

## Board Meeting Minutes

August 6, 2021

Approved  
10/1/2021

### Board Members Present

Mr. Jeremy Clingenpeel  
Rep. John Eplee - virtual  
Dr. Gregory Faimon - virtual  
Sen. Faust-Goudeau – virtual  
Rep. Broderick Henderson  
Dr. Joel Hornung  
Comm. Ricky James  
Director Deb Kaufman- virtual  
Chief Shane Pearson  
Mr. Chad Pore  
Director John Ralston  
Dr. Martin Sellberg - virtual  
Comm. Bob Saueressig  
Director Jeri Smith- virtual

### Guests

Jon Antrim  
Skylar Swords  
Multiple Virtual Attendees

### Representing

AMR  
Finney Co. EMS  
-Virtual

### Staff Present

Joseph House, Exec. Director  
Suzette Smith  
Terry Lower  
James Kennedy  
Jim Reed – virtual  
Curt Shreckengaust, Dep. Dir.  
- virtual

### Board Members Absent

### Attorney

Sam Feather

### Call to Order

Chairman Hornung called the Board Meeting to order on Friday, August 6, 2021 at 9:00 a.m.

Chairman Hornung welcomed new Board member Mr. Jeremy Clingenpeel to the Board. He is the administrator at the hospital in Burlington and has worked in health care for about 18 years. He has been a CEO for 11 years.

Chairman Hornung called for a motion to approve the minutes.

***Director Ralston made a motion to approve the June 4, 2021 minutes. Chief Pearson seconded the motion. No discussion. No opposition noted. The motion carried.***

## Old Business

Chairman Hornung called upon Director House to provide an update on any COVID-19 related topics. Director House replied that there were none.

## Executive Committee

Chairman Hornung called upon Vice-Chairman Pore to provide the Executive Committee update.

There was discussion that Colorado has a new Ketamine bill due to the number of incidences they had with the drug. Director House provided information and said that Kansas Legislators were looking to put a bill in place here, but that Kansas does not want such a bill. He encouraged all service directors to instruct their crew members about treating patients with Ketamine.

The annual legislative meeting was held July 13<sup>th</sup> in Milford at the Acorn Resort. The goal was to create a list of legislative items and figure out which items are the Board's responsibility versus outside the Board's jurisdiction. A survey was sent out last week in which 10 of the 33 participants responded. The top five priorities are as follows: 1) Medicaid Supplemental; 2) PTSD in the line of duty; 3) Enhancement of recruitment incentives; 4) Classification of where ambulance transport falls under authorized activity; and 5) Increased reimbursement of Medicaid. Items three and four are within the Board's jurisdiction. There was a discussion about how every service with a permit is required to provide 24/7 coverage, including interfacility transports, and whether private and/or public transport services should be permitted separately. There are 6-7 interfacility permits in Kansas so this probably needs to be tackled sooner rather than later. Senator Faust-Goudeau asked where Medicaid expansion was on the list and Director House replied that it did not come up. Medicaid supplemental did come up and was the number one concern. Director House stated that the following programs were methods to submit for reimbursement: Federal Reimbursement Allowance (FRA), Inter Governmental Transfer (IGT) and Certified Public Expenditures (CPE).

Vice-Chairman Pore summarized that EIG was designed to help fund the education of EMT's, AEMT's, and Paramedics in the state of Kansas and that 90% of the agencies in the state were eligible for the grant. There were requirements for both the student and agency to agree upon and sign. He then brought up a scenario in which a new service director and a student didn't get along and it created a situation where one or the other did not want to work together. The Committee recommended placing the burden on the party not fulfilling their requirements to repay the grant. The 2<sup>nd</sup> scenario involved a For Profit service that is one of the biggest users of EIG money. When asked to verify a student's service obligation was fulfilled, it was discovered that the student had been transferred to another service. When asked why they didn't fill out a transfer form, the agency said they should have, and with all the experience they had in receiving the grants, they knew better. However, the individual was transferred to another eligible service.

***Vice-Chairman Pore made a motion to require the service to repay the full amount of the EIG award and if they refused to repay the grant then they would not be eligible for future grants. Mr. Clingenpeel seconded the motion. No discussion. No opposition noted. The motion carried.***

During the committee's public comment Jon Antrim asked that the board review K.S.A. 61-6135 and how it applies to non-emergency transport. Director House requested he send an email. Director House will forward to board members any information he gathers.

That concluded the Executive Committee report.

### Investigations Committee

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

- There were approximately ten cases brought before the Committee with three felony applications that were allowed to move forward.
- A case involved a course that started before COVID. They found that a violation had occurred regarding paperwork issues. However, the committee felt the institution had done everything possible to complete the course. No action taken.
- One case involved falsification of patient records. There was nothing found.
- Another case involved felony child pornography charges that were dropped, and therefore, we dropped it.
- There was a medication error, but the agency took good local action and the committee accepted that.
- They revisited a case involving an agency that was struggling to keep staffing and in April had a hearing to revoke their permit. In the meantime they were working with a private company to provide service. The private company started August 1, 2021 and the other agency turned in their permit. The committee has had multiple issues with this agency and requested that if they want to provide services again, they must come before the committee.
- There was a transport made that was short a provider. The committee found a violation and fined the agency \$25.
- An individual applied for reciprocity that had a felony narcotic charge. They are paying back restitution and we are working on a consent agreement with them.
- Another case involved an individual who was on a call toward the end of a 48 hour shift when law enforcement smelled alcohol and tested the provider. The test confirmed the use of alcohol. There had been previous issues involving this individual, including having a gun at work and accidentally shooting a co-worker. The individual was fined \$500 and did not recertify.
- Director Ralston reminded any individual with nursing and EMT licenses that they make sure their nursing CEU's count for their EMT license by filling out a Retro-Active application.
- Vice-Chairman Pore reported that they previously had 34 audit investigations but now a template had been created for staff to use and it was helping.

That completed the Investigations Committee report.

## Liaison Reports

Chairman Hornung called upon the individuals to provide liaison reports.

911 Coordinating Council – No report.

State Interoperability Advisory Committee – Chief Pearson reported that he was unable to attend the last meeting. They are still moving forward with First Net and AT&T across the state and are ahead of schedule.

Kansas Fire Training Rescue Institute – No report.

Advisory Committee on Trauma – Trauma Committee is giving hospitals time to recover from the pandemic. Brittany Nichols reported that they are preparing to submit a progress report on the survey they conducted. They are also preparing to launch a pediatric facility recognition for hospital emergency departments.

Director House advised that he is following a trend of falls from ground level which is at 15% of all call volume which is a significant increase. We will be participating in an update to the State Trauma Plan that is 21 years old. Biospatial will be discussed later. Vice-Chairman Pore asked about a breakdown regarding how many falls involved transport or refusals and if we have reached out to the State Fire Marshal's office to find out how many reports they have for falls that are just lift assist.

## Office Update

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

- Operations and Compliance reported that Lindsborg EMS has relinquished their permit. They have conducted 109 service inspections, with 91% of ambulances inspected, 84 program provider audits and 25 course audits. Mr. Reed said we are still seeking ambulance services to provide demonstration units at the State Fair.
- From January to August the Education section has issued 453 initial certifications, and 363 legal recognition certificates. They have provided 34 BLS examination sites and have tested 821 individuals with a 53% pass rate. One hundred and one classes have been submitted for approval, 66 already started, ten have been canceled. CE audits have been initiated on 415 individuals, with 306 complete and 84 that failed the audit on face value but are still under review. One of the biggest issues is nursing CEU's that have not been approved. The third tier of audits will go out later this month. If hours are in the system, it makes the process easier and reduces your chances of being in the audit pool.
- Office IT is working on some challenges with the licensing system and ambulance licenses that are intermittently printing.

- Over the next couple months work will be done on application re-design to make the application more dynamic, with more yes/no questions so we only get the answers that we really need, e.g., if you weren't in the military you won't have to answer those questions.
- At the legislative meeting we received positive comments on the venue but had some hiccups with virtual options. There were 25 individuals in person and 10 virtual. On day one they discussed KEMSIS user group recommendations and all but two of them are complete. Effective October 1<sup>st</sup> all services will be required to use state destination codes issued by KDHE. Vendors will get the 4th notice next week with the deadline. In the afternoon we had the Biospatial roll out and Joe Ferrell performed a walk through. There are 11 services that still need to finalize their accounts, with 19 services who already did. They have had just under 200 log-ins in 2 ½ weeks. This will put the data back into the hands that input it.
- KEMSA held three medical director's workshops. One has been live and two have been virtual. Director House presented on authorized activity.
- The KEMSA Conference is next week.
- The Medical Director conference has been canceled.
- We have received an increased number of concerns for delays in dispatching ambulances for 911 calls. Some areas in south central and southwest Kansas have a practice to wait for someone not medically trained to decide if an ambulance is needed before starting that resource. We have reached out to the Sheriff's Association and 911 Coordinating Council to ask for their assistance to curb this practice. Director House will be working on the EMS component of their communications specialist training.
- There are 28 regulations in process for revision. The roster change regulation is at the Attorney General's office. Three of four certification regulations are at the Attorney General's office. The fourth had a technical grammar error and is starting back through. The E filing regulation is at the Attorney General's office. On the inactive status regulations one is ready for hearing and the other needs a definition change. There are 18 Sponsoring Organization regulations: 11 are at the Attorney General's office, 4 are ready for hearing and 3 will hit the Department of Administration later today. The medication list changes will have a public hearing in September and be voted on by the Board in October.

That concluded the Office Update.

***With no public comment and no further business before the Board, Chairman Hornung adjourned the meeting at 10:02 a.m.***