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Board of  
Emergency Medical Services

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

Sam Brownback, Governor

Approved  
6/05/2015

## Board Meeting Minutes April 3, 2015

### Board Members Present

Dr. Joel Hornung - Chair  
Dir. Chad Pore – Vice-Chair  
Mr. Dennis Franks  
Dir. Wendy Gronau  
Sen. Mitch Holmes  
Comm. Ricky James  
Dir. Deb Kaufman  
Dr. David Kingfisher  
Chief Shane Pearson  
Dir. John Ralston  
Dr. Martin Sellberg

### Attorney General Staff

Sarah Fertig

### Board Members Absent

Sen. Oletha Faust-Goudeau  
Rep. Broderick Henderson  
Comm. Keith Olsen

### Guests

Terry David  
Rosa Spainhour  
Jason White  
Marguerite Underhill  
Gary Winter  
Dalene Deck  
Dan Hudson  
Ron Marshall  
Kerry McCue  
John Hultgren  
Charles Foat

### Representing

Rice Co. EMS  
Kiowa County EMS  
MARC/KEMSA  
Retired  
Region I EMS  
Sedgwick County EMS  
KU Hospital  
KHERF/KHA  
Region I/Ellis Co. EMS  
Dickinson Co. EMS  
JCCC

### Staff

Director Joe House  
Dave Cromwell  
Carrie Doud  
Mark Grayson  
Christine Hannon  
Dave Cromwell  
Georganne Lovelace  
Curt Shreckengast  
Suzette Smith  
Ann Stevenson  
Nance Young

## Call to Order

Chairman Hornung called the Board Meeting to order on Friday, April 3, 2015 at 9:00 a.m. He welcomed new Board member Commissioner Ricky James.

The first order of business was to approve the February 6, 2015 minutes.

## APPROVAL OF MINUTES

*Director Gronau made a motion to approve the February 6<sup>th</sup>, 2015 minutes as provided; Director Pore seconded. No discussion. No opposition noted. The motion carried.*

## COMMITTEE REPORTS AND POSSIBLE ACTIONS

### Planning and Operations Committee

Chairman Hornung called upon Chief Pearson to give the Planning and Operations Committee Report. Chief Pearson reported to the Board:

- K.A.R. 109-2-8 became law on February 13, 2015.
- The committee voted to move forward to the full board the following regulations for amendment: K.A.R. 109-2-6, K.A.R. 109-2-7, K.A.R.109-1-1, K.A.R. 109-2-2, K.A.R. 109-2-5, K.A.R. 109-2-8, K.A.R.109-2-11, K.A.R.109-7-1, K.A.R. 109-11-6a.

*Chief Pearson made a motion to open the following regulations K.A.R. 109-2-6, K.A.R. 109-2-7, K.A.R.109-1-1, K.A.R. 109-2-2, K.A.R. 109-2-5, K.A.R. 109-2-8, K.A.R.109-2-11, K.A.R.109-7-1, K.A.R. 109-11-6a. The motion was seconded by Director Ralston. No discussion. No opposition noted. The motion carried.*

- The Committee discussed the regulation requiring services to maintain a copy of the EMS certification card. Since anyone can access current certification information on the Board website, this up to date information alleviates the need for a paper copy. The Committee voted to move K.A.R 109-2-1 and K.A.R. 109-2-5 forward to the full board to remove this requirement.

*Chief Pearson made a motion to open K.A.R. 109-2-1 and K.A.R. 109-2-5 to remove the requirement to maintain a paper copy of certificates from the operational standards. The motion was seconded by Director Gronau. After brief discussion, the motion carried.*

- Tony Nunn from the University of Kansas Medical Center and Craig Bloom from Genentech presented the Kansas Initiative for Stroke Survival (KISS) to the committee on stroke intervention. The KISS program started in 2009 and their goal is to make sure stroke patients get to where they need to be in a timely fashion. Tony and Craig will work with the regions to get the education statewide.
- Sherry McCool reported that she and Mick McCallum are stepping down from KanAAMS. Rod Pace will be taking over as President and Frank Williams will be President-elect.
- KEMSA reported their conference will be in Topeka on August 13-16, 2015.

**Education, Examination, Training and Certification Committee**

Chairman Hornung called upon Director Kaufman to give the EETC Committee report. Director Kaufman reported to the board:

- The committee reviewed the number of attendants who have transitioned and who still need to transition.
- The following regulations were held for public hearing on April 1, 2015: 109-10-1, 109-10-1c, 109-10-1e, 109-10-2, 109-10-7, 109-11-3a, 109-11-4a, 109-11-6a and 109-11-10. No comments were received. The committee is ready to bring these forward to the Board for final vote.
- ***Director Kaufman made a motion to take a roll call vote to revoke 109-10-1. Director Pore seconded. No discussion. No opposition noted. The motion carried.***
- Chairman Hornung called for a roll call vote to revoke K.A.R.109-10-1.

***Roll call vote as noted:***

<i>Senator Faust-Goudeau, (Absent)</i>	<i>Comm. Olsen (Absent)</i>
<i>Mr. Franks Aye</i>	<i>Chief Pearson Aye</i>
<i>Director Gronau Aye</i>	<i>Director Pore Aye</i>
<i>Rep. Henderson (Absent)</i>	<i>Director Ralston Aye</i>
<i>Senator Holmes Aye</i>	<i>Dr. Sellberg Aye</i>
<i>Chairman Dr. Hornung Aye</i>	
<i>Comm. James Aye</i>	
<i>Director Kaufman Aye</i>	
<i>Dr. Kingfisher Aye</i>	

**K.A.R. 109-10-1 is revoked by the Board on a 11-0 vote (11 Yes; 0 No; 3 Absent).**

- ***Director Kaufman made a motion to take a roll call vote for the adoption of 109-10-1c as amended. Director Pore seconded. No discussion. No opposition noted. The motion carried.***
- Chairman Hornung called for a roll call vote to adopt K.A.R.109-10-1c.

***Roll call vote as noted:***

<i>Senator Faust-Goudeau,</i>	<i>(Absent)</i>	<i>Comm. Olsen</i>	<i>(Absent)</i>
<i>Mr. Franks</i>	<i>Aye</i>	<i>Chief Pearson</i>	<i>Aye</i>
<i>Director Gronau</i>	<i>Aye</i>	<i>Director Pore</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Holmes</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>		
<i>Comm. James</i>	<i>Aye</i>		
<i>Director Kaufman</i>	<i>Aye</i>		
<i>Dr. Kingfisher</i>	<i>Aye</i>		

***K.A.R. 109-10-1c is adopted by the Board on a 11-0 vote (11 Yes; 0 No; 3 Absent).***

- ***Director Kaufman made a motion to take a roll call vote for the adoption of 109-10-1e as amended. Director Pore seconded. After brief discussion and no opposition noted, the motion carried.***
- Chairman Hornung called for a roll call vote to adopt K.A.R.109-10-1e.

***Roll call vote as noted:***

<i>Senator Faust-Goudeau,</i>	<i>(Absent)</i>	<i>Comm. Olsen</i>	<i>(Absent)</i>
<i>Mr. Franks</i>	<i>Aye</i>	<i>Chief Pearson</i>	<i>Aye</i>
<i>Director Gronau</i>	<i>Aye</i>	<i>Director Pore</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Holmes</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>		
<i>Comm. James</i>	<i>Aye</i>		
<i>Director Kaufman</i>	<i>Aye</i>		
<i>Dr. Kingfisher</i>	<i>Aye</i>		

***K.A.R. 109-10-1e is adopted by the Board on a 11-0 vote (11 Yes; 0 No; 3 Absent).***

- ***Director Kaufman made a motion to take a roll call vote to revoke 109-10-2. Director Pore seconded. After brief discussion and no opposition noted, the motion carried.***
- Chairman Hornung called for a roll call vote to revoke K.A.R.109-10-2.

***Roll call vote as noted:***

<i>Senator Faust-Goudeau, (Absent)</i>	<i>Comm. Olsen (Absent)</i>
<i>Mr. Franks Aye</i>	<i>Chief Pearson Aye</i>
<i>Director Gronau Aye</i>	<i>Director Pore Aye</i>
<i>Rep. Henderson (Absent)</i>	<i>Director Ralston Aye</i>
<i>Senator Holmes Aye</i>	<i>Dr. Sellberg Aye</i>
<i>Chairman Dr. Horning Aye</i>	
<i>Comm. James Aye</i>	
<i>Director Kaufman Aye</i>	
<i>Dr. Kingfisher Aye</i>	

***K.A.R. 109-10-2 is revoked by the Board on a 11-0 vote (11 Yes; 0 No; 3 Absent).***

- ***Director Kaufman made a motion to take a roll call vote for the adoption of 109-10-7 as amended. Director Pore seconded. No discussion. No opposition noted. The motion carried.***
- Chairman Hornung called for a roll call vote to adopt K.A.R.109-10-7.

***Roll call vote as noted:***

<i>Senator Faust-Goudeau, (Absent)</i>	<i>Comm. Olsen (Absent)</i>
<i>Mr. Franks Aye</i>	<i>Chief Pearson Aye</i>
<i>Director Gronau Aye</i>	<i>Director Pore Aye</i>
<i>Rep. Henderson (Absent)</i>	<i>Director Ralston Aye</i>
<i>Senator Holmes Aye</i>	<i>Dr. Sellberg Aye</i>
<i>Chairman Dr. Hornung Aye</i>	
<i>Comm. James Aye</i>	
<i>Director Kaufman Aye</i>	
<i>Dr. Kingfisher Aye</i>	

***K.A.R. 109-10-7 is adopted by the Board on a 11-0 vote (11 Yes; 0 No; 3 Absent).***

- ***Director Kaufman made a motion to take a roll call vote for the adoption of 109-11-3a as amended. Director Pore seconded. No discussion. No opposition noted. The motion carried.***
- Chairman Hornung called for a roll call vote to adopt K.A.R.109-11-3a.

***Roll call vote as noted:***

<i>Senator Faust-Goudeau, (Absent)</i>	<i>Comm. Olsen (Absent)</i>
<i>Mr. Franks Aye</i>	<i>Chief Pearson Aye</i>
<i>Director Gronau Aye</i>	<i>Director Pore Aye</i>
<i>Rep. Henderson (Absent)</i>	<i>Director Ralston Aye</i>
<i>Senator Holmes Aye</i>	<i>Dr. Sellberg Aye</i>
<i>Chairman Dr. Hornung Aye</i>	
<i>Comm. James Aye</i>	
<i>Director Kaufman Aye</i>	
<i>Dr. Kingfisher Aye</i>	

***K.A.R. 109-11-3a is adopted by the Board on a 11-0 vote (11 Yes; 0 No; 3 Absent).***

- ***Director Kaufman made a motion to take a roll call vote for the adoption of 109-11-4a as amended. Director Ralston seconded. No discussion. No opposition noted. The motion carried.***
- Chairman Hornung called for a roll call vote to adopt K.A.R.109-11-4a.

***Roll call vote as noted:***

<i>Senator Faust-Goudeau, (Absent)</i>	<i>Comm. Olsen (Absent)</i>
<i>Mr. Franks Aye</i>	<i>Chief Pearson Aye</i>
<i>Director Gronau Aye</i>	<i>Director Pore Aye</i>
<i>Rep. Henderson (Absent)</i>	<i>Director Ralston Aye</i>
<i>Senator Holmes Aye</i>	<i>Dr. Sellberg Aye</i>
<i>Chairman Dr. Hornung Aye</i>	
<i>Comm. James Aye</i>	
<i>Director Kaufman Aye</i>	
<i>Dr. Kingfisher Aye</i>	

***K.A.R. 109-11-4a is adopted by the Board on a 11-0 vote (11 Yes; 0 No; 3 Absent).***

- ***Director Kaufman made a motion to take a roll call vote for the adoption of 109-11-6a as amended. Director Ralston seconded. No discussion. No opposition noted. The motion carried.***
- Chairman Hornung called for a roll call vote to adopt K.A.R.109-11-6a.

***Roll call vote as noted:***

<i>Senator Faust-Goudeau,</i>	<i>(Absent)</i>	<i>Comm. Olsen</i>	<i>(Absent)</i>
<i>Mr. Franks</i>	<i>Aye</i>	<i>Chief Pearson</i>	<i>Aye</i>
<i>Director Gronau</i>	<i>Aye</i>	<i>Director Pore</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Holmes</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>		
<i>Comm. James</i>	<i>Aye</i>		
<i>Director Kaufman</i>	<i>Aye</i>		
<i>Dr. Kingfisher</i>	<i>Aye</i>		

***K.A.R. 109-11-6a is adopted by the Board on a 11-0 vote (11 Yes; 0 No; 3 Absent).***

- ***Director Kaufman made a motion to take a roll call vote to revoke 109-11-10. Director Ralston seconded. No discussion. No opposition noted. The motion carried.***
- Chairman Hornung called for a roll call vote to revoke K.A.R.109-11-10.

***Roll call vote as noted:***

<i>Senator Faust-Goudeau,</i>	<i>(Absent)</i>	<i>Comm. Olsen</i>	<i>(Absent)</i>
<i>Mr. Franks</i>	<i>Aye</i>	<i>Chief Pearson</i>	<i>Aye</i>
<i>Director Gronau</i>	<i>Aye</i>	<i>Director Pore</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Holmes</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Chairman Dr. Horning</i>	<i>Aye</i>		
<i>Comm. Ricky James</i>	<i>Aye</i>		
<i>Director Kaufman</i>	<i>Aye</i>		
<i>Dr. Kingfisher</i>	<i>Aye</i>		

***K.A.R. 109-11-10 is revoked by the Board on a 11-0 vote (11 Yes; 0 No; 3 Absent).***

- The BLS exam contract with SKEMS will be expiring June 30<sup>th</sup>, 2015. The committee would like to bring forward a motion to continue the vendor contract for an additional year.

*Director Kaufman made a motion to extend the current contract with SKEMS for another year. Director Pore seconded the motion. No discussion. No opposition noted. The motion carried.*

- The committee has been working on combining K.A.R. 109-5-2 into K.A.R. 109-5-1 and thereby revoking K.A.R. 109-5-2. After discussion regarding the number of years records are kept, the committee recommended to move this forward in the state process.

*Director Kaufman made a motion to open K.A.R 109-5-1 and K.A.R. 109-5-2 for amendment. Director Pore seconded the motion. No discussion. No opposition noted. The motion carried.*

- There was discussion on the Kansas Continued Education Plan requirements and the increase in hours, particularly the EMT hours. Also discussed was a recommendation to allow the attendants the option of testing the practical and written skills exam in place of completing the continuing education hours required. Staff will discuss this option with the examination vendor.

*Director Kaufman moved to amend the following regulations to change the required hours of continuing education: 109-5-1a, 109-5-1b, 109-5-1c, and 109-5-1d. Director Ralston seconded. After lengthy discussion, the motion was withdrawn by Director Kaufman.*

*Director Pore made a motion to amend the following regulations: 109-5-1a to increase EMR continuing education hours to 20, 109-5-1b to increase EMT continuing education hours to 40, 109-5-1c to increase AEMT continuing education hours to 50, open 109-5-1d, and to include language allowing cognitive testing as an option of fulfilling continuing education with signature from the medical director for skills validation. The motion was seconded by Chief Pearson. After lengthy discussion, the motion passed with one dissent.*

*Director Kaufman made a motion to open K.A.R. 109-8-1 regarding the allowable timeframe for examination after initial course of instruction. Director Ralston seconded. No discussion. No opposition noted. The motion carried.*

*Director Kaufman made a motion to adopt the proposed IC Candidate application as proposed. Director Ralston seconded the motion. After brief discussion, the motion carried.*

- The Committee heard a report on a TO I pilot course conducted by Director Pore and Mr. Shreckengast for Region IV in February. This course deviated from a regular TO I course by eliminating the requirement for practical skills testing, restructuring the schedule, and spending more time presenting the attributes of educators. The



overall feedback was positive. An additional follow up will be done after the students have a chance to work as a TO I and information will be brought back for the June meeting. The committee requested that staff provide a document and a process the committee can use for follow up and monitoring of these courses.

- Mr. Shreckengaust presented an education manager report. The committee viewed the initial course audit document. Transition letters continue to be mailed out. Letters are also being sent to training officers reminding them that they are required to provide documentation of their teaching hours with renewal. Attention was drawn to the performance appraisal versus the mentoring packets for the IC candidate process. It will be sent back to the educator proposal committee in June.

### Executive Committee

Chairman Hornung called upon Dennis Franks to give the Executive Committee report. Mr. Franks reported to the board:

- Director House provided a legislative update to the committee. A summary of the Board of EMS bills and other bills that could affect EMS and where they are in the process was provided to the members.
  - SB 224 & HB 2376-Fines and Subpoenas-Senator Faust-Goudeau and Representative Henderson introduced the bills in their respective chambers. SB 224 was passed by the Senate 31-9 and now resides in the House Committee on Federal and State Affairs. HB 2376 was passed by the Committee on Public Health and Welfare and now resides on the House Calendar.
  - SB 225 & HB 2386-Interstate Compact- Senator Faust-Goudeau and Representative Henderson introduced the bills in their respective chambers. Both bills have not received a hearing and will probably not receive a hearing during this session. Both bills will remain alive until the next session.
  - SB 226 & HB 2387-EMS Amendments- Senator Faust-Goudeau and Representative Henderson introduced the bills in their respective chambers. Senator Faust Goudeau is working on establishing a hearing within the Senate Committee on Federal and State Affairs for SB 226. HB 2387 was passed by the House and was assigned to the Senate Committee on Federal and State Affairs.
- Dr. Ryan Jacobsen provided a Medical Advisory Council (MAC) update to the committee.
  - A draft position statement on Rapid Sequence Intubation may be presented at the May meeting for approval.
  - The committee has decided to table action on a position statement on prehospital endotracheal intubations.

- The committee discussed a scope of practice question received by board staff regarding an AEMT accessing a PICC line as part of their scope of practice. A motion was passed to allow an AEMT to access a PICC line as part of their scope of practice.
- Director House provided an update to the committee on the KRAF grant funding. 53 complete applications have been received with \$1,171,611.35 total funding requested.

***Mr. Franks made a motion to approve the expenditure of \$352,470.94 from the EMS Revolving Grant Fund for the items included in the ARC recommendation. Director Kaufman seconded. After a lengthy discussion, the motion carried. Director Gronau, Director Ralston, and Director Pore abstained from voting.***

- Director House presented a product offering/price quote from Philips to offer a statewide license for the HeartStart Telemedicine System. The committee decided not to take action on the request at this time.
- Dr. Hornung presented to the committee for consideration of the idea of the Board having a strategic planning session to discuss goals, visions, regulatory issues, and relationships with other groups. Dr. Hornung will work with Director House to make arrangements.

### Investigations Committee

Chairman Hornung called on Director Pore to give the Investigations Committee report. Director Pore reported to the board:

- The committee reviewed 38 cases: 13 from 2013, 3 from 2014 and 14 from 2015. During investigation of the 2013 cases, the investigator had to open 8 additional cases in connection with previous cases from 2013. Eleven of the 38 cases were applications reporting a revoked or suspended license or a previous felony.
- The committee heard some medication error cases, and a few cases involving attendants practicing outside of their scope.
  - A BLS crew transported a patient on a transfer with a potassium drip. The committee accepted the local action on the two crew members. The agency restructured their policy. The committee reviewed the policy and thought it was ambiguous. The committee left the case open against the service and Director House will send them a letter asking them to restructure their policy to be sent back to the committee for review.
  - An attendant took meds from his ambulance to help the neighbor of the original caller. The local agency recommended disciplinary action. Additionally, the committee took action and presented him with a consent agreement.
- Two summary proceeding orders were issued when a crew left a patient to care for another higher priority call without getting a patient's refusal for treatment. The

patient's family filed a complaint. In investigating the complaint the service found one tech had falsified documentation and actually signed the refusal for treatment. The committee recommended a 30 day suspension for one attendant for leaving the scene and a 90 day suspension for the other attendant who left the scene and falsified the document. The case involving the service itself was left open because the system they use to sign off on the run reports is done automatically at the end of the day when the person logs out of the system. This is putting signatures on run reports that may not have been reviewed or read. Because of the potential for this to be falsifying documentation when the signature is automatically applied whether the run reports were read or not, the committee requested Director House send a letter to the service to request them to improve that process.

- There were two other cases of note. One applicant had a prior suspended license with a misdemeanor. The committee agreed to proceed with the application but will be waiting for the applicant to show proof that the warrant has been taken care of. The other applicant was off probation but it was found he still owed restitution. The committee allowed the application to go through and will issue a consent agreement that the applicant must repay all restitution by his first renewal period. If he doesn't, he would not be able to renew.

### Office Update

Chairman Hornung called on Director House to give the office update. Director House reported to the board:

- Nance Young was introduced as the new office receptionist. Curt Shreckengast was named the Deputy Director on March 16, 2015. The Education Manager position is open for applications until April 6, 2015.
- The IT position remains open with only one application received. Staff will review if the posting meets the agency's needs and will likely do an external posting to get it filled.
- The service renewal process has started, and applications will be accepted thru the end of the month.
- The services were reminded to update their rosters on line.
- Database update--The attendant side of the license management system implementation will be pushed back to the middle of May. The service side will hopefully be available by June 30th. This system is designed to be real time data which will assist in printing out cards and attendant verification.
- Last weekend Director Gronau, Director Pore, and Chief Pearson participated on a board panel at the KEMTA conference.
- Investigations are almost caught up.
- SB 274 did pass the Senate on April 2<sup>nd</sup>. This bill will reduce the percentage the agency gets to fund the KRAF grant from 2.28% to 2.22% creating a reduction of

funding by approx. \$11,000-\$12,000. It also would raise the seat belt fine from \$10 to \$30 per violation.

### New Business

- Dennis Franks suggested that the Executive Committee meeting be moved to 9:00am Friday morning and the Board meeting moved to a different time on Friday. Chairman Hornung suggested the committee and board meetings schedule be re-evaluated. This could be discussed at a board retreat.

### Public Comment

Chairman Hornung called for public comment.

- Jason White asked the Board to consider a short term focused review on the investigations process and procedures as they relate to SB 224's fines and subpoenas.
- Dr. Hornung shared information from Dr. Ryan Jacobsen who suggested more transparency and online listing of how we responded to different investigations.
- Terry David asked the education committee to re-evaluate continuing education requirements for instructor coordinators to make them similar to training officers regarding proof that 20 hours of education were taught. He also announced that MERGe had added new members and reported recent MERGe activities. And finally, he reported that KEMSA has signed a contract with Kansas Department of Health and Environment to teach the Principles of Ethics and Personal Leadership class. The first class will be in Hutchinson on June 22nd and June 23.

**Dr. Hornung adjourned the meeting at 10:51 am.**

The next meeting is June 5, 2015.