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## Interim Report of the Task Force to Study Maine's Homeland Security Needs

Maine State Legislature

Maine Office of Policy and Legal Analysis

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**STATE OF MAINE  
122<sup>nd</sup> LEGISLATURE  
SECOND REGULAR SESSION**

**Second Interim Report and Recommendations  
of the**

**Task Force to Study Maine's Homeland Security  
Needs**

**February 2006**

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## EXECUTIVE SUMMARY

The Task Force to Study Maine's Homeland Security Needs ("the Task Force") was established by the 122<sup>nd</sup> Legislature and signed into law by Governor John Baldacci. The Task Force was directed to meet over a two-year period to review Maine's homeland security needs and to identify gaps in Maine's emergency preparedness. The Task Force consists of six legislators and five members of the public.

The Task Force began its work in October of 2005 and over the course of four months held nine public meetings across the state in Augusta, Brunswick, Bangor, Oxford Hills, Presque Isle, Rockland, and Saco. The purpose of the meetings was to gather information on our strengths and weaknesses in emergency preparedness, and to formulate recommendations. In total we heard from upwards of 200 members of the public, private organizations, and public officials.

While the Task Force found that Maine is well prepared for a natural or human made disaster, there are several areas that need our immediate attention and action. Accordingly, the Task Force voted unanimously to make the following recommendations, and the draft emergency legislation to implement these recommendations is attached as Appendices G, H and I.

### **Recommendation 1: *Communications and Interoperability***

- Secure at least six public safety radio frequencies to be used as statewide disaster channels, with protocols and prioritization of use. (pg.4)
- Require MEMA to conduct periodic tests of how first responders utilize public safety frequencies during emergency situations. (pg.4)

### **Recommendation 2: *The Maine Emergency Management Agency [MEMA]***

- Strengthen the statutory qualifications of the Director of MEMA to include education, training, or experience in emergency management. (pg.5)
- Require legislative confirmation to appoint the Director of MEMA. (pg.5)
- Authorize the Director of MEMA to have direct access to the Governor in the case of an emergency. (pg.5)
- Transfer oversight of MEMA to the committee of the Legislature having jurisdiction over public safety. (pg.5)

### **Recommendation 3: *Disaster Relief***

- Authorize the Governor to transfer up to three million dollars to the Disaster Relief Fund for use during a nationally declared disaster. (pg.5)

**Recommendation 4: *Oversight and Coordination of Homeland Security Funds***

- Require that the MCDC and MEMA coordinate the planning and expenditure of all emergency preparedness funds. (pg.6)
- Require that MCDC and MEMA report to the legislature on the expenditure of emergency preparedness funds and the plans for anticipated revenue. (pg.6)
- Establish the Homeland Security Advisory Council in statute. (pg.7)

**Recommendation 5: *Emergency Notification, Shelters, and Evacuation Plans***

- Require that all new school construction include back-up generators or be wired for portable generators. (pg.8)
- Direct MEMA to survey and report back on statewide municipal emergency notification systems, nursing home evacuation plans and shelter capabilities. (pg.8)

**Recommendation 6: *Medical Surge Capacity and Emergency Immunity***

- Direct MCDC to develop recommendations addressing Maine's surge capacity. (pg.8)
- Grant limited immunity to hospitals in the event of a declared emergency. (pg.9)

**Recommendation 7: *Regional Resource Centers and Local Health Officers***

- Provide Regional Resource Centers with sufficient funding to continue present operations. (pg.10)
- Enhance the qualifications and authority of local Health Officers. (pg.10)

**Recommendation 8: *Education and Community Outreach***

- Require MEMA to broadcast emergency preparedness public service announcements to educate and inform members of the public. (pg.11)
- Direct MEMA to evaluate the emergency preparedness of our public schools and provide recommendations on how these systems should be improved.
- Incorporate emergency planning into the public school curriculum. (pg. 11)

**Recommendation 9: *Shift Federal funding Priorities***

- Memorialize Congress and the President of the United States to shift funding priorities and support the equitable disbursement of Homeland Security funds. (pg.12)

The next meetings of the Task Force will follow up on the above areas and begin looking into pieces not yet analyzed. Some of these areas include: the Maine National Guard, our overall Public Health System, chemical security, credentialing and privileging for hospitals and physicians, and the role of volunteers in emergency preparedness. The Task Force will submit its final report in November of 2006.

## **I. INTRODUCTION**

### **a. Resolve**

The Task Force to Study Maine's Homeland Security Needs ("Task Force") was established during the Second Special Session of the 122<sup>nd</sup> Legislature by Resolve 2005, Chapter 126. A copy of the resolve is attached as **Appendix A**. The eleven member Task Force includes six legislators and five public members representing the public interest who are directly involved in emergency preparedness or homeland security. The Task Force membership roster is listed in **Appendix B**. Pursuant to the resolve, the Task Force is required to submit an interim report on its findings and recommendations, including any suggested legislation, to the Second Regular Session of the 122<sup>nd</sup> Legislature. The Task Force submitted its first interim report in December of 2005. This is the second interim report of the Task Force.

### **b. Charge to the Task Force**

The Task Force was charged with the following duties:

1. Review Maine's homeland security needs in areas, including, but not limited to, law enforcement, emergency preparedness, public health, port and airport security and sensitive-target security;
2. Review the current state of homeland security preparedness, spending priorities and any gap between available resources and identified needs in such areas as personnel, equipment and training, including review of the impact of Maine National Guard and Reserve deployments abroad on Maine's emergency preparedness;
3. As part of its review of needs and preparedness, receive a report on the status of the Maine's Homeland Security Task Force report on its vision and plans and the status of those plans as of May 2005;
4. Hold at least 2 of its meetings outside of Augusta and provide an opportunity for public comment at those meetings; and
5. Review ways to improve the flow of information to the Legislature and the general public about Maine's homeland security needs and preparedness.

The Task Force held meetings in Augusta, Bangor, Brunswick, Oxford Hills, Rockland, Presque Isle and Saco to gather information from state and local officials, members of the public and private organizations on the strengths and weaknesses in emergency preparedness planning throughout the state. The Task Force greatly appreciates the time and energy that these participants contributed to the process to make certain that the Task Force was provided with as much information as possible in a short period of time. The meeting agendas, sign in sheets and samples of submitted testimony are attached as **Appendix C**.

## II. BACKGROUND

On December 17, 2003, President Bush issued Homeland Security Presidential Directive 8 "*National Preparedness*" (HSPD-8). The goal of HSPD-8 is to "establish policies to strengthen the preparedness of the United States to prevent and respond to threatened or actual domestic terrorist attacks, major disasters, and other emergencies by requiring a national domestic all-hazards preparedness goal, establishing mechanisms for improved delivery of Federal preparedness assistance to State and local governments, and outlining actions to strengthen preparedness capabilities of Federal, State, and local entities."<sup>1</sup> A copy of HSPD-8 is attached as **Appendix D**.

On March 31, 2005, the Department of Homeland Security (DHS) issued the Interim National Preparedness Goal (the Goal) and accompanying National Preparedness Guidance (NPG). The Goal establishes a vision for a National Preparedness System, and the NPG provided an introduction to several of the key building blocks for that system, including the National Planning Scenarios, Universal Task List (UTL), Target Capabilities List (TCL), and seven National Priorities. This document provides guidance for use by States and Urban Areas in placing their preparedness efforts within the context of this new doctrine and updating their existing Homeland Security Strategies to ensure that they support the Goal and reflect the seven National Priorities.

According to the DHS, the vision of the National Preparedness Goal is:

*'To engage Federal, State, local, and tribal entities, their private and nongovernmental partners, and the general public to achieve and sustain risk-based target levels of capability to prevent, protect against, respond to, and recover from major events in order to minimize the impact on lives, property, and the economy.'*<sup>2</sup>

The Office of State and Local Government Coordination and Preparedness, within DHS, is the agency in charge of helping states, local and tribal jurisdictions and regional authorities with implementing the HSPD-8. To carry out this directive, the Office has the following components: The Office for Domestic Preparedness, Office of Community Preparedness and the Office of State and Local Government Coordination.

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<sup>1</sup> The U.S. Department of Homeland Security, <http://www.ojp.usdoj.gov/odp/assessments/hspd8.htm>

<sup>2</sup> The U.S. Department of Homeland Security, *National Preparedness Goal*: [http://www.ojp.usdoj.gov/odp/docs/Goal\\_041305.pdf](http://www.ojp.usdoj.gov/odp/docs/Goal_041305.pdf)

### III. INTERIM FINDINGS AND RECOMMENDATIONS

#### 1. *Communications and Interoperability*

Across the country, the lack of interoperable wireless communication systems has been and continues to be an area of concern. DHS has stated that in many states agencies are unable to communicate or share critical voice and data information with other jurisdictions or disciplines during major events or day-to-day operations.

The term ‘interoperable communications’ is used to describe “the ability to provide an uninterrupted flow of critical information among responding multi-disciplinary and multi jurisdictional agencies at all levels of government before, during, and after an event.”<sup>3</sup> Communications interoperability is the foundation that allows federal, state, local, and tribal entities to work together in an effective manner to prevent, protect against, respond to, and recover from terrorist attacks, major disasters, and other emergencies. According to the DHS, states can achieve communications operability by focusing on the Interoperability *Continuum*, which DHS has described as having five elements: governance, standard operating procedures, technology, training and exercise, and usage of equipment.

One of the most critical concerns voiced to the Task Force has been the need in Maine to achieve a state communications interoperability plan that will insure that local, county, state and federal agencies are able to communicate in the event of a large scale emergency or disaster. Maine’s Office of Information Technology and MEMA have proposed a draft plan for a *Concept of Operation for Incident Communications Interoperability* (“CONOPS”) that will serve as a guide for public safety agencies for “developing and employing interoperability through an effective Incident Communications program.”<sup>4</sup> The goal of achieving interoperability can be achieved by building partnerships between public safety agencies and other state agencies, hospitals, federal agencies that aid in response and recovery and public works and utilities and other support agencies. According the Maine CONOPS plan, interoperability is the “ability for on demand and real time radio communications between public safety personnel and personnel from other agencies.”<sup>5</sup> Two-way radio voice communications are instrumental in providing the means for communication among first responders, public safety officials and other agencies. The draft *CONOPS* plan is attached as **Appendix E**.

The Statewide Radio Network Board (“the board”), convened in July 2004 to address the need for a new public safety radio system and to give guidance in the area of interoperability, has been working diligently to support the State’s plans to replace its wireless infrastructure, establish interoperability and provide guidance for frequency coordination. The board’s memorandum prepared for the Task Force on communications interoperability, which includes the board’s membership, is attached as **Appendix F**.

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<sup>3</sup> Department of Homeland Security,

<sup>4</sup> State of Maine, *Concept of Operations for Incident Communications Interoperability*, State Office of Information Technology and the Maine Emergency Management Agency, Version 1.0 December 28, 2005.

<sup>5</sup> *Id.* pg. 2.

**Findings:** The Task Force finds that there is a serious gap in the ability of our first responders to communicate between municipalities and between all levels of government in the case of an emergency. The Task Force recognizes the vital importance of achieving an interoperability strategy for Maine that will ensure a unified response from all local, state and federal responders.

**Recommendations:** The Task Force recommends that the Statewide Radio Network Board develop protocols and procedures for frequency coordination throughout the state during major emergencies. The Task Force recommends that the board, with participation from stakeholders, receive obtain memorandums of understanding from various stakeholders, including: Maine Emergency Management Agency, Maine Fire Chiefs Association, Maine Fire Protection Services Commission, Maine Chiefs of Police, Maine Sheriff's Association, the Maine State Police, Department of Public Safety, federal first responders, Maine Emergency Medical Services, Maine Hospital Association, and local public works and utilities. The Task Force recommends that the board allocate no less than 6 public safety band radio frequencies to be used as multi-jurisdictional, county and state disaster channels. In addition, the Director of the Maine Emergency Management Agency shall develop a communications plan for multi-jurisdictional, regional and statewide disasters to ensure interoperability that includes participation with expected public and private expected response partners, and local, county, state and federal stakeholders. The Statewide Radio Network Board and the Maine Emergency Management Agency shall report back to the Task Force to Study Maine's Homeland Security Needs on their progress in obtaining memorandums of understanding from the various stakeholders and the need for training the first responder community in the area of frequency use and operation protocols for efficiency, timeliness and prioritization of usage by September 18, 2006. Draft legislation to implement these recommendations is attached as **Appendix G**.

The Task Force also finds that the Director of the Maine Emergency Management Agency should conduct periodic tests of the ability of first responders to utilize public safety frequencies during emergency situations, as it is critical to ensure that the first responder community has sufficient training to understand and comply with adopted protocols and procedures for efficient, timely and prioritized usage. Draft legislation to implement this recommendation is attached as **Appendix G**.

## ***2. The Maine Emergency Management Agency***

The Maine Emergency Management Agency ("MEMA"), structured within the Department of Defense, Veterans and Emergency Management, was created to "lessen the effects of disaster on the lives and property of the people of the State through leadership, coordination and support in the 4 phases of emergency management: mitigation, preparedness, response and recovery."<sup>6</sup> The Director of MEMA is responsible for carrying out the mission of the agency, and serves at the pleasure of the Commissioner of the Department of Defense, Veterans and Emergency Management. The director is responsible for coordinating all emergency management initiatives, serving as the state's liaison with other emergency

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<sup>6</sup> 37-B M.R.S.A § 701(1)

management and public safety agencies across the country as well as with the federal government, and is responsible for evaluating the local emergency management organizations in Maine to determine their capabilities and to ensure that they are operating in the best interest of public welfare and safety. MEMA is also responsible for coordinating homeland securities planning and the administration of homeland security grant funding. The Director of MEMA is also a member of the Homeland Security Advisory Council, providing advice to the Governor on critical policy issues.

**Findings:** The Task Force finds that there are potential gaps in the statutory requirements for the position of Director of MEMA, the lines of authority in times of emergency and in the committee of jurisdiction having oversight of MEMA.

**Recommendations:** The Task Force recommends that the duties of the Maine Emergency Management agency and the director should be placed within the jurisdiction of the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety issues. The Task Force also recommends that the qualifications for the Director's position be clarified in statute to reflect the importance of a relevant background in the emergency management profession, including education, training and experience. The Task Force also finds that the Director's position should be appointed by the Governor and confirmed by the Legislature, and that the statute should reflect the need for the Director to have direct access to the Governor at all times. Draft legislation to implement these recommendations is attached as **Appendix G**.

### ***3. Disaster Relief***

The Disaster Relief Recovery Fund ("the fund") was created in 2005, Title 37-B section 745, with the goal of establishing a funding resource that could be utilized to help the state's response in two scenarios: response to a disaster or emergency that is declared by a proclamation of the Governor, pursuant to Title 37-B, section 742; or in the event of a major disaster in Maine that is declared by a Presidential proclamation, pursuant to Title 37-B, section 744. At this time, no money has been appropriated to the fund. The Director of the Maine Emergency Management Agency emphasized to the Task Force the importance of this fund to be used as the state's resource in the event of a large scale emergency, where the State suffers significant damages that fall short of the threshold criteria required to trigger federal aid.

**Findings:** The Task Force finds that there is a problematic gap in Maine's financial preparedness for a federal disaster and recognizes that there is a need for a Disaster Relief Fund that has adequate resources and supports the concept of appropriating money to the Disaster Relief Fund, with certain restrictions, so that the state will have an available resource that would be ready to provide the necessary state match to federal funds in the event of a federally declared disaster.

**Recommendations:** The Task Force recommends that the Legislature enact legislation that authorizes the Governor to transfer from the Budget Stabilization Fund up to three million dollars to the Disaster Relief Fund within a state fiscal year, with the restriction that no more than three million dollars may be expended from the Disaster Relief Fund

during any state fiscal year. Any interest that accrues in the Fund must be transferred back to the Budget Stabilization fund. Draft legislation to implement this recommendation is attached as **Appendix G**.

#### **4. Oversight and Coordination of Homeland Security Funds**

Maine's homeland security and emergency preparedness initiatives have been supported by several federal grant programs. MEMA receives DHS grant funds, including *First Responder Preparedness* grants and *Law Enforcement Terrorism Protection Program* grants, and the Maine CDC receives *Public Health Preparedness* grants and the HRSA grant. These two agencies are responsible for administering these funds and ensuring that grant applicants comply with the federal requirements.

**Findings:** The Task Force finds that there is a real gap in the coordination of spending federal funds between the Maine Emergency Management Agency and the Maine Center for Disease Control and Prevention. The Task Force also finds that there is a gap in legislative oversight due to these funds being spent by entities that report to numerous different legislative committees. The Task Force finds that enhanced coordination between the two agencies has grown increasingly important with the projected reduction in homeland security grant funding levels.

**Recommendations:** The Task Force recommends that the Director of the Maine Center for Disease Control and Prevention coordinate in a mutually agreed upon manner with the Director of the Maine Emergency Management Agency on the planning and expenditure of all federal funds received by the Maine Center for Disease Control and Prevention for homeland security emergency preparedness purposes or for the prevention of bioterrorism and provide a report annually, beginning December 15, 2006, to the Homeland Security Advisory Council, established currently by Executive Order. The Task Force recommends that the Homeland Security Advisor for the Council report by January 15<sup>th</sup> of each year, beginning in 2007, on the expenditure of such funds to the joint standing committee having jurisdiction over health and human service matters and the joint standing committee having jurisdiction over criminal justice and public safety matters. The report must include, but is not limited to, the amount of funds expended in the prior year, the purpose of those expenditures, the effect of those expenditures on an all-hazards approach to homeland security and bioterrorism prevention and the plans for coordination with the Maine Emergency Management Agency for the expenditure of the funds received or anticipated for such purposes in the two years following submission of the report. Draft legislation to implement these recommendations is attached as **Appendix G**.

On July 8, 2004, Governor Baldacci established by Executive Order the Maine Homeland Security Advisory Council Maine ("the council"). The council was established to increase coordination among state agencies and MEMA in the areas of federal homeland security funding support, and emergency planning and terrorism response efforts, and to ensure that the Governor is frequently advised on these issues.

**Findings:** The Task Force finds that the mission of the Homeland Security Advisory Council is critical in ensuring that state agencies coordinate their emergency planning and response efforts to maximize the use of federal funds and in establishing clear lines of communication among those agencies responsible for managing critical intelligence information.

**Recommendations:** In recognition of the importance of the Homeland Security Advisory Council's work, the Task Force recommends that the council be established in statute. Draft legislation to implement these recommendations is attached as **Appendix G**.

### ***5. Emergency Notification, Shelters and Evacuation Plans***

The U.S. Department of Homeland Security has stated on November 23, 2005 in its *Preparedness Directorate Information Bulletin* that every state should provide information describing the plans and resources that are being dedicated to emergency response plans that contemplate evacuation of large numbers of evacuees, "including special needs groups in hospitals and nursing homes, or residents without access to transportation...as well as plans for sustenance of evacuees."<sup>7</sup>

Although the capacity of the American Red Cross to provide shelter services has significantly improved in recent years, there is a serious shortage in sheltering capacity in the counties throughout Maine. There is a gap in the availability of shelters that can accommodate large numbers of evacuees, shelter for individuals with special needs, as well as pet friendly shelters. In addition, many of the buildings in Maine that are identified as shelters lack generators or the capacity to connect to generators. However, there are many schools that could have the capacity to function as shelters for large numbers of evacuees, and homeland security funding could be allocated to fund generators for these schools.

In addition to the need for sheltering capacity, it is critical for members of the public to receive prompt, accurate and useful information as quickly as possible in the event of an impending emergency or disaster that could threaten their health and safety. To ensure that the public does receive alert messages and knows how to interpret these messages properly, more education and public awareness efforts need to be undertaken. The emergency alerting system allows for regional or statewide alerting and notification through the public radio and television networks, but more needs to be done to increase the public's awareness about this service. Many of the traditional notification methods are not accessible to individuals with disabilities, so it is critical that combinations of other warning systems are used to reach all citizens.

**Findings:** The Task Force finds that there is a significant gap in Maine's sheltering capacity and in the lack of backup generators for those shelters already designated as such. In addition, in order to make further recommendations in this area, the Task Force needs more detailed information on the state's shelter capacity, plans for establishing shelters that accommodate individuals with disabilities, the types of emergency

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<sup>7</sup> DHS Preparedness Directorate Information Bulletin, No. 197, November 23, 2005. p.1

notification systems that currently exist throughout the state and the state of evacuation plans for municipalities.

**Recommendations:** The Task Force recommends that the state board only approve building projects for new schools that are designed to include adequate back-up energy generators or that are wired for portable energy generators to enable use as public shelters. In addition, the Task Force requests that the Director of the Maine Emergency Management Agency survey local Maine communities to gather information on the types of emergency notification systems that are in place throughout the state, evacuation plans for nursing homes currently adopted throughout the state and shelter capabilities throughout the state, with a focus on determining how shelters are designed to accommodate populations with special needs, particularly persons with disabilities. The Director is required to report back by September 18, 2006 to the Task Force to Study Maine's Homeland Security Needs on the results of this survey and provide recommendations for improvement in these areas, with a focus on how to accommodate populations with special needs, particularly persons with disabilities. Draft legislation to implement these recommendations is attached as **Appendix G**.

## ***6. Medical Surge Capacity and Emergency Immunity***

Evaluating how the medical and health systems in the United States will respond to a major emergency or disaster with human casualties is a difficult but necessary task. Many hospitals are not prepared for the type of event that could cause a dramatic increase in the numbers of patients (surge capacity) and victims with specialized medical needs (surge capability).<sup>8</sup> In the event of a disaster, hospitals will rapidly be required to transform their facilities to accommodate the maximum number of patients they can possibly handle. Accordingly, medical surge capacity is an important piece of emergency preparedness planning.

**Findings:** The Task Force finds that a troubling gap exists in determining exactly what Maine's surge capacity is and what our medical surge plans are and is interested in receiving more information in order to determine Maine's preparedness and what measures can be taken to improve the ability of Maine's medical and health systems to respond effectively in the event of a major disaster.

**Recommendations:** The Task Force recommends that the Director of the Maine Center for Disease Control and Prevention, in conjunction with the Maine Hospital Association, shall update its recent survey of emergency health system capacity in Maine. The Director of the Maine Center for Disease Control and Prevention, in coordination with the Director of the Maine Emergency Management Agency and the Maine Hospital Association, is required to develop recommendations to address Maine's acute medical and public health surge capacity and provide a report on these recommendations to the Task Force to Study Maine's Homeland Security Needs by September 18, 2006. Draft legislation to implement these recommendations is attached as **Appendix G**.

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<sup>8</sup> <http://www.ahrq.gov/news/ulp/btbriefs/btbrief3.htm#regional>

Health care workforce emergency surge capacity is an important element in emergency preparedness planning. Hospital policies for credentialing and privileging<sup>9</sup> during emergencies will determine its ability to effectively respond in the event of a disaster or major emergency. However, the credentialing and privileging of health professionals can be a lengthy process that is impractical in the event of a disaster or emergency, where hospitals must act quickly and may be unable to verify licensing or credentialing information for health care professionals. In order to facilitate the use of volunteer health professionals during such extreme events, certain liability protections can be provided to hospitals.

**Findings:** The Task Force finds that a burdensome gap exists in ensuring that hospitals have the limited immunity needed to hire a sufficient health care workforce in the event of a disaster or major emergency.

**Recommendation:** The Task Force recommends that in the event of a declared public health emergency, an extreme public health emergency, or in response to a disaster, private institutions that hire or engage with licensed health care personnel should be granted limited immunity from civil liability for any actions arising from allegations of inadequate investigation prior to their engagement, including but not limited to negligent hiring, credentialing or privileging, for services provided within the scope of that health care practitioner’s licensure. Draft legislation to implement these recommendations is attached as **Appendix H**.

## **7. Regional Resource Centers and Local Health Officers**

In 2002, The United States Congress allocated funds to the Centers for Disease Control (CDC), and the Department of Health and Human Services, Health Resources and Services Administration (HRSA) in an effort to channel funding to the states for emergency preparedness initiatives. The HRSA grant program is entitled the “*National Bioterrorism Hospital Preparedness Program*” and its purpose is “to prepare hospitals and supporting healthcare systems, in collaboration with other partners, to deliver coordinated and effective care to victims of terrorism and other public health emergencies.”<sup>10</sup>

The CDC *Public Health Emergency Preparedness Program* is designed to “upgrade and integrate state and local public health jurisdictions’ preparedness for and response to terrorism and other public health emergencies with Federal, State, local, and tribal governments, the private sector, and Non-Governmental Organizations (NGOs).”<sup>11</sup> These emergency preparedness and response efforts are intended to support the National Response Plan (NRP) and the National Incident Management System (NIMS).

In 2004, the Regional Resource Centers (“RRCs”) were funded by the Maine Center for

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<sup>9</sup> Credentialing refers to the process of verifying and conferring approval for a health professional to provide health care. Privileges describe the scope of practice assigned to a health professional in a specified facility or health service.

<sup>10</sup> <http://www.hrsa.gov/bioterrorism/overview.htm>

<sup>11</sup> <http://www.bt.cdc.gov/planning/guidance05/>, Program Announcement AA154 - May 13, 2005

Disease Control and Prevention (“MCDC”) primarily through HRSA grants to coordinate regional emergency response planning among Maine’s three trauma centers (Maine Medical Center, Central Maine Medical Center and Eastern Maine Medical Center) and regional and state health care partners. Many concerns were raised to the Task Force during the public meetings that funding for the RRCs was anticipated to change in June 2006, which would impact the ability of the RRCs to fulfill their mission.

The Task Force also heard testimony that many local health officers,<sup>12</sup> created by statute and located in each municipality, are insufficiently trained and that those with adequate qualifications do not have the tools necessary to fulfill community expectations and to help support state emergency preparedness and homeland security initiatives.

**Findings:** The Task Force finds that the work performed by the RRCs is essential to coordinate emergency response planning among Maine’s three trauma centers and regional public and private sector agencies. The Task Force is concerned that the RRCs will experience a significant reduction in Health Resources and Services Administration (HRSA) grant money, which will negatively impact their ability to achieve their emergency preparedness goals. The Task Force also finds that there is a gap between local health officer qualifications, expectations and authority and that more information is needed to determine how their role can be developed to support emergency preparedness.

**Recommendations:** The Task Force recommends that the Director of the Maine Center for Disease Control and Prevention shall work with stakeholders to ensure that the Regional Resource Centers are provided sufficient funding resources to meet the goals of hospital and health system providers. The Director of the Maine Center for Disease Control and Prevention shall report back to the Task Force to Study Maine’s Homeland Security Needs on the results of the Health Resources and Services Administration (HRSA) grant and contract with the Regional Resource Centers and proposed recommendations by September 18, 2006, as well as to the joint standing committee having jurisdiction over health and human services matters and the joint standing committee having jurisdiction over criminal justice matters by January 15, 2007. Draft legislation to implement these recommendations is attached as **Appendix G**.

The Task Force also recommends that the Director of the Maine Center for Disease Control and Prevention, in conjunction with stakeholders and interested parties, shall study the qualifications and duties of local health officers in Maine and develop recommendations for enhancing the role of local health officers in emergency preparedness plans. The Director of the Maine Center for Disease Control and Prevention is required to report back to the Task Force to Study Maine’s Homeland Security Needs on the results of this study and proposed recommendations by September 18, 2006. Draft legislation to implement these recommendations is attached as **Appendix G**.

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<sup>12</sup> 22 M.R.S.A. § 153.

## 8. *Education and Community Outreach*

The DHS has emphasized the importance of educating individuals and families on steps they can take to protect themselves in the case of an emergency. The DHS has established a new website *Ready.Gov* that has many resources to encourage individuals, families and children to learn more about how they can be prepared in the event of an emergency. The website also has a link to the U.S. Department of Education's new website on emergency planning for teachers and school administrators to use as an emergency preparedness resource. The website, [www.ed.gov/admins/lead/safety/emergencyplan/index.html](http://www.ed.gov/admins/lead/safety/emergencyplan/index.html), is designed to help schools and communities across the country engage in all-hazards emergency planning, including natural disasters, violent incidents and terrorist acts.

The Task Force has received testimony that demonstrates that some schools in Maine are beginning to embrace an all-hazards approach to their emergency planning, but more work needs to be done to increase the dialogue among teachers, administrators, students and members of the community in this area.

**Findings:** The Task Force finds that there is a disturbing gap in the emergency preparedness of most Maine individuals and families. The Task Force also finds that closing this gap is essential to ensuring the safety of our residents and that as many tools as possible should be used to reach the members of our communities. The Task Force also finds it critical that this message reaches the youth and that our schools do more to engage in dialogue with their students on emergency preparedness planning inside and outside of the classroom.

**Recommendations:** The Task Force recommends that the Director of the Maine Emergency develop and produce emergency preparedness public service announcements to be broadcasted regularly on local broadcasting networks to educate and inform members of the public. Draft legislation to implement these recommendations is attached as **Appendix G**.

Furthermore, the Task Force recommends that the Director of the Maine Emergency Management Agency coordinate with the Commissioner of Education to perform an assessment of the number of Maine public schools that have adopted an all-hazards approach to emergency preparedness. The Task Force recommends that the Director and the Commissioner of Education coordinate their efforts for community outreach for all-hazards emergency planning, and that the Director report back to the Task Force to Study Maine's Homeland Security Needs on the emergency notification systems currently in place and shall provide recommendations on how these systems should be improved by September 18, 2006. Draft legislation to implement these recommendations is attached as **Appendix G**.

In addition, the Task Force recommends that the Commissioner determine methods for incorporating emergency planning within the elementary and high school public school curriculum and report by January 15, 2007 on the commissioner's findings and recommended changes to the education curriculum to the joint standing committee

having jurisdiction over education and cultural affairs matters, and the joint standing committee having jurisdiction over criminal justice and public safety matters. Draft legislation to implement these recommendations is attached as **Appendix G**.

### **9. Shift Federal Funding Priorities**

DHS homeland security grant funding levels for Maine have been reduced dramatically due to a shift in federal funding priorities. In particular, DHS is now using a risk-based approach to homeland security funding that will make it harder for states like Maine to receive adequate funding to support state and national homeland security goals. In fiscal year 2004, MEMA received \$22.4 million in homeland security grants funds and in fiscal year 2005 the funding dropped to \$14.8 million. For fiscal year 2006, MEMA is projected to only receive \$7.13 million in homeland security grants. MCDC funding has also been reduced from \$11.1 million in fiscal year 2004 to \$6.4 million in fiscal year 2006, and the HRSA grant funding has been reduced from \$2.9 million in fiscal year 2004 to under \$2.5 million in fiscal year 2006. Senator Collins has sponsored legislation in congress, S.21 '*A bill to provide for homeland security grant coordination and simplification, and for other purposes*', proposes to provide funding for high-risk states and cities but also proposes to provide all states with the necessary funding to prevent and respond to potential terrorist acts. S.21 is attached as **Appendix J**.

**Findings:** DHS homeland security grant funding has been instrumental in providing Maine with the financial support it needs to implement national homeland security and emergency preparedness goals and initiatives. However, the Task Force remains concerned that MEMA's homeland security grant funding has been reduced from \$22.4 million in 2004 to \$14.8 million in fiscal year 2005, and is projected to suffer an even greater reduction to a projected \$7.13 million in fiscal year 2006.

**Recommendations:** The Task Force recommends a joint resolution memorializing the Congress and the President of the United States to shift funding priorities and support the equitable disbursement of homeland security funds as outlined in U.S. Senate Bill 21, sponsored by Senator Susan Collins, in order to ensure that all states effectively contribute to our national security goals and emergency preparedness. Draft legislation to implement these recommendations is attached as **Appendix I**.

#### **IV. PLANS FOR FINAL MEETINGS**

The Task Force plans to continue the remainder of its work during its four remaining meetings in 2006 to address in greater detail Maine's homeland security and emergency preparedness needs, with a special focus on the following:

- the decline in volunteerism in the areas of emergency medical services, fire services and public safety;
- Maine Emergency Management staffing levels and shortfalls in matching funds;
- repeater systems in large buildings that would allow fire services to communicate with each other;
- the impact of Maine National Guard and Reserve deployments abroad on Maine's emergency preparedness;
- credentialing and privileging issues for physicians and hospitals during emergencies;
- emergency preparedness training for harbor masters;
- the public health system in Maine;
- chemical security issues;
- civil liberties issues; and
- reviewing the allocation of federal homeland security grant funding.

The Task Force's final report is due November 1, 2006 and it will include a summary of its findings, recommendations and any additional proposed legislation that may be necessary to implement its recommendations.