

Board Meeting Minutes

April 5, 2019

Approved
6/7/19

Board Members Present

Dr. Joel Hornung
Comm. Ricky James
Director Deb Kaufman
Chief Shane Pearson
Mr. Chad Pore
Comm. Bob Saueressig
Mr. Dennis Shelby
Director Jeri Smith

Guests

John Hultgren
Jason White
David Adams
Colin Fitzgerald
Tom Miller
Mike Johnson
Brent Rouse
Ron Marshall
Galen Anderson
Dan Hudson
Brandon Beck
Chrissy Bartel
Craig Isom
Brian Aeschliman
Don Tinsley
Charles Foat

Representing

Dickinson Co EMS
MARCER
RCEMS
Leawood FD
Lenexa FD
NWKS-EMS
Finney Co EMS
KHA
AMR
TWKS
Emporia Fire/Lyon
Norwich EMS
EagleMed/LifeStar
Stormont-Vail Health
Lenexa FD
JCCC

Staff Present

Joseph House-Exec Dir
Curt Shreckengast-Dep Dir
James Kennedy
Terry Lower
Suzette Smith
Amanda Walton
Chrystine Hannon
Emilee Turkin
Carmen Allen
Kim Cott
James Reed

Attorney General Staff

Kurtis Wiard

Board Members Absent

Rep. John Eplee
Dr. Gregory Faimon
Sen. Faust-Goudeau
Rep. Henderson
Director John Ralston
Dr. Martin Sellberg

Call to Order

Chairman Hornung called the Board Meeting to order on Friday, April 5, 2019 at 9:02 a.m.
Chairman Hornung called for a motion to approve the minutes.

Mr. Shelby made a motion to approve the February 1, 2019 minutes. Director Kaufman seconded the motion. No discussion. No opposition noted. The motion carried.

Planning and Operations Committee

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

- Director House discussed connectivity issues with KEMSIS and the server crash. The backup server was back up on Monday. The KEMSIS contract expires at the end of this year. The plan is to put out an RFP in the next month or so.
- Year to date KEMSIS reports are looking very good. Biospatial numbers were just under 55,000 as of the 18th of March. Only 878 of those had issues.
- There will be a KEMSIS Users Group meeting May 21st in Salina at Tony's Pizza Event Center.
- Mr. Reed reported they have completed 67 service inspections this year, plus 17 initial course audits and 54 program provider audits.
- There were two variances for lettering on ambulances.
- Director House explained that HB2366 was the result of the Kansas Legislative Policy Group who brought forth an issue with inadequate staffing to handle routine transfers. They looked for a solution and the solution they found was in an Oklahoma bill. The Legislature wanted the board to take care of this issue. Director House proposed that a variance could be a solution. It would specify population density, a public hearing requirement, a plan to come back into compliance, financial overview, and a progress report. This brought much discussion. Chairman Hornung commented that BLS transfers aren't always simple. He is not a fan of a single provider. Chief Pearson commented that this isn't just a staffing issue in rural areas but also in urban areas and nationwide. Mr. Shelby thinks it should be determined if insurance will cover this type of change for transfers. It was questioned why a stable person needs an ambulance. Director House suggested doing a guidance document for the variance. Vice-Chairman Pore commented that this doesn't solve the problem and adds one more layer into the issue. Vice-Chairman Pore also explained that some hospitals have nurses on call to provide ALS, but they say they don't have the staffing to send them on transfers. He said transfers are a hospital problem, not an EMS problem. Chairman Hornung said the board has no interest in changing policy and doesn't want to lower our care. Vice-Chairman Pore said EMR courses in rural areas are not that high. The board could bring the EMR down to the national level with 40 hours of training.

Chief Pearson moved to direct board staff to prepare a guidance document for the board to review at the next meeting. Director Kaufman seconded the motion. The motion carried.

- Director House was notified late January by Sedgwick County Medical Society that they will no longer be approving protocols for any entities other than Sedgwick County EMS. This put several services in a bind. All these entities are For-Profit organizations so there is a potential for being seen as a market preference between medical facilities. There have been no significant changes to their protocols. The variance is to waive the annual protocol renewal for a year to allow these services to operate. The Committee moved to approve the variance of protocol approval.
- The Manager's Report gave the following: NASEMSO sent a survey request on branding and what we call ourselves. Apollo Med Flight became a new service licensed out of Texas. Horton EMS closed when their hospital closed. Town and Country EMS is

covering their county. Overland Park Fire transferred over to Med-Act. Mr. Reed reported that only 59 services have renewed. EMS Week is May 20-24th and he has applied for a Governor signing ceremony on May 1st. He would like board legislators to attend. Commissioner Saueressig suggested contacting county commissioners to make proclamations. 2018 inspection reports were seeing a slight decline in the number of vehicle inspections. Mr. Reed would like to start doing un-announced vehicle inspections and felt that outdated items continue to be a big issue.

- Regions announced their upcoming meeting times and dates.

That concluded the Planning and Operations Committee report.

Medical Advisory Council

Chairman Hornung provided the report, as no members were present. He explained that they discussed the protocol approval process. The MAC will work to create a process through bylaws. There was additional discussion on physician credentialing. Vice-Chairman Pore asked if the MAC will be reporting back to the full board or the Executive Committee. He feels that somebody from the MAC should be giving that report and if they can't be here on Friday then they should just give it to the Executive Committee. Chairman Hornung said that he will see what we can do there.

Education, Examination, Training and Certification Committee

Chairman Hornung called upon Director Kaufman to provide the EETC Committee Report. Director Kaufman reported:

- Ms. Allen reported that comparing the data between the old practical exams and the new exams has proved challenging because it needs to be extracted from two different sources. She will continue to work on it and hopes to have it ready by the next committee meeting.
- NREMT recommendations on the practical skills exam process were reviewed. The recommendations will be kept in mind as evaluation of the process is conducted. Several are cost prohibitive. There have been minor changes to the exam as a result of internal review. Several others, such as the 30 days required for the Board office notification prior to examining, are being considered.
- The scheduling of the practical skills exam has been identified as a potential issue. Efforts have been made to accommodate as many areas of the state as possible but there are times when multiple exam sites may request to be held on the same day, particularly during December and May. The next steps are to explore methods to obtain additional cameras and consider expanding staff by utilizing Board representatives if it is found necessary.
- Dr. Charles Foat gave a presentation on the Kansas EMS Educational Written Exam System Performance three- and five-year data. It showed some exceptional sponsoring organization results at all levels and identified that we continue to have some programs who are struggling.
- Ms. Allen has reviewed the KS EMR Education Standards. It continues to appear that the simplest way to keep the documents updated is to adopt the National Standards at each level and compile an add-on document as a Kansas supplement. Vice-Chairman Pore mentioned we also need to remind instructors of the difference between standards and instructional guidelines.

- There was a review of changes to regulations K.A.R. 109-5-1a, K.A.R. 109-5-1b, K.A.R. 109-5-1c, and K.A.R. 109-5-1d. These regulations would be opened to change the date of adoption of the Kansas Continuing Education Plan to February 2019.

Director Kaufman motioned to take these four regulations forward through the regulatory process. Vice-Chairman Pore seconded the motion. The motion carried.

- K.A.R. 109-11-1a was reviewed. The discussion focused on an 80% or 70% pass rate, and if the pass rate should be determined by the first attempt or all attempts.

Director Kaufman motioned for K.A.R. 109-11-1a to be moved forward through the regulatory process for adoption with language to reflect a 70% pass rate following all attempts in initial courses over a rolling three-year average. Vice-Chairman Pore seconded the motion. The motion carried.

- Ms. Allen provided graphs showing Year-end Statistics compiled from the information from the site visits that have been conducted. The most common infractions noted from 2018 audits included missing student conference or end of course evaluation documentation, missing preceptor evaluations, and missing student skills assessment documentation. Audits on program providers show the total number of infractions is continuing to decrease. Many training management plans need to be updated.
- Ms. Allen reported that they had recently completed eight exam sites in various locations around the state. There are ten exams scheduled for May and three scheduled for June.

That concluded the EETC Committee report.

Executive Committee

Chairman Hornung called upon Mr. Shelby to provide the Executive Committee report. Mr. Shelby reported the following:

- Director House reported on the legislative bills and provided updates.
- The EMS Compact proposed rules are out for public comment. There is a hearing scheduled for May 17th and six changes were requested by Director House and accepted.
- The committee is ready to move forward with the proposed regulation changes for the EMR and EMT medication list.

Mr. Shelby motioned to move forward with the proposed changes to K.A.R. 109-3-3 and K.A.R. 109-3-4 for the EMR and EMT medication lists. Director Kaufman seconded the motion. The motion carried with one opposed.

- The KRAF grant submission process closed with 58 requests for funding for a total amount of \$1,417,166.93. The KRAF review committee requests their recommendation for the funding of requested items be forwarded for approval by the Board.

Mr. Shelby made a motion to accept the KRAF review committee's recommendation for KRAF funding. Vice-Chairman Pore seconded the motion. The motion carried with one board member recusing themselves.

- Dr. Hornung summarized the Proposal for Protocol Approval. There is no good process in place for Kansas. After reviewing other states, close to 50% have statewide protocols. To make this work for Kansas: #1. Have State developed protocols based on NASEMSO guidelines where a group of professions set the ceiling for protocols at all levels of care. Local medical directors could choose what to use and make sure providers are competent in carrying out protocols. And #2. Service developed protocols and medical director would affirm procedures and be satisfied with the training for the service. The Medical Director must be credentialed in some way.
- There are two main concerns: #1. What is the medical director credentialing going to look like? And #2. How to take the NASEMSO guidelines and turn it in to a document. Dr. Hornung proposed that the development team would be 10 or so individuals that would operate under the Board. Vice-Chairman Pore thought this is a good starting point and hoped to move forward quickly and efficiently. Dr. Hornung commented that this proposal could be written in many different ways, and it's going to take a lot of work. He suggested that there should be an attempt made for funding and not purely a volunteer effort.

That completed the Executive Committee report.

Investigation Committee

Chairman Hornung called upon Vice-Chairman Pore to provide the Investigation Committee report. Vice-Chairman Pore provided the following report:

- The committee reviewed 22 cases. Three cases were deferred to the June meeting, seven cases involved an application where the individual declared a felony or adverse action upon a professional certificate. Of the seven applications, two were closed as incomplete, four were approved to continue through the process, and one was tabled until the June meeting.
- Two cases were scope of practice issues. Both were a violation and found a summary proceeding order was requested to be issued.
- Four cases were patient care issues. Two were no violation found and the cases were dismissed. One with a violation found that local action was sufficient. The other was a violation was found and a consent agreement was requested to be offered.
- Four cases were Education. One case was no violation and dismissed. One case was found a violation of education regulations, case was closed and accepting local action. One case was falsification of documents and revoked an attendant credential and issued a \$600.00 fine. One case had several violations of regulations on the instructor of record. Offer of consent agreement was authorized where they must complete the didactic portion of an IC course, teach another mentored course and their next two courses are

audited by Board staff. A second case number was created against the sponsoring organization where a consent agreement was offered to repay the EIG money.

That concluded the Investigation Committee report.

Office Update

Chairman Hornung called upon Director House to provide the Office Update. Director House provided the following information:

- We finished our 22nd exam site in Medicine Lodge last Saturday.
- Director House would like to acknowledge the office staff's work in the last year and specifically the last month. They are going above and beyond for our constituents.
- He gave a summary of meetings that are coming up: KEMSA Conference, Kansas State Fire Fighters Association at the end of the month in Salina, NASEMSO in the middle of May, EMS Compact Commission.
- May 20th we will be at the Kansas Highway Patrol Training Academy in Salina for our Annual Legislative Regulation meeting.
- May 21st remain in Salina for KEMSIS User's Group meeting at the Tony's Pizza Event Center. Registration will be going out very soon.

New Business

Dr. Bogner requested that his appointment to the MAC be postponed until this fall due to prior obligations and him wanting to give his full attention to this committee.

Chairman Hornung thanked Region VI for the refreshments.

Chairman Hornung adjourned the meeting at 10:33 a.m.