

Board Meeting Minutes

April 2, 2021

Approved
6/4/2021

Board Members Present

Rep. John Eplee – phone
Dr. Gregory Faimon
Sen. Faust-Goudeau - phone
Dr. Joel Hornung
Comm. Ricky James
Director Deb Kaufman -phone
Chief Shane Pearson
Mr. Chad Pore
Dr. Martin Sellberg - phone
Mr. Dennis Shelby
Comm. Bob Saueressig
Director Jeri Smith -phone

Guests

Representing

Staff Present

Joseph House, Exec. Director
Curt Shreckengaust, Dep. Dir.
Terry Lower
Suzette Smith
James Kennedy
Carman Allen

Board Members Absent

Rep. Broderick Henderson
Director John Ralston

Attorney

Sam Feather
Jonathan Khalil

Call to Order

Chairman Hornung called the Board Meeting to order on Friday, April 2, 2021 at 9:00 a.m.

Vice-Chairman Pore made a motion to approve the February 5, 2021 minutes. Commissioner James seconded the motion. No discussion. No opposition noted. The motion carried.

Executive Committee

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

- Director House reported that Federal House Resolution 1319 was enacted and signed in March and is anticipated to be the gateway to the start of reimbursement for non-transporters when treatment occurs at the scene. On state Legislation he reported the State Medical Director bill did not make it above the line but is still conferencable this session. HB 2270 puts language that is in our budget appropriation bill into statute, so it doesn't have to be added to the budget bill each year. The trauma sunset bill is to ensure peer review and meetings in Executive Session can't be released as public records but does allow information to be shared with the Secretary of KDHE. The language has been voted on and passed in three separate bills. SB 40 contains revisions to the Kansas Emergency Declaration to extend until May 28, 2021. Effective April 1st, Executive Orders must be reviewed by the Legislative Coordinating Council. The Executive Order that extended renewal deadlines expired March 31, 2021. Staff will be notifying about 900 providers that they have expired.
- Vice-Chairman Pore reported that the KRAF review committee met virtually this year. There were not as many requests for funding this year. The numbers may be down in large part because the committee made the decision to make monitors a priority and a number of services purchased monitors through COVID Relief and other funding sources. Twenty-six applications are recommended for award for just over \$265,000. Any unused funds will carry over into next fiscal year for use. Revenue continues to be down with fewer people on the road. Vice-Chairman Pore was pleased to see that 73% of the applications recommended for award are from frontier, rural and densely settled services. The Committee moved to approve the KRAF review committee's recommendation for awards this year.

Mr. Shelby made a motion to award the grant requests for the KRAF expenditures as presented. Vice-Chairman Pore seconded the motion. No discussion. No opposition noted. The motion carried.

Investigations Committee

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

- In reference to a case that began in 2019 regarding staffing issues at a service, the situation has had little change and the service continues to fail to meet minimum staffing requirements 24 hours a day. The committee voted to fine the service \$5000 and to revoke the service permit which would go through the hearing process.
- An EMS provider was stopped by Kansas Highway Patrol and was found to be in possession of illicit substances. He had a previous charge for the same offense. His certification was suspended via emergency order and will be reviewed after the criminal case is completed.

- A case involved scope of practice regarding an EMT and AEMT providing transfer for a patient with a chest tube and suction. Each of the individuals was fined for performing an unauthorized activity. The agency was fined \$250.
- BLS providers transported an individual three times with pump medication. Investigation showed that the medication being given via the pump was the patient's home prescribed medication and prescribed route; therefore no violation was found.
- A medication error occurred and the committee accepted the local action of the service.

Vice Chairman Pore also stated that one of the cases did trigger the committee to ask if the Board should be considering authorizing the use of suction with an inserted nasogastric tube at the EMT level and above. No discussion on this topic ensued and the committee report concluded.

Liaison Reports

911 Coordinating Council – Mr. Nick Robbins was not present for a report.

State Interoperability Advisory Committee – Chief Pearson reported that they continue to meet virtually, which is challenging. The state 800 radio system and AT&T FirstNet are slowly making improvements. Several counties will be coming on board, with Saline County starting in May. AT&T FirstNet reports that new cell towers are ahead of schedule.

Kansas Fire Training Rescue Institute – Mr. Eric Voss reported that they are actively working to get a Long-Term Program Provider designation so that continuing education credit can be given for their trainings. They are also involved in training with EMS providers as well as law enforcement to provide PTSD treatment for first responders. They are looking for funding.

Advisory Committee on Trauma – Dr. Dennis Allin reported that there are three Level 1, two Level 2, five Level 3, thirty-four Level 4 Trauma Centers in Kansas and six letters of intent to become a trauma center. The challenge is to get reviews accomplished without a physical site review. They provide training through regional EMS meetings that include: ATLS, TNCC, BTLS, and Stop the Bleed. He reminded us of the symposium on April 12th through 15th and said that information can be found on their website or by googling Kansas Trauma. They are keeping an eye on two different bills dealing with peer protection.

Office Update

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

- Director House reported that he has been holding service director forums weekly which has been a valuable tool to hear of any issues across the state. They have been discussing where we are with the pandemic and vaccinations. He gave an update on the initiatives on specimen collection and testing and the mission control initiative by KDHE. He also said that access to BiNax Now Covid-19 Rapid Antigen Test is available to ambulance services

without cost. Chief Pearson expressed his frustration at the timing of the availability coming after services had purchased rapid tests.

- We have been asked to partner with Kansas Law Enforcement Center to provide an EMS component for a two-week course for public safety telecommunicators.
- We are looking at the licensing system and PCR linkages. We are starting to send test data to the National EMS Coordinating database, but it won't be publicly shared until the privacy policies are strong on the COMPACT side of things.
- There were 762 bills introduced into the legislature this year with 47 bills that we were following. The most recent one, SB 306, provides sales tax exemptions for Ambulance Service Districts. We believe there are less than 30 such Districts in Kansas, and this bill is to close a loop-hole. HB 2234 was the Medical Director bill which had a hearing but didn't make it to the Senate floor. Two health conference committees will be conferencing and hopefully it will pass this year.
- Executive Order 21-09 will extend the expiration date for renewal to May 28, 2021. There is some confusion and we will be meeting with the Governor later today for clarification.

2020 EETC Report Overview

Education Manager Carman Allen provided a report that was requested by Vice-Chairman Pore regarding the impact that COVID-19 has had on the educational process. Ms. Allen stated that it was not as significant as anticipated. She handed out a packet of information and presented a PowerPoint presentation to the Board.

- The number of courses over the past few years have remained fairly consistent except they were down about 30 classes last year.
- There are tables that show how many courses were provided by community colleges, rural and urban settings, and universities.
- The breakdown of regions shows a 20-25% decrease in courses offered per region compared to prior years.
- There were 19 class cancellations last year which is consistent with what we normally see.
- We have seen a consistent decrease of those getting initial certification, with a slightly higher decrease in 2020.
- Enrollee outcome is over 90% are passing overall.
- The pass rate at National Registry at the EMT level is 60%. At EMT level in Kansas only sixty to seventy percent of those who complete an initial course of instruction are challenging the National Registry exams.
- BLS exams conducted by Kansas Board of EMS in 2020 saw exam sites canceled due to classes being cancelled and some counties not allowing face to face contact.
- Renewals have decreased slightly between 2020 and 2018.
- Instructor/Coordinator (I/C) have decreased slightly since 2018. We lost about 20 I/C's because they are getting older and not teaching or didn't get their educator workshop completed.
- The number of reinstatements has stayed relatively consistent.

- Retro-active approvals continue to decrease. We attribute this to our change to allow courses approved by other state regulatory agencies and CAPCE approved courses to be accepted without requiring retro-active approval.

That concluded the 2020 EETC Overview Report and the Office Update

Executive Session(s)

Chairman Hornung expressed that there were requests to go into Executive Session – the first request to discuss attorney-client privileged information and the second request to discuss personnel matters.

Chairman Hornung moved that the Board recess into Executive Session for 15 minutes beginning at 10:00 a.m. for consultation with the Board’s counsel on attorney/client privileged information regarding an open investigation. Vice-Chairman Pore seconded the motion. It was noted that the meeting would reconvene in the same location physically and virtually at 10:15 a.m. No opposition noted. The motion carried and the Board recessed until 10:15 a.m.

Meeting reconvened at 10:15 a.m. It was reported that the Board convened in Executive Session beginning at 10:00 a.m. and returned from Executive Session at 10:15 a.m. It was reported that no binding action was taken during Executive Session.

Chairman Hornung moved that the Board recess into Executive Session for 5 minutes beginning at 10:18 a.m. to discuss personnel matters of nonelected personnel in order to protect the privacy of the personnel involved. Vice-Chairman Pore seconded the motion. It was noted that the meeting would reconvene in the same location physically and virtually at 10:23 a.m. No opposition noted. The motion carried and the Board recessed until 10:23 a.m.

Meeting reconvened at 10:23 a.m. It was reported that the Board convened in Executive Session beginning at 10:18 a.m. and returned from Executive Session at 10:23 a.m. It was reported that no binding action was taken during Executive Session.

With no public comment and no further business before the Board, Chairman Hornung adjourned the meeting at 10:25 a.m.