS MALCOLM PORTER JR'S CONDUCT WHICH RESULTED IN HIS CONVICTION ON OR ABOUT JUNE 20, 1991, FOR ASSAULT AND, MR. PORTER'S JANUARY 10, 1996, CONVICTION FOR SEXUAL EXPLOITATION OF A MINOR, CLASS B, EACH CONSTITUTE VIOLATION OF SECTIONS 12(A)(3), 12(A)(4), 12(A)(5), 12(A)(7) OF THE MAINE EMS RULES (DATED SEPTEMBER 1, 1996) AND, THAT BASED UPON THE AFOREMENTIONED VIOLATIONS, THE COMMITTEE DENIES MALCOLM PORTER JR'S APPLICATION FOR RENEWAL OF HIS EMT-PARAMEDIC LICENSE #09612 (LEACH;MURRAY - MOTION CARRIES).**

**C. Shauna Guillot**

B. Montejo advised the Committee that Maine EMS had received information that indicated Licensee Shauna Guillot had failed to report criminal convictions on her July 2, 1998, application for licensure.

**MOTION: TO INITIATE AN INVESTIGATION OF SHAUNA GUILLOT REGARDING HER ALLEGED FAILURE TO REPORT CRIMINAL CONVICTION(S) (Leach; Hayes - Motion Carries).**

**D. John Sawicki**

The Committee reviewed staff's report concerning investigation #97-15 - John Sawicki. D. White presented a summary of the investigation, to date, and the committee received input from Donnie Carroll, Region 1 coordinator, and John Fields, Maine EMS Board chairman.

**MOTION: THAT MR SAWICKI'S FAILURE TO LIST HIS 1993 CONVICTION FOR FALSIFYING BUSINESS RECORDS, CONSTITUTES A VIOLATION OF SECTIONS 12(A)(1), 12(A)(3), 12(A)(4), 12(A)(6), 12(A)(7), 12(A)(14), 12(A)(16), AND 12(A)(18) OF THE MAINE EMS RULES, AND THAT MR. SAWICKI BE OFFERED A CONSENT AGREEMENT PROVIDING FOR A THREE (3) MONTH SUSPENSION OF LICENSE AND A \$500.00 FINE (MURRAY;LEACH - MOTION CARRIES)**

The committee then continued its discussion regarding the scope of the investigation; and, whether the sanctions provided for in the aforementioned motion were appropriate in this case.

**MOTION: TO RECONSIDER THE PREVIOUS MOTION (HAYES;LEACH - MOTION CARRIES - 2 IN FAVOR, 1 OPPOSED (MURRAY).**

Discussion continued regarding Mr. Sawicki's conduct as to his failure to report criminal convictions on his Maine EMS license application. Staff reported that Mr Sawicki has an application for renewal of his Paramedic license pending, and informed the committee of the options available. Given the complexity of the situation, and the amount of discussion the case generated, the committee considered forwarding this case to the Board.

**MOTION: TO REFER CASE #97-15 TO THE MAINE EMS BOARD FOR ITS CONSIDERATION AND TO RECOMMEND TO THE BOARD THAT MR. SAWICKI'S APPLICATION FOR RENEWAL OF HIS EMT-PARAMEDIC LICENSE BE DENIED (LEACH;HAYES - MOTION CARRIES).**

#### **E. Carmel Ambulance**

D. White reported that he had met with representatives of Carmel Ambulance Service regarding case #97-03. He indicated that the service is willing to enter into a consent agreement based upon concerns expressed by the regional council and regional medical director (who have been involved in their own investigation of quality issues within Carmel Ambulance Service).

D. White requested permission to pursue a consent agreement in concert with Region 4 EMS and the Carmel Ambulance Service.

**MOTION: TO AUTHORIZE STAFF TO PURSUE A CONSENT AGREEMENT WITH CARMEL AMBULANCE SERVICE TO ADDRESS ISSUES CONCERNING CASE #97-03 AND CONCERNS EXPRESSED BY EMS REGION 4 (HAYES;MURRAY - MOTION CARRIES).**

### **3. OTHER**

#### **A. Richard Brown - Update**

B. Montejo advised the Committee that Mr. Brown has not appealed the Committee's August 5, 1998, decision and that the time frame for appeal has lapsed.

**MOTION: TO CLOSE CASE #98-09 (HAYES;LEACH - MOTION CARRIES).**

#### **B. John Sawicki - Case #98-02**

D. White reported on case #98-02, John Sawicki, in which information obtained indicated that John Sawicki, while an employee of Southern Maine EMS, copied National Registry exam booklets. White reported that Mr. Sawicki admitted to copying the booklets, but only to the extent that the copies were used to supplement quantities of the National Registry exam during tests in that region. Committee review ensued.

**MOTION: THAT JOHN SAWICKI, WHILE AN EMPLOYEE OF THE SOUTHERN MAINE EMS COUNCIL INC., PHOTOCOPIED NATIONAL REGISTRY EMT-BASIC EXAMINATION BOOKLETS AND HAD IN HIS POSSESSION SAID PHOTOCOPIES OF THE EXAMINATION BOOKLETS; THAT INSUFFICIENT EVIDENCE EXISTS TO SUBSTANTIATE ILLICIT USE OF THE EXAM COPIES; AND, THAT THE CASE BE DISMISSED. (HAYES;LEACH - MOTION CARRIES).**

#### **C. Investigation Update**

Staff updated the Committee on the 27 cases pending Staff, Committee, Board, or Administrative Court action..

### **4. NEXT MEETING**

**A. Set Agenda -** To be set prior to meeting

**B. Set Date and Time -** The next meeting of the Committee will be on December 2, 1998 following the Maine EMS Board meeting.

**5. ADJOURNMENT -** The meeting was adjourned at 2:46 p.m.

Respectfully Submitted,

Drexell White  
Bill Montejo