

Executive Committee

Dennis Shelby - Chair

AGENDA

January 31, 2019

Landon State Office Building
900 SW Jackson, Room 509; Topeka, Kansas
11:00 am – 12:15 pm

1. Standing Items

1.1 Legislative Update

Kansas Legislation (*currently in session – changes/additions may occur prior to meeting*)

- Introduced
 - HB2065 – Pertaining to the operation of an authorized emergency vehicle.

- Potential (this session)
 - Clean-up bill
 - Criminal background checks
 - Creation of an inactive status
 - KRAF Increase (2.23% to 2.93%)
 - Class A Person Misdemeanor Convictions

- Future Legislation
 - PTSD / Responder Mental Health
 - Non-transporting agencies – Emergency Medical Response Agencies

1.2 Annual Reports

Information only: All annual reports have been submitted to the Kansas Legislature as required by state law.

- Civil Fines / Investigation Subpoenas – Submitted January 14th
- KRAF / Regional Funding – Submitted January 16th

2. Old Business

2.1 Education Incentive Grant

Discussion had in both October and December regarding EIG and whether for-profit services should be eligible for the grant.

2.2 EMR and EMT Medication Lists

NOTES: Please remember to turn off all cell phones or place them on silent mode during the Board meeting. If it is necessary to accept the call, please step outside of the meeting room to continue your phone call. Additionally, the use of tobacco is not permitted inside this building.

MAC recommendations for revising the EMR and EMT medication lists were assigned to the Executive Committee for review. Questions were posed to the MAC regarding these lists.

3. New Business

3.1 No new business at the time of publishing the agenda.

4 Public Comment

Public comment time on the agenda is limited to no more than 5 minutes by any one speaker. If an individual wishes to comment on an agenda item after committee discussion but before a vote, the individual should notify the Chair prior to the start of the meeting.

5 Adjournment

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HOUSE BILL No. 2065

By Committee on Judiciary

1-23

1 AN ACT concerning motor vehicles; relating to authorized emergency
2 vehicles; duties and liability; amending K.S.A. 8-1506, 8-1530 and 8-
3 1541 and repealing the existing sections.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 8-1506 is hereby amended to read as follows: 8-
7 1506. (a) The driver of an authorized emergency vehicle, when responding
8 to an emergency call or when in the pursuit of an actual or suspected
9 violator of the law, or when responding to but not upon returning from a
10 fire alarm, may exercise the privileges set forth in this section, but subject
11 to the conditions herein stated.

12 (b) The driver of an authorized emergency vehicle may:

13 (1) Park or stand, irrespective of the provisions of this article;

14 (2) Proceed past a red or stop signal or stop sign, but only after
15 slowing down as may be necessary for safe operation;

16 (3) Exceed the maximum speed limits so long as such driver does not
17 endanger life or property;

18 (4) Disregard regulations governing direction of movement or turning
19 in specified directions; and

20 (5) Proceed through toll booths on roads or bridges without stopping
21 for payment of tolls, but only after slowing down as may be necessary for
22 safe operation and the picking up or returning of toll cards.

23 (c) The exemptions herein granted to an authorized emergency
24 vehicle shall apply only when such vehicle is making use of an audible
25 signal meeting the requirements of K.S.A. 8-1738, *and amendments*
26 *thereto*, and visual signals meeting the requirements of K.S.A. 8-1720, *and*
27 *amendments thereto*, except that an authorized emergency vehicle operated
28 as a police vehicle need not be equipped with or display a red light visible
29 from in front of the vehicle.

30 (d) The foregoing provisions shall not relieve the driver of an
31 authorized emergency vehicle ~~from the duty to drive with due regard for~~
32 ~~the safety of all persons, nor shall such provisions protect the driver from~~
33 the consequences of reckless disregard for the safety of others.

34 Sec. 2. K.S.A. 8-1530 is hereby amended to read as follows: 8-1530.

35 (a) Upon the immediate approach of an authorized emergency vehicle
36 making use of an audible signal meeting the requirements of ~~subsection (d)~~

1 of K.S.A. 8-1738(d), and amendments thereto, and visual signals meeting
2 the requirements of K.S.A. 8-1720, and amendments thereto, or of a police
3 vehicle properly and lawfully making use of an audible signal only, the
4 driver of every other vehicle shall do the following unless otherwise
5 directed by a police officer:

- 6 (1) Yield the right-of-way;
- 7 (2) immediately drive to a position parallel to and as close as possible
8 to the right-hand edge or curb of the roadway clear of any intersection; and
- 9 (3) stop and remain in such position until the authorized emergency
10 vehicle has passed.

11 (b) The driver of a motor vehicle upon approaching a stationary
12 authorized emergency vehicle, when the authorized emergency vehicle is
13 making use of visual signals meeting the requirements of K.S.A. 8-1720-
14 ~~and amendments thereto, or subsection (d) of K.S.A. or 8-1722(d)~~, and
15 amendments thereto, shall do either of the following:

16 (1) If the driver of the motor vehicle is traveling on a highway that
17 consists of at least two lanes that carry traffic in the same direction of
18 travel as that of the driver's motor vehicle, the driver shall proceed with
19 due caution and, if possible and with due regard to the road, weather and
20 traffic conditions, shall change lanes into a lane that is not adjacent to that
21 of the stationary authorized emergency vehicle; or

22 (2) if the driver is not traveling on a highway of a type described in
23 paragraph (1), or if the driver is traveling on a highway of that type but it
24 is not possible to change lanes or if to do so would be unsafe, the driver
25 shall proceed with due caution, reduce the speed of the motor vehicle and
26 maintain a safe speed for the road, weather and traffic conditions.

27 (c) From and after the effective date of this act and prior to July 1,
28 2001, a law enforcement officer shall issue a warning citation to anyone
29 violating the provisions of subsection (b).

30 ~~(d) This section shall not operate to relieve the driver of an authorized
31 emergency vehicle from the duty to drive with due regard for the safety of
32 all persons using the highway.~~

33 Sec. 3. K.S.A. 8-1541 is hereby amended to read as follows: 8-1541.

34 (a) Upon the immediate approach of an authorized emergency vehicle
35 making use of an audible signal meeting the requirements of ~~subsection (d)~~
36 of K.S.A. 8-1738(d), *and amendments thereto*, and visual signals meeting
37 the requirements of K.S.A. 8-1720, *and amendments thereto*, or of a police
38 vehicle properly and lawfully making use of an audible signal only, every
39 pedestrian shall yield the right-of-way to the authorized emergency
40 vehicle.

41 (b) This section shall not relieve the driver of an authorized
42 emergency vehicle from the ~~duty to drive with due regard for the safety of~~
43 ~~all persons using the highway nor from the duty to exercise due care to~~

1 ~~avoid colliding with any pedestrian~~ *consequences of reckless disregard for*
2 *the safety of others.*

3 Sec. 4. K.S.A. 8-1506, 8-1530 and 8-1541 are hereby repealed.

4 Sec. 5. This act shall take effect and be in force from and after its
5 publication in the statute book.

Profit / Non-Profit Services – Requested Information

Summary

During the October Executive Committee meeting, a proposal was made to consider aligning both grant programs eligibility requirements, specifically stating for-profit services are not eligible for Education Incentive Grant funding even though they provide service within a geographically eligible grant area. Discussion led to a request of identifying the for-profit and non-profit permitted services and disbursed amounts.

The Education Incentive Grant began issuance of awards in 2004. Since 2004, \$4,129,180.51 has been disbursed to 138 different ambulance services, 12 of which no longer hold a valid permit.

As of November 25, 2018, there were 171 permitted ambulance services in Kansas. 148 of these are non-profit and the remaining 23 are considered for-profit. Of those 23, 13 are ground ambulance services based in Kansas; 2 are ground ambulance services based outside of Kansas; 2 are air ambulance services based in Kansas; and, 6 are air ambulance services based outside of Kansas. Of the 23 considered for-profit: 8 have received EIG grant funding since 2004. 7 have received EIG grant funding since July 1, 2013.

Currently Permitted For-Profit Ambulance Services - Received EIG funding

Service Name	Total Received	Received since 7/1/2013
AirMD LLC DBA Midwest LifeTeam & LifeSave	\$5,110	\$5,110
American Medical Response	\$28,780	\$0
Horton EMS	\$17,780	\$6,025
Techs Inc DBA Jackson County EMS	\$96,876	\$20,700
Marysville Ambulance Service	\$8,480	\$6,650
Techs Inc DBA Seneca EMS & Nemaha County EMS	\$63,735	\$21,360
Techs Inc DBA Osage County EMS	\$23,600	\$17,720
Town & Country EMS	\$54,120	\$21,545
TOTAL	\$298,481	\$99,110

These totals equate to 7.42% of all EIG awards since 2004; and 5.74% since 7/1/2013.

Amount Disbursed Since 2004 (Inception of Grant)

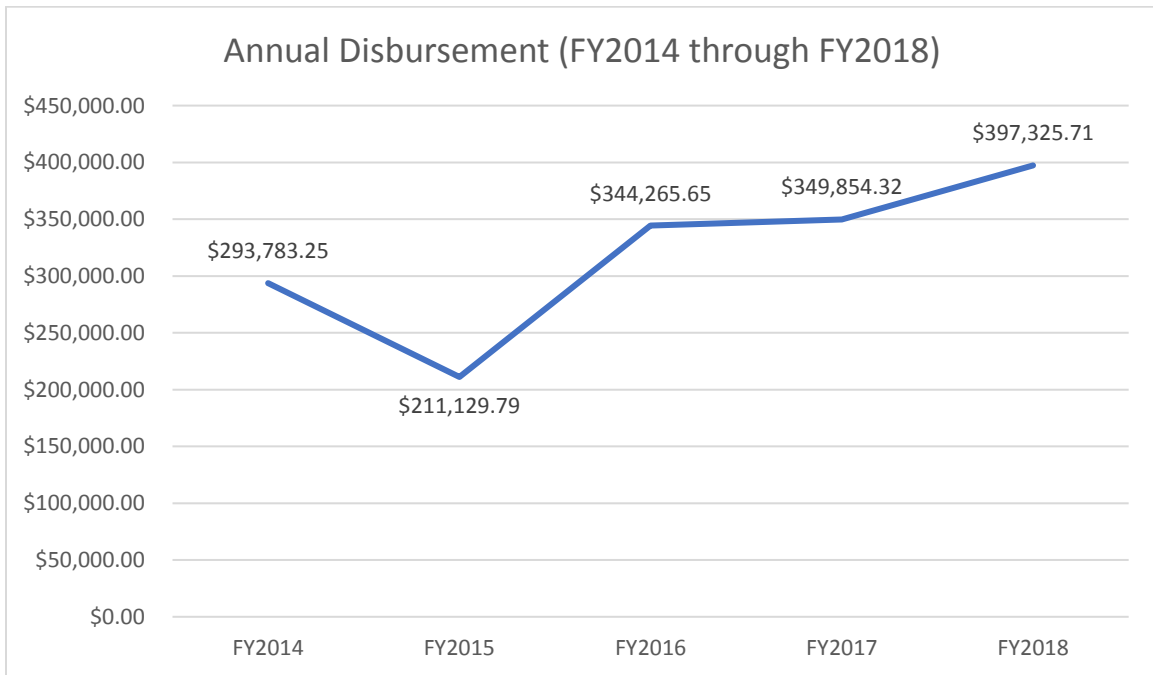
Service Name	Amount Disbursed
Techs Inc (3)	\$184,211.00
<ul style="list-style-type: none"> • Jackson County EMS • Nemaha County EMS / Seneca EMS • Osage County EMS 	<ul style="list-style-type: none"> • \$96,876 • \$63,735 • \$23,600
Phillips County EMS	\$129,311.25
Grant County EMS	\$124,014.25
Marion County EMS	\$102,600.00
Larned EMS	\$90,974.98
Northwest Kansas Ambulance Service	\$87,781.39
Thomas County EMS	\$78,904.00
Norton County EMS	\$70,755.00
Ellsworth County EMS	\$69,116.69
Clay County EMS	\$66,047.04
Meade County EMS	\$65,557.36
Morton County EMS	\$64,608.38
Edwards County Ambulance	\$64,510.43
Harper County EMS	\$62,409.00
Mitchell County EMS	\$60,953.89
Hoisington Ambulance Service	\$60,111.61
\$50,001-\$60,000 (8 services) \$40,001-\$50,000 (13 services) \$30,001-\$40,000 (17 services) \$20,001-\$30,000 (19 services) \$10,001-\$20,000 (26 services) <\$10,000 (26 services)	
Services No Longer Permitted (12)	\$135,628.92
<ul style="list-style-type: none"> • Argonia EMS • Atchison County Rescue Services • Belle Plaine EMS • Buhler Ambulance Service • Cedarvale EMS • Centralia EMS • Erie Emergency Care Unit • Greenleaf EMS • Iola Fire/EMS • Otis EMS • Plainville Ambulance Service • Sedgwick (City of) Ambulance Service 	<ul style="list-style-type: none"> • \$8,450 • \$32,300 • \$3,995 • \$5,358.92 • \$1,670 • \$10,675 • \$835 • \$5,110 • \$100 • \$5,010 • \$31,680 • \$17,395

Funding disbursed to 138 ambulance services for a total of **\$4,129,180.51**

Amount Disbursed Since July 1, 2013 (FY2014 to current)

Service Name	Amount Disbursed
Phillips County EMS	\$65,082.50
Northwest Kansas Ambulance Service	\$62,497.50
Techs Inc (3)	\$59,780.00
• Jackson County EMS	• \$20,700
• Nemaha County EMS / Seneca EMS	• \$21,360
• Osage County EMS	• \$17,720
Larned EMS	\$52,448.94
Hoisington Ambulance Service	\$44,756.61
Grant County EMS	\$43,841.25
Clay County EMS	\$39,785.00
Thomas County EMS	\$38,330.00
Republic County EMS	\$36,005.00
Russell County EMS	\$32,405.00
Winfield Fire/EMS	\$31,787.00
Conway Springs Volunteer EMS	\$31,414.92
Marion County EMS	\$30,285.00
\$20,001-\$30,000 (22 services)	
\$10,001-\$20,000 (33 services)	
<\$10,000 (39 services)	

Funding disbursed to 106 ambulance services for a total of **\$1,726,539.92**



Post-December Meeting Information

It was requested for us to take a deeper dive into those awards issued for an individual from the “for-profit” services. From the 7 “for-profit” services listed above that received an EIG award since 7/1/2013:

48 EIG Awards Issued for Initial Courses

17 never gained certification from the course

- 12 – EMT; 4 – AEMT; 1 – Paramedic
- 6 – Town and Country EMS; 2 – Nemaha County EMS; 4 – Jackson County EMS; 1 – Osage County EMS; and 4 – Marysville Ambulance Service

Of the 31 remaining, 8 did not appear within KEMSIS as having run a call for a permitted ambulance service since 1/1/2017. 2 were confirmed as being on calls through our v2 system. The 6 remaining:

- 4 expired after initial licensure (did not renew)
- 2 expired on 12/31/2018 – 1 showed no service affiliation since July 2016; 1 was removed from a service roster in September 2016.

Of the 23 active, 14 showed runs in KEMSIS in 2017 and 2018 at the service(s) they are shown affiliated with in Licensure. 9 showed a disconnect (in ePCR and not on Roster OR on Roster and not in ePCR).

Of the 31 that gained certification, 3 showed on a “non-profit” service roster in addition to the “for-profit” service during the time that they were certified.

How Much Have We Denied?

Since 07/01/2013, we have denied \$102,713.04 in grant requests

FY 2014 – we transferred \$300,000 from our operating fund to the grant account and spent \$293,783.25
Added \$6,216.75 surplus into the balance of the EIG account.

We denied 37 applications this Fiscal Year totaling: \$39,925

FY 2015 – we transferred \$300,000 from our operating fund to the grant account and spent \$211,129.79
Added \$88,870.21 surplus into the balance of the EIG account.

We denied 19 applications this Fiscal Year totaling: \$21,590

FY 2016 – we transferred \$300,000 from our operating fund to the grant account and spent \$344,265.65
Subtracted \$44,265.65 from the balance of the EIG account.

We denied 11 applications this Fiscal Year totaling: \$12,650

FY 2017 – we transferred \$300,000 from our operating fund to the grant account and spent \$349,854.32
Subtracted \$49,854.32 from the balance of the EIG account.

We denied 10 applications this Fiscal Year totaling: \$11,290.04

FY 2018 – we transferred \$300,000 from our operating fund to the grant account and spent \$397,325.71
Subtracted \$97,325.71 from the balance of the EIG account.

We denied 11 applications this Fiscal Year totaling: \$17,258