

Janet T. Mills
Governor

Sara Gagné-Holmes
Commissioner



Maine Department of Health and Human Services
11 State House Station
Augusta, Maine 04333-0011
Tel.: (207) 287-3707; Fax: (207) 287-3005
TTY: Dial 711 (Maine Relay)

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Testimony in Opposition
Director William Montejo, RN
Division of Licensing and Certification
Maine Department of Health and Human Services

Testimony for LD 245 – An Act to Implement the Recommendations of the Blue Ribbon
Commission to Study Emergency Medical Services in the State
Sponsor: Senator Ross
February 10, 2025

Senator Beebe-Center, Representative Hasenfus and Members of the Committee on Criminal Justice and Public Safety.

My name is Bill Montejo, I am the Director of the Division of Licensing and Certification for the Department of Health and Human Services (DHHS/DLC or the “Division”).

The Division is testifying neither for nor against the LD 245 as a whole, and we offer the following information to assist you in your hearing. The Division is opposed to the bill’s specific language to change the definition of an Emergency Medical Services Persons:

Sec. 3. 32 MRSA §85, sub-§7, ¶A, as amended by PL 2021, c. 587, §1, is further amended to read:

A. Rendered in the person's capacity as an employee or contractor of the hospital or health care facility;

The current statutory language does not prohibit an Emergency Medical Services Person from rendering medical services in a healthcare facility as a volunteer, contracted staff, or employee of the facility provided those services are part of that individual’s job, volunteer duties description, or their contract terms within the healthcare facility - and in accordance with regulatory standards for the specific healthcare facility.

Regulatory requirements for the Centers of Medicare and Medicaid Services (CMS) require that federally certified healthcare facilities establish competency-based orientations and competency evaluations for all volunteers, contracted staff and employees of the facility if part of the individuals duties within the healthcare facility will include rendering medical care to patients, visitors, staff of the health care facility.

The concern of the Division is that the passage of this change to the definition of an Emergency Medical Services Persons may result in healthcare facilities overlooking or misunderstanding their responsibilities in this regard, and medical facilities may falsely believe the responsibility for competency evaluation and oversight of a licensed Emergency Medical Services Person will shift from them to the State of Maine Emergency Medical Services Board. This will not be the case. This will have the unintended consequence of federal violations issued to Maine HealthCare facilities.

I would be happy to address any questions you have.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Montejo", with a long horizontal flourish extending to the right.

Bill Montejo, Director
Division of Licensing and Certification