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Woman with a Mission

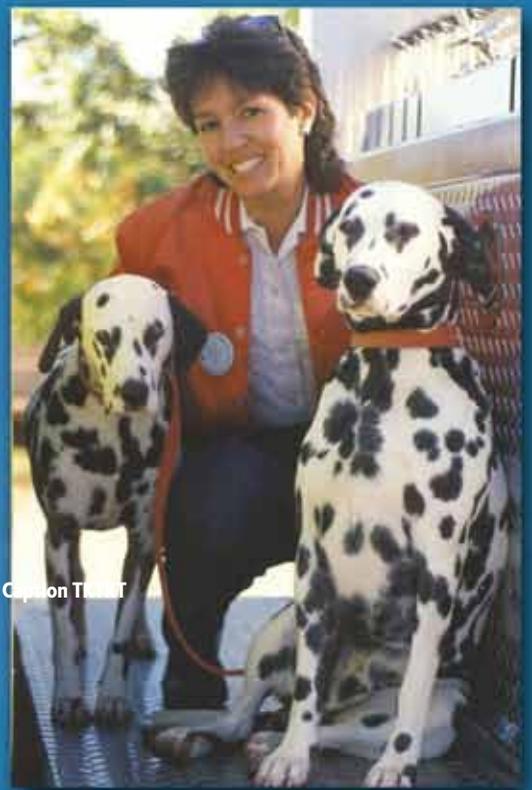
EMS ATTORNEY, PARAMEDIC/ FIREFIGHTER REPRESENTS EMS IN THE FIELD & COURTROOM

>> BY JUDITH ACOSTA, LISW, MSW, CHT

Very few of us ever know the effect we have on others. We pass each other in stores and on the street, whiz by each other at shift change and chat casually at a cocktail party, but we don't know how anyone receives us beyond our cursory impressions of the moment.

We also seldom realize what affect we have—how we've changed a good day into a bad one or vice versa. It's said that it takes time to see how pebbles tossed into water ripple out and what the resultant waves come to bear upon the shoreline.

New Mexico attorney and paramedic W. Ann Maggiore, JD, NREMT-P, has spent much of her personal and professional life focused on EMS issues, individuals and agencies, and more importantly, has thrown out thousands of pebbles.



Caption Text

The Ripple Effect

One such ripple Winnie threw out years ago came back to her while she was having lunch with a friend recently. During the lunch, the Las Conchas fire that had been burning in the Jemez Mountains for multiple days came up in the discussion. Winnie's friend recalled a fire that almost destroyed her house more than 30 years ago. As she was describing it, Maggiore started to laugh.

"Do you know who put out that fire?" Winnie asked.

Her friend looked at her, perplexed. "No. ..."

"Me," Winnie said.

"I thought you were a lawyer. What are you talking about?"

"I was a firefighter," Winnie explained. "I was on the first engine on scene and the first one to put water on the flames."

It took 30 years for the ripple of that action to make its impact, but there it was. The woman, who still lived in the house that had been saved, was unknowingly having lunch with the person who had saved it for her. Neither had known the other at the time, nor was aware of the fact that they shared a common bond through an emergency response 30 years earlier.



A TALE OF TWO PERSONS

This is actually a tale of one person with two identities: W. Ann and "Winnie" Maggiore.

For those who call her Ann, she's a high-heeled, iron-willed, honor-bound attorney who works 20-hour days for her clients when necessary. In this role, she defends all levels of medical professionals—from EMTs to neurosurgeons.

For those know her as Winnie, the story starts 20-something years earlier when she helped, brick by brick, to build the first volunteer fire station in the rural area of Placitas, N.M. It was clear to her colleagues at the time that once she became focused on an issue or community need, she would see it through to resolution or completion.

"I've always viewed her as a woman with a mission," says JEMS Editor-in-Chief A.J. Heightman, MPA, EMT-P. That's an understatement; most of her friends get tired just watching her in action.

Martin Vigil, RN, assistant fire chief and Office of Emergency Management director of Santa Fe County, has been a colleague and close friend of Winnie's for more than 30 years. He refers to her as "a rogue responder"—a fellow rebel with a cause. "She was working as a cocktail waitress at Howard Johnson's," he says. "Someone introduced her as the Placitas Volunteer assistant fire chief. She was not your typical New Mexico firefighter, that's for sure."

To illustrate what he meant, we need to turn the clock back to when Winnie was just 17 living in Brooklyn. She woke up one morning and announced to her mother that she was leaving. She packed a few things and left, traveling far west to New Mexico. When she arrived at the base of the Sandia Mountains she announced, "I'm home." She was, and she has remained there ever since.

After a while, she felt the need to become as educated and skilled as possible. So Winnie did what she usually does; she started learning.

"I figured if I was going to live out this far away from so-called civilization, I'd better get some serious life skills. So I enrolled in a Red Cross advanced first aid course," she says.

So how did she go from that first advanced first aid course to being the first female paramedic and firefighter in the Placitas area?

Winnie recalls, "Like a lot of people back then, I had no degree, no career, and I was tending bar at a local saloon. One night, as we closed down the bar at 2 a.m., someone yelled that there was a house on fire in the village, and we all went running over there. Someone else was yelling, 'Someone is still in the building!' The building was totally engulfed. When the fire flared, you could see the form of a man, motionless on the floor, huddled in a ball. Someone broke a window, and we took turns holding our breath and running in there and pulling him closer to the opening. Between all of us, we got him out. Because I was the only one with CPR training, I worked on him for an incredible length of time. He never breathed on his own again," she says, still visibly affected.

"Part of the reason that happened and that man died is that we had no EMS in the whole county; we had no fire department in the Placitas area. That decided it for me," she says.

After that, she went on the first of many missions: to see to it that something like that never happened in the area again, that the community became more self-sufficient and prepared—especially for fires.

GETTING CERTIFIED

The group she led approached the making of the department with a lot of passion but little experience or forethought. They figured they'd need a fire station, a truck and a hose. "Looking back, the truck should have come after the building," she says wryly.

In any case, no one would fund it. As far as most people were concerned, they were still a bunch of hippies living in the mountains in no need for outside help. So Winnie expanded the mission, and they started with bake sales and

door-to-door solicitations of donations. They finally eked out enough money to buy a 1952 Sea-graves pumper that carried 175 gallons of water, which no one knew was unsuitable for rural fire-fighting. The pump housing and plumbing under the truck was solid brass, and it froze as soon as the first winter hit because no one knew how to drain it properly. So within six months, the truck was headed for the graveyard.

After a period of time, the group of concerned citizens grew to 25 people and began taking courses in basic firefighting offered by the state, which, at the time, was called a “fireman’s” course.

“The first year, only the men went, and they told me I couldn’t go because we were a new fire department trying to become certified by the state and they didn’t want a stink raised about women’s rights,” she says. “When they got down to fire school, there were plenty of women.

So I raised a stink myself, and the next year, I was first on the list and, in 1974, took the firefighter 1 certification course.” Between ’74 and ’78, the bucket brigade obtained a small, remote piece of property for use as a fire station. In the meantime, they got their firefighting certifications and received state funding to obtain another truck. When their new truck arrived, the community threw a celebration; they had a fire truck and a fire station and a bunch of trained firefighters—something they had never had before.

But then people started calling for reasons other than fire—mostly medical. And Winnie, once again, responded to the need of those around her.

In 1978, she organized a basic EMT class. About 15 people attended. Then, in 1979, she decided to give up bartending, taking, as she puts it, “a huge cut in pay,” and became an EMT for Albuquerque Ambulance. By 1981, she had become the first female paramedic in the area.

Read more about Winnie & other female EMS leaders:
www.jems.com/article/administration-and-leadership/words-wise-female-ems-leaders

At the time, there was no support for rural paramedics (the erroneous belief being that the inner cities needed them more), so she made a concerted effort to break the status quo and show that ALS was even more necessary and beneficial in rural areas than in the cities, where emergency departments were close by.

She found herself working two jobs: one as a paramedic with Albuquerque Ambulance and the other as a volunteer assistant chief with Placitas Fire Department (PFD). She recalls a lot of responses from that time, including a call to

rescue a horse stuck in a bathtub and another where the emergency brake of the fire truck started flaming at the scene of a garage fire.

A CHANGE IN COURSE

In 1982, Winnie put herself on another mission and began to make herself known to the management over safety issues. She was on the job with Albuquerque Ambulance, which, at the time, was not the same professional service it is today.

“There was always water on the floor in the bays from washing the trucks, and people would slip, fall and get injured. We had to get to work an hour early just to get a cardiac monitor/defibrillator; if you came in on time, you didn’t get one. Supplies were limited. The work environment was unacceptable. We slept in the back of units in the winter and some guys got CO poisoning.” Intolerant of what she saw as injustice, she voiced her concerns, and the management fired her.

“Truthfully, anyone who’s worth a damn in EMS gets fired from at least one job. My dear friend and mentor, Jim Page, got fired from his job as EMS director for the state of South Carolina for suggesting that EMTs needed to be able to read to be able to sit for a state certification exam, so I felt I was in good company,” she says.

She then went to Bernalillo County Fire Department, where she worked as a firefighter/paramedic for about two years. She left there on good terms, and in short order, she became the

‘I was kind of a cowgirl and carried a bunch of EMS supplies in my car.’

—W. Ann Maggiore, JD, NREMT-P



Winnie on Patient Abandonment

Pat Summons remembers hearing about Maggiore in the mid-1970s, when an article appeared in the *Albuquerque Journal* about the new Placitas Volunteer Fire Department and its female assistant chief. Summons recruited her onto Bernalillo County Fire Department. Maggiore had just started working there as a firefighter/paramedic when she got called to a motorcycle crash with a patient with a fractured femur.

Summons rolled up on the scene. “She was in the process of starting a second IV on the patient because there was a delay in the responding local ambulance arrival time,” Summons says. She told her to get going. “If the patient’s vitals showed that a second IV was necessary, he should already be on the way to the hospital. Well, that started a firestorm that was unbelievable.”

“In those days we had a two-tier system and were expected to wait for the transport unit even to the patient’s detriment,” says Winnie. “That was the last time I did it. After that, if a patient needed transport, we took off. Each time, I got called in to the medical director’s office because the transport unit complained that we were taking bread out of its mouth. Each time I justified the transport by patient need and there was never a problem.”

Read what Winnie says about patient abandonment and non-transport.

- >> “Patient Abandonment: What It Is -- and Isn’t”
- >> www.jems.com/article/industry-news/patient-abandonment-what-it-an-0
- >> “Patient Abandonment: Part Two”
- >> www.jems.com/article/industry-news/patient-abandonment-part-two

Another Ripple

When it comes to the sadder stories, Maggiore's eyes well up as she recalls them from the recesses of her memory. "There were so many," she says. "I was on my way to work in Santa Fe, and a bad crash occurred right in front of me. A guy was ejected from a pickup and thrown a couple of hundred feet of pavement—on his face and head. Back then, I was kind of a cowgirl and carried a bunch of EMS supplies in my car. You couldn't do that today because you wouldn't be allowed to carry this kind of equipment with you in your personal vehicle," she says.

"He was unconscious and had a severe head injury. I nasally intubated him. A doctor stopped and said he was a pediatrician, so I asked him if he could start an IV on a big vein, and he said he probably could. It seemed like we were out there forever. There was no air transport in the area yet, and about 30 minutes went by with me cradling this guy's head between my knees. Blood was everywhere.

"I finally told the trooper on site that the next pickup truck to pass was mine. The trooper said 'you wouldn't, and I said, 'You bet I would!' Just then, I heard a siren in the distance ... it was a basic life support unit. We took him into Santa Fe, and he survived."

"I still feel it was unbelievable that he survived," she says. "That guy's father sent me a check for \$100 every Christmas for the next 15 years."

But that wasn't the end of the story. Like many of the other stones she's thrown, this one came full circle.

"Three years ago, one of the guys currently in the fire department said he had a conversation with the manager of a Walgreen's. The volunteer firefighter was wearing a Placitas Fire Brigade t-shirt, and the manager walked up to him and asked, 'Do you know someone named Winnie?' When he responded that, in fact, he did, the manager said, 'Well, she saved my life about 20 years ago when I had a really bad wreck on the interstate. So, please say 'hi' to her for me.

"I've had that happen a few times," she says.



state's first ALS coordinator and the first woman on the state EMS technical staff.

"She was *determined*," says Pat Summons, retired assistant fire chief of EMS in Bernalillo County. "She was a patient's best advocate, and she knew the statutes."

A LEGAL EMS ADVOCATE IS BORN

She also learned from Page that, for changes to occur, you have to be educated and credentialed. Page attended law school at night while serving in the Los Angeles County Fire Department, so Winnie started working on her bachelor's degree while working full time. While most of the crews were watching television, she was doing her homework in the bunkroom. She teamed up with

another firefighter on a different shift who also wanted to finish his degree, and they covered each other's shifts so they could each attend classes.

"I just got really interested in the legal aspects of EMS. There was a lot of mythology about EMS providers—what we were and how we practiced. People didn't know, and EMS wasn't well defined," she says.

Watch Winnie discuss some common legal questions "Are You Fluent in Legalese? Winnie Maggiore on EMS Legal Issues," at <http://connect.jems.com/video/are-you-fluent-in-legalese>

Once again she threw another pebble in the water and started on a new mission; she applied for and was accepted into the law school at the (UNM) University of New Mexico.

One friend and co-worker, Keith Griffiths, founding editor of *JEMS* and current president of the RedFlash Group, describes Winnie as "a brilliant, powerful and outspoken straight shooter."

It was only natural that Winnie made her fellow emergency workers one of her priorities. As soon as she got her law degree she, along with her husband, Dave, and Spencer Hall, a friend who was a physician and attorney, rewrote the New Mexico EMS Act, which provided New Mexico EMTs with due process for licensure actions.

This time her "client" was the whole industry of paramedics and EMTs. The statute revision was a monumental change, and although it was well received by emergency physicians and practicing EMTs, some of the state bureaucrats didn't appreciate having their power base clipped.

With clearly defined ethics and regulations, the state's EMS officials didn't get to make decisions out of their back pockets anymore. In 2003, they revised the EMS legislation again to allow New Mexico EMTs to practice in hospitals and clinical settings.

"Young providers today don't really understand all the battles waged and won in those days," recalls Vigil. "What we were allowed to do, where we could do it, what we could carry with us in our cars and in the ambulance ... she was involved in many of those battles.

And as a lawyer, her impact extended beyond the individual—to the masses. She moved from the front lines to behind the scenes, where she was able to affect everyone who provided emergency medical services in New Mexico."

FIGHTING THE GOOD FIGHT

And, it's important to note that she did all this while working a full-time job. In 1993, she

resigned from Placitas FD and settled into law, starting out prosecuting cases involving drunken driving and domestic violence. She worked her way up into the narcotics unit and was soon promoted to prosecuting gangs, for which she specialized in inter-gang homicide. She was, once again, the first female on the unit.

While she was working at the district attorney's office, the one thing that most first responders push to the farthest reaches of their minds happened to her; she received a call with horrible news about someone she loves. In October 1996, her husband had a stroke and was in intensive care for two months. Once he was stabilized, doctors discovered he'd lost a large part of his facility with language. Prior to his stroke, he was a talented physician and advocate for EMS. Many feel he was on the brink of becoming a national leader in trauma management when, suddenly and without warning, speaking, understanding and writing were all tasks he would have to relearn.

Without exception, everyone interviewed for this article cited Winnie's response to her husband's crisis as *the* demonstration of her character. She stood by his side, literally, for months, and continued her EMS and legal missions.

"They were always a perfect match," Vigil says unequivocally. "They were both cutting edge, rogue. Some of his views about scene time, advanced life support gear for volunteers, spinal stabilization—all of them—pushed the envelope on popular belief at the time. All of those ideas are now considered state of the art."

When Winnie realized that Dave would have to leave the practice of medicine, she knew it was also the time for her to shift her rudder to the right. "I needed something sane. And the politics of the DA's office had changed." So in 1997, she went back to state government, this time working in risk management—defending cases filed against state agencies. "I chose to represent the state's largest hospital at UNM, as well as the New Mexico State Police."

Read Winnie's JEMS.com column, *EMS & the Law*, at www.jems.com/authors/w-ann-maggiore-jd-nremt-p

She continues to advocate for EMS and serves as a columnist for JEMS.com and the *EMS Insider* management newsletter, as well as a JEMS Editorial Board member. And she continues to lecture regionally and nationally, teaching her EMS colleagues how to stay out of trouble—and prepare themselves for their journey through the legal system when they don't.

The Push into Medical Defense

The roads Winnie Maggiore has taken have never been easy or sane. Lesser women would have backed off in 1978 at the first sign of resistance.

Winnie told me that after she got her law degree. The Bernalillo County manager invited her to apply for the position of Bernalillo County chief because of her education and field experience. She didn't get the job. "I had the wrong plumbing," she said.

Someone had leaked that she had ranked number one on the list. The second candidate was also a woman and, as the story has it, the local politicians panicked. One was quoted as saying, "We don't want a woman chief. And we especially don't want one who's a lawyer."

I asked, "What did they do?"

"They scrapped the whole interview process," she said. "Lawyers were begging me to let them represent me, but I didn't want to be bothered with a lawsuit," she explained and added that they finally hired a male with a high school education and little experience.

Most of us would have stopped there.

But she applied again two years later—with exactly the same results.

This time she realized that her path lay elsewhere, and she developed her career as a medical defense attorney, protecting the people she has been working with for decades.

STANDING UP FOR EMS

In the process of writing this article, every story I learned from friends and colleagues painted a picture of a strong and determined woman, a person who has taken charge throughout her career.

One person said, "Ask her to tell you about the time she climbed down an embankment in her high heels and stockings on the way to court." Others pointed out that she is someone who is ethical, passionate about her work and deeply loyal.

There were absolutely no variations on those themes. They were as ingrained as the arroyos were in New Mexico.

Ironically, this article was conceived because we were talking one day about making a difference and she, uncannily, wondered if she had.

In fact, her life, career and accomplishments should serve as an example to EMS providers—particularly women—that great strides and changes can occur in EMS with determination, strong will and education.

And as she wondered, she said, "There are buckets of these stories. That should do ya." JEMS

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