

EETC Committee Meeting

Dir. Deb Kaufman - Chair

AGENDA

January 31, 2019

Landon State Office Building
900 SW Jackson, Room 509, Topeka,
Kansas 1:30 pm – 3:00 pm

1. Standing Items

1.1 Variances – One denied

1.2 BLS Examination Report

- *Carman Allen, Education Manager*

- 2018

- *Total Examined – 481*
- *Total Pass - 337 – 70%*
- *Total Fail - 118 – 25%*
- *Total Withdraw/No Show- 25 5%*
- *Overturn Fail/Pass 7%*
- *Overturn Pass/Fail 7%*

- *NREMT Observation findings (see attached)*

1.3 Education Development Task Force (EDTF)

- *Dr. Charles Foat, Chair*

- *Initial Course Outcomes Recommendation*

2. Old Business

2.1 Regulatory revisions – *Carman Allen, Education Manager*

- Regulations for Final Approval

- K.A.R. 109-5-1
- K.A.R. 109-8-1
- K.A.R. 109-8-2
- K.A.R. 109-11-6a

- Public Hearing recommendations
- JCARR recommendations (see attachments)

2.2 Updated KCEP document for review

2.3 Updated KS EMR Education Standards for review

3. New Business

3.1

4. Education Section Report

4.1 Education Manager Report

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Landon State Office Building
900 SW Jackson Street, Room 1031
Topeka, KS 66612-1228

phone: 785-296-7296
fax: 785-296-6212
www.ksbems.org

Dr. Joel E Hornung, Chair
Joseph House, Executive Director

Laura Kelly, Governor

5. Public comment

6. Adjournment

*******Denotes items requiring Board action.**

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Return to Agenda

From: [Greg Applegate](#)
To: [Shreckengast, Curt \[BEMS\]](#); [Allen, Carman M. \[BEMS\]](#)
Subject: EMT Psychomotor Test Observations
Date: Friday, January 11, 2019 6:40:55 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

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Curt and Carman,

Thank you for inviting me to observe the Kansas EMT Psychomotor Examination. I enjoyed the experience and am impressed with the examination you have assembled. My observations are meant to be food for thought. The examination appears to be working well and is better than many other performance examinations in my experience. Please let me know if you have any questions or comments.

Best regards,
Greg



Gregory M. Applegate, PhD, MBA

Chief Science Officer

National Registry of EMTs

O: 614-516-2771

M: 614-357-7834

F: 614-396-2406

W: www.NREMT.org E: gapplegate@nremt.org



Let's Write The Future Together

Observations from the Kansas State EMT Psychomotor Examination

Hutchinson Community College
1300 N Plum
Hutchinson, KS 67501

December 13, 2018

Purpose

Deputy Director Curt Shreckengaust invited me to observe an administration of the Kansas State BLS psychomotor examination and to provide feedback on the examination process from a psychometric perspective. In these observations administrative staff refers to personnel from the state office and operational staff refers to the EMS professionals who served as evaluators, partners, and patients.

Limitations

- The following notes are based on a single test administration during which various stations were randomly observed. Therefore, not all candidates and stations were observed.
- The scoring rubric was not reviewed.
- The passing standard was not reviewed.
- The appropriateness and completeness of the equipment provided was not reviewed.
- The materials provided to the staff before the administration day were not reviewed.

Observations

- Orientation session began at 8:05 a.m.
- A thorough orientation was given to the operational staff by the deputy director. The information included how the stations were organized, who was assigned to each station, what role each person was to play, and how to interact with the operational staff. The instructions were clear, and the staff were encouraged to ask questions.
- Candidates were assigned randomly to a station. All stations were set up in the same fashion including the same set of equipment, the same positioning of the evaluator, and a camera in the same relative position in each room.
- After the staff went to their rooms to set up for the day, a member of the administrative staff stopped in to answer questions and remind the operational staff of their duties for the day.
- First session: Vehicle roll over and neck injury
 - Examiner read identification and instructions into camera and to candidate
 - Despite instructions that candidates were to perform noninvasive tasks to receive credit for the action, the evaluator did allow some verbalization (e.g., checking for blood)
 - No transfer of care report was completed
- Second session: Sports complex shoulder injury
 - During the first session, the partner put on gloves giving a visual cue to the candidate; the partner started with gloves during the second session
 - Candidate started with a lot of unprompted verbalization and continued verbalization of his thinking
 - Evaluator did not consistently wait for the candidate to complete a process before reporting results
 - Candidate was not required to demonstrate how he would get the patient to the

- ambulance
- Candidate continued to verbalize some things that could have been demonstrated
- No transfer of care report was completed
- Third session: Office worker with abdominal pain
 - Patient was oriented the wrong way (i.e., feet away from the camera)
 - The directions read at the beginning of the scenario failed to direct the candidate to take initial vitals themselves (as was directed earlier at the orientation)
- Fourth session: Apartment with possible overdose
 - Previous station allowed the candidate to direct the partner to set up a nasal cannula while this evaluator required the candidate to do it
 - Previous station had the candidate place the nasal cannula while this station had them set it next to the patient
 - Patient did not speak; the evaluator answered all questions which was different than other stations observed
 - Candidate decided the non-rebreather mask was appropriate but did not place the mask
- Fifth session: Difficulty breathing at care facility
 - Candidate did not put on the non-rebreather mask; it was placed beside the patient
 - Blanket was placed on the patient in a cursory fashion and, seemingly, not directed towards patient comfort
 - Evaluator replied to questions directed to the patient
- Sixth session: Respiratory distress at a gymnasium
 - Candidate placed the non-rebreather mask on the patient
- General observations:
 - “BSI/Scene Safety” (or scene secure) was stated by each candidate at the beginning of each examination, but no demonstration of how they completed these tasks was included.
 - An evaluator pointed out that the EMS partner should not be available to help after transport had begun
 - Several candidates were very anxious about the testing process. One candidate turned the sphygmomanometer valve screw backwards so far that it stripped the threads rendering the device unusable.

Recommendations

1. It might be useful during the orientation to explicitly state the purpose of the BLS examination. There was no evidence that anyone misunderstood the purpose, but it would be helpful to remind everyone that they are there to ensure that each EMT candidate has a fair and unbiased opportunity to demonstrate his or her skills related to EMS.

2. Some candidates made a radio report or a transfer of care report when delivering the patient; however, this was inconsistent. A transfer of care report is a good opportunity to evaluate the candidate's knowledge, understanding, and ability to communicate. Making the report a mandatory action for each evaluation would provide more assessment points for the examination.
3. None of the stations observed required the candidates to isolate body substances or to identify and deal with a safety issue. Given that some level of verbalization is acceptable during the examination, having the candidates briefly explain what they mean by "BSI/Scene Safety" would provide an additional point of validation, without adding significant time to the evaluation process.
4. Candidate anxiety issues may be reduced if an example video explaining how the test works and how candidates will be assessed would be available to candidates and programs ahead of time.
5. The same solution might also be helpful for the operational staff. A short video explaining the various roles and procedures along with an example of the correct way to conduct the examination could help improve the consistency of the evaluations.
6. It would strengthen test documentation if a technical report of the examination was produced on a regular basis. The report should cover basic principles such as pass rates, equating of scenarios, and score reliability estimates.

Closing remarks

The test administration went well. The instructions were clear, the administrative staff controlled the flow of candidates, and provided good support before, during, and after the examination. While anxiety was high for some test takers, the administrative and operational staff handled things well, and the administration proceeded in an organized and professional manner. There was some variation in administration, but the major points were consistent, and the presence of the video recording equipment gives the administrative staff an opportunity to review individual performances after the examination. There are some opportunities for improvement, but the examination process generally follows testing standards. The Kansas process is a marked improvement over many other performance tests.

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December 17, 2018

PRELIMINARY REPORT

To: Kansas Legislature

From: Joint Committee on Administrative Rules and Regulations

cc: Joseph House, Executive Director

Re: December 10, 2018, Hearing on Proposed Rules and Regulations from the Board of Emergency Medical Services—KAR 109-5-1, continuing education; KAR 109-8-1, examination; KAR 109-8-2, scheduling examinations for certification; KAR 109-11-6a, paramedic course approval.

At its meeting on December 10, 2018, the Joint Committee on Administrative Rules and Regulations (Committee) reviewed for comment rules and regulations concerning KAR 109-5-1, continuing education; KAR 109-8-1, examination; KAR 109-8-2, scheduling examinations for certification; KAR 109-11-6a, paramedic course approval. After discussion, the Committee reported no comments.

Prior to filing with the Secretary of State, agencies are expected to review the history sections of the rules and regulations to update them to the most recent statutory citations, making certain the citations for authorizing and implementing statutes are correct and complete. Agencies are encouraged to include their website address in the filing notice where proposed regulations can be located. In addition, if any agency accepts written comments by e-mail, this information is expected to be included in the public notice. Further, e-mail requests for public accommodation are expected to be included as a part of the notice. Finally, agencies are expected to verify that the adoption by reference of any materials included in the regulations is properly completed as prescribed in the *Policy and Procedure Manual for the Adoption of Kansas Administrative Regulations*.

This report should be a part of the public record on these regulations. The Committee may review the regulations the agency ultimately adopts, and it reserves any expression of legislative concern to that review.

To assist in that final review, agencies are expected to inform the Committee and Raney L. Gilliland, Director of Legislative Research, in writing, at the time the rules and regulations are adopted and filed with the Secretary of State, of any and all changes that have been made following the public hearing. Agencies are expected to notify the Committee and Mr. Gilliland, in writing, when the agency has adopted the regulations as permanent, delayed implementation of the regulations, or decided not to adopt any of the regulations. Agencies are expected to indicate separately to the Committee and Mr. Gilliland any changes made to the proposed regulations reviewed by the Committee.

Failure to respond to each and every comment contained in this report may result in a request that a spokesperson from the agency appear before the Committee to explain the agency's failure to reply. Any request to appear is based upon the direction to legislative staff from the Committee.

Return to Agenda

December 21, 2018

REPORT

To: Kansas Legislature

From: Joint Committee on Administrative Rules and Regulations

Re: Report on the December 10, 2018, Meeting of the Joint Committee on Administrative Rules and Regulations

At its meeting on December 10, 2018, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning the following.

Kansas Department of Wildlife, Parks and Tourism

KAR 115-2-7, backcountry access pass, fee, exceptions, and general provisions; **KAR 115-7-1**, fishing, legal equipment, methods of taking, and other provisions; **KAR 115-7-4**, fish, processing and possession; **KAR 115-7-10**, fishing, special provisions; **KAR 115-18-8**, retrieval and possession of game animals, sport fish, and migratory game birds.

After discussion, the Committee reported the following comments:

KAR 115-2-7. The Committee is concerned with the \$50 admission fee and believes the amount may limit the number of people who have access to this portion of the Little Jerusalem State Park.

KAR 115-11-2, controlled shooting areas, operational requirements.

After discussion, the Committee reported no comments.

KAR 115-25-5, turkey, fall season, bag limit, and permits; **KAR 115-25-6**, turkey, spring season, bag limit, permits, and game tags; **KAR 115-25-14**, fishing, creel limit, size limit, possession.

Concern. Although the Committee is aware that these rules and regulations are exempt, the Committee wishes to express its concern with the economic impact of closing certain turkey hunting units and encourages the Commission to consider this impact when finalizing these rules and regulations.

Board of Cosmetology

KAR 69-1-10, potentially disqualifying civil and criminal records, advisory opinion, fee.

Comment. The Committee asks the Board to reconsider the fee proposed for issuing an advisory opinion and asks the Board to consider setting a fee equal to the appropriate license fee, but not more than \$50.

Board of Emergency Medical Services

KAR 109-5-1, continuing education; **KAR 109-8-1**, examination; **KAR 109-8-2**, scheduling examinations for certification; **KAR 109- 11-6a**, paramedic course approval.

After discussion, the Committee reported no comments.

Kansas Department of Agriculture

Division of Animal Health

KAR 9-18-6, fees; **KAR 9-18-9**, inspections of premises; **KAR 9- 18-28**, pet animal foster homes.

After discussion, the Committee reported no comments.

Plant Protection and Weed Control Program

KAR 4-34-1, definitions; **KAR 4-34-2**, certified seed; **KAR 4-34-3**, license approval process; **KAR 4-34-4**, research license applications; **KAR 4-34-5**, licenses issued by the department, general requirements for licensees; **KAR 4-34-6**, research grower license; **KAR 4-34-7**, research distributor license; **KAR 4-34-8**, research processor license; **KAR 4-34-9**, state educational institution research license; **KAR 4-34-10**, administrative license; **KAR 4-34-11**, state advisory board; **KAR 4-34-12**, fees; **KAR 4-34- 13**, modification of license; **KAR 4-34-14**, land-use restrictions; **KAR 4-34-15**, movement of industrial hemp, restrictions on sale or transfer of industrial hemp, compliance with applicable law; **KAR 4-34-16**, voluntary withdrawal, voluntary partial destruction; **KAR 4-34-17**, pre-harvest and harvest requirements, harvest certificates; **KAR 4-34-18**, pre-harvest inspection, sample collection, testing and post-testing actions; **KAR 4-34-19**, postharvest inspection, sample collection, testing and post-testing actions; **KAR 4-34-20**, reports; **KAR 4-34-21**, violations, disciplinary sanctions.

[Note: The Committee will resume the hearing on the above rules and regulations during the January 7, 2019, meeting].

State Board of Mortuary Arts

KAR 63-5-3, potentially disqualifying civil and criminal records, advisory opinion, fee.

Comment. The Committee asks the Board to reconsider the fee proposed for issuing an advisory opinion and asks the Board to consider setting a fee equal to the appropriate license fee, but not more than \$50.

Kansas Department of Health and Environment

KAR 28-35-146a, determination of hourly rate and full cost, fee payments; KAR 28-35-147a, schedule of fees.

Comment. The Committee wishes to commend the agency for informing those impacted before going forward with this rule and regulation.

Board of Healing Arts

KAR 100-28a-14, different practice location (Physician Assistants).

After discussion, the Committee reported no comments.

KAR 100-76-2, licensure by examination (Acupuncturists).

After discussion, the Committee reported no comments.

Kansas Department of Labor

KAR 51-9-17, release 3.1 standards for trading partner profiles, submission of data, first reports of injury.

After discussion, the Committee reported no comments.

Kansas Department for Children and Families

KAR 30-46-10, definitions; KAR 30-46-13, right to interview; KAR 30-46-15, notice of decision; KAR 30-46-17, expungement of record of perpetrator from child abuse and neglect central registry.

Comment. The Committee requests clarification as to whether the supervisors of agency social workers are also licensed social workers. Please provide information on this topic.

Request. The Committee requests a copy of policy 2502 from the agency's Prevention and Protection Services Policy and Procedure Manual.

Kansas Department for Children and Families

KAR 30-4-34, public assistance program; KAR 30-4-35, application process; KAR 30-4-36, redetermination of eligibility; KAR 30-4-38, rights of applicants and recipients; KAR 30-4-40, department responsibility to applicants and recipients; KAR 30-4-41, assistance planning for TANF; KAR 30-4-50, assistance eligibility; KAR 30-4-51, eligibility process; KAR 30-4-54, citizenship, alienage, and residence; KAR 30-4-55, cooperation; KAR 30-4-64, work program requirements for TANF; KAR 30-4-70, eligibility factors specific to the TANF program; KAR 30-4-76, the food assistance program, work and other eligibility requirements; KAR 30-4-77, the

food assistance program, state option, education requirement; KAR 30-4-90, revocation (was eligibility factors specific to the GA program); KAR 30-4-92, low income energy assistance program; KAR 30-4-93, child care assistance program; KAR 30-4-98, funeral assistance; KAR 30-4-100, payment standards for the TANF and foster care programs; KAR 30-4-107, property exemption; KAR 30-4-109, personal property; KAR 30-4-111, income; KAR 30-4-113, exempt income; KAR 30-4-120, revocation (was special needs for applicants and recipients of TAF); KAR 30-4-130, types of payments and payees; KAR 30-4-140, payments, penalties, enforcement.

KAR 30-4-41. The Committee suggests that rather than using the term “cohabiting boyfriend or girlfriend” that the agency use the term “cohabiting partner” as is used in other rules and regulations in this particular set.

KAR 30-4-92. In subsection (b), the Committee asks the agency to clarify “heating fuel” to include electricity and all other types of fuel used for heating.

KAR 30-4-107. The agency should evaluate whether this rule and regulation covers the content in KAR 30-4-109 and, if it does, KAR 30-4-107 could then be revoked.