

§84. Board: Powers and duties; goals; work plans

1. Powers and duties. The board has the following powers and duties.

A. The board shall conduct an emergency medical services program to fulfill the purposes, requirements and goals of this chapter. The board shall adopt the forms, rules, procedures, testing requirements, policies and records appropriate to carry out the purposes, requirements and goals of this chapter. [PL 1991, c. 588, §6 (AMD).]

B. Notwithstanding any other provision of law, any rule-making hearing held under this chapter and required by the Maine Administrative Procedure Act, Title 5, chapter 375, must be conducted by the board, the director or other staff as delegated by rule or a person in a major policy-influencing position, as defined in Title 5, section 931, who has responsibility over the subject matter of the proposed rule. [PL 1991, c. 588, §7 (AMD).]

C. The board shall appoint a licensed physician as statewide emergency medical services medical director and may appoint a licensed physician as statewide associate emergency medical services medical director. These physicians shall advise Maine Emergency Medical Services and shall carry out the duties assigned to the medical director pursuant to this chapter, or as specified by contract. A person appointed and serving as the statewide emergency medical services medical director or statewide associate emergency medical services medical director is immune from any civil liability, as are employees of governmental entities under the Maine Tort Claims Act, for acts performed within the scope of the medical director's duties. [PL 2019, c. 370, §14 (AMD).]

D. Rules adopted pursuant to this chapter must include, but are not limited to, the following:

- (1) The composition of regional councils and the process by which they come to be recognized;
- (2) The manner in which regional councils must report their activities and finances and the manner in which those activities must be carried out under this chapter;
- (4) The requirements for licensure for all vehicles, persons and services subject to this chapter, including training and testing of personnel; and
- (5) Fees to be charged for licenses under this section. [PL 2011, c. 271, §7 (AMD).]

E. With the approval of the commissioner, the board shall appoint a Director of Maine Emergency Medical Services. [PL 1991, c. 588, §10 (NEW).]

F. The board shall appoint or, as specified in section 89, subsection 2, paragraph B, approve the members of the Medical Direction and Practices Board. [PL 2015, c. 82, §4 (NEW).]

G. In accordance with applicable provisions of this chapter, the board may by rule establish appropriate licensure levels and qualifications for emergency medical services persons, emergency medical dispatchers, emergency medical services educators, emergency medical dispatch centers, emergency medical services training centers, ambulance services and nontransporting emergency medical services. [PL 2023, c. 166, §1 (NEW).]

[PL 2023, c. 166, §1 (AMD).]

2. Goals. The board shall establish and pursue its goals as follows.

A. The board shall monitor the provision of emergency medical services within the State. The board shall establish, by rule, its goals in monitoring the provision of services and in ensuring that these services are appropriately delivered. These goals must be in the nature of objectives and do not constitute absolute requirements. In establishing these goals, the board shall seek the input of individuals, agencies, services and organizations interested in emergency medical services. [PL 2007, c. 274, §10 (AMD).]

B. In each year, and in conjunction with the preparation of the emergency medical services report, the director under the direction of the board shall prepare a list of those among the goals that most need to be pursued in the succeeding year. [PL 2007, c. 274, §10 (AMD).]

C. In pursuing these goals, the board may contract for services with regional councils; cooperate with other departments or agencies; accept and disburse granted funds; or act in other lawful ways as may best serve the public good. [PL 2007, c. 274, §10 (AMD).]
[PL 2007, c. 274, §10 (AMD).]

3. Work plans. Each year, the board shall issue an emergency medical services' report indicating:

A. The extent to which the emergency medical system was used throughout the State, and the incidence of various medical conditions which called it into service; [PL 1981, c. 661, §2 (NEW).]

B. The extent and nature of the continuing programs of training and support for emergency medical services carried out by the regional councils and Maine Emergency Medical Services; [PL 1991, c. 588, §12 (AMD).]

C. The extent to which the goals laid down in this chapter were pursued, and with what success; [PL 1981, c. 661, §2 (NEW).]

D. The plan, for the coming year, to pursue the various goals; and [PL 1981, c. 661, §2 (NEW).]

E. The income and expenditures of the board and of the regional councils. [PL 1991, c. 588, §12 (AMD).]

[PL 1991, c. 588, §12 (AMD).]

4. Establishment of community paramedicine services. The board may establish community paramedicine services. As used in this subsection, "community paramedicine" means the practice by an emergency medical services provider primarily in an out-of-hospital setting of providing episodic patient evaluation, advice and treatment directed at preventing or improving a particular medical condition, within the scope of practice of the emergency medical services provider as specifically requested or directed by a physician.

The board shall establish by rule the requirements and application and approval process of community paramedicine services established pursuant to this subsection. At a minimum, an emergency medical services provider, including, but not limited to, an ambulance service or nontransporting emergency medical service, that conducts community paramedicine services shall work with an identified primary care medical director, have an emergency medical services medical director and collect and submit data and written reports to the board, in accordance with requirements established by the board. The board shall also adopt rules requiring authorized community paramedicine services to:

A. Comply with the Maine Background Check Center Act requirements as described in Title 22, chapter 1691; [PL 2023, c. 195, §4 (NEW).]

B. Conduct initial and ongoing training of all staff regarding their obligations as mandatory reporters; [PL 2023, c. 195, §4 (NEW).]

C. Meet licensing standards consistent with those required by Title 22, section 2145, subsection 3 and 4; and [PL 2023, c. 195, §4 (NEW).]

D. Coordinate with home health agencies. [PL 2023, c. 195, §4 (NEW).]

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2023, c. 195, §4 (RPR).]

SECTION HISTORY

PL 1981, c. 661, §2 (NEW). PL 1983, c. 674 (AMD). PL 1985, c. 730, §§9,16 (AMD). PL 1987, c. 273, §4 (AMD). PL 1987, c. 402, §A166 (AMD). PL 1991, c. 588, §§6-12 (AMD). PL 2007, c. 274, §§8-10 (AMD). PL 2011, c. 271, §§6, 7 (AMD). PL 2011, c. 562, §1 (AMD). PL 2015, c. 82, §4 (AMD). PL 2015, c. 92, §1 (AMD). PL 2017, c. 276, §1 (AMD). PL 2019, c. 370, §14 (AMD). PL 2023, c. 166, §1 (AMD). PL 2023, c. 195, §4 (AMD).

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