

**Approved – 10/03/14**

**Board Meeting Minutes  
August 1, 2014**

**Board Members Present**

Senator Oletha Faust-  
Goudeau  
Wendy Gronau  
Sen. Mitch Holmes  
Dr. Joel Hornung  
Director Deb Kaufman  
Comm. Keith Olsen  
Chief Shane Pearson  
Director John Ralston  
Rep. Vern Swanson

**Attorney General Staff**

Sarah Fertig

**Board Members Absent**

Dennis Franks  
Rep. Broderick Henderson  
Dr. David Kingfisher  
Dr. Denise Miller  
Comm. Mike Lewis  
Director Chad Pore

**Guests**

Eric Voss  
Brandon Beck  
Dalene Deck  
Dave Johnston  
Brad Sisk  
Kathy Dooley  
Mark Willis  
Kerry McCue  
Dan Hudson  
Jason Bolt  
Terry David  
Jason Bolt  
Collin Fitzgerald  
Scott Lam  
Frank Burrow  
Cliff Moore  
Skylar Swords  
Gary Winter  
Frank Williams  
John Hultgren  
Con Olson  
Donna Connell

**Representing**

Concordia Fire  
Region V/Emporia Fire  
SCEMS/Region III  
KEMSA/SCEMS  
GCCC/SKEMS/Reg. II  
Reg. II  
Newton Fire/EMS  
Region I/Ellis Co EMS  
KU Hospital  
Region VI/KEMTA  
Rice Co EMS  
KEMTA  
Leawood Fire  
Olathe Fire  
Miami Co. EMS  
Hutchinson CC  
Finney Co. EMS  
Region I EMS  
LifeTeam  
Dickenson Co. EMS  
Jackson Co. EMS  
Osage Co. EMS

**Staff**

Joseph House  
Suzette Smith  
Dave Cromwell  
Chrystine Hannon  
Carrie Doud  
Joe Moreland  
Martin Miller  
Jim Reed  
Danielle Buchheister  
Georganne Lovelace  
Ann Stevenson

## Call to Order

Chairman Hornung called the Board Meeting to order on Friday, August 1, 2014 at 9:04 a.m. He announced a change to the agenda to extend the 5 minute public comment for MERGe to discuss their upcoming exercise.

## APPROVAL OF MINUTES

***Representative Swanson made a motion to approve June 6, 2014 Board meeting minutes; Director Kaufman seconded the motion. No discussion. No opposition noted. The motion carried.***

## COMMITTEE REPORTS AND POSSIBLE ACTIONS

Chairman Hornung called for a roll call vote to adopt the revised version of K.A.R. 109-3-5 AEMT Authorized Activities:

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

<i>Senator Faust-Goudeau, (Absent)</i>	<i>Comm. Lewis (Absent)</i>
<i>Mr. Franks (Absent)</i>	<i>Comm. Olsen Aye</i>
<i>Ms. Gronau (with reservations) Aye</i>	<i>Dr. Miller (Absent)</i>
<i>Rep. Henderson (Absent)</i>	<i>Chief Pearson (with reservations) Aye</i>
<i>Senator Holmes Pass</i>	<i>Director Pore (Absent)</i>
<i>Chairman Dr. Horning Aye</i>	<i>Director Ralston Aye</i>
<i>Director Kaufman Aye</i>	<i>Rep. Swanson Aye</i>
<i>Dr. Kingfisher (Absent)</i>	

***The regulation is not adopted 7-8 (7 Yes; 1 Pass; 0 No; 7 Absent).***

## Planning and Operations Committee

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

- Joe Moreland gave an update about the KEMSIS conference and the infographic put together by ImageTrend that is displayed in the meeting room. Joe went over the details and statistics on the infographic such as response times. He stated that 65% of calls in Kansas come from 3 large services and trauma calls are only 1% or 2% of all calls. Joe will email the infographic to anyone requesting it.
- There is progress on the new Elite program; it will be released for Kansas in April 2015. At the request of the public, Joe will send an email to Joe Graw regarding rural area vs. metropolitan area statistics.

- New Board Member, Wendy Gronau was welcomed to the committee.
- K.A.R. 109-2-7, K.A.R. 109-2-11, and K.A.R. 109-2-13 have all been through the entire process and are now law.
- K.A.R. 109-2-8 dealing with required equipment on ambulances continues to be worked on.
- The committee discussed determining its purpose and will provide feedback to the Board for the bylaws. It was suggested that the committee might oversee a group to attend the state fair every year to promote EMS from the state office level to the public.
- The committee heard a manager's report from Dave Cromwell regarding service inspections. Things are continuing to improve statewide. Dave and James Reed are working on outstanding inspection recognition.
- The committee heard an update from all the regions and professional organizations.
- Jason White, with MARCER, gave an update and information regarding Medicare/Medicaid payment rates and efforts to increase reimbursement to ambulance services.

### Education, Examination, Training and Certification Committee

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

- Curt Shreckengaust provided a report on the transition process. There are 690 attendants to transition before December 2015. He reported that to date 175 attendants have transitioned down.
- Staff processed two requests for variances related to reinstatement; both were completed and the individuals were certified.
- Two of the three scheduled Educator Workshops haven taken place with positive feedback. After the 3<sup>rd</sup> one, the scenarios will be edited for grammatical changes and used at future exam sites beginning September 1<sup>st</sup>.
- EDTF's subcommittee for Kansas Continued Competency met July 21<sup>st</sup> and completed a proposal to be sent out to the entire EDTF for comment. If approved it will be presented to EETC Committee in October.
- EDTF is developing additional scenarios for BLS exam sites.
- EDTF has a subcommittee developing forms for the IC process.
- Jason Bolt was selected as the new Chair of the EDTF.
- K.A.R. 109-10-2 is currently in the state process for revocation.
- The committee found that Zofran is the only medication not covered in the AEMT Educational Standards. Staff was directed to make the update a priority and Curt is contacting instructors to ensure it is included in their course materials.
- The committee discussed its purpose and will provide feedback to the Board for the bylaws. A more comprehensive breakdown of committee responsibilities had been developed from the previous strategic plan that will be revised and used as a resource for new committee members.

- The committee heard the Education Manager's report and welcomed Carrie Doud who filled the Education Specialist vacancy. EETC reviewed the course submissions from 2014 to date and the office has had a large workload in getting those approved. Staff sent a letter out reminding attendants of their transition deadline.
- The committee heard a late variance request. The candidate wanted to utilize involvement in an AEMT class, as a subject matter expert instructor, as his mentored teaching experience for his IC. If granted he would not have to complete an important part of the mentored experience; he wouldn't have to submit initial course work for approval. With available EMT course opportunities and a significant amount of time to complete the requirements, the committee felt it was not a significant hardship for him to meet the regulatory requirements. The consensus was to bring forward to the Board a recommendation to deny this variance.

***Director Kaufman made a motion to deny the variance request; Representative Swanson seconded the motion. No discussion. No opposition noted. The motion carried.***

Director Kaufman continued to report:

- There was input on the need for awareness of possible local protocol review regarding helmet and pad removal following a football player injury. Dr. Jacobsen from Johnson County and Dr. Fitzhugh at Fort Hays State University as well as the National and State Sports Trainers Associations have resources available for more information. Services are encouraged to have conversations locally prior to the beginning of football season.
- Curt was directed to monitor discussions at the National Registry level regarding any questions including Naloxone and education at the EMT/EMR level simply for information only at this time.

### **Executive Committee**

Chairman Hornung reported to the Board:

- The committee heard a report from Joe House on the Legislative meeting. Meeting notes were provided to the committee and to the Board as well. The list of items is long and needs to be prioritized. Staff will be working on that along with the committee.
- The committee had a written report from the MAC and also from Joe. They're requesting website space for contact information for medical directors and service directors. They're also looking at legislative changes to figure a way to word legislation with a broader approach to certain medication changes or changes in protocols. They discussed Naloxone and do not feel it is a statewide issue at this time. They're working on some future physician statements that they'll bring forward in the next few months. The minutes were provided in the Board packet.
- The committee discussed the state EMS Medical Director project; that's still under consideration, but no new information.
- The AG's office is looking into an opinion regarding EMS attendants and their limitations outside the EMS environment; no new information at this time.

- The committee was presented with a draft version of Board bylaws. Sarah cautioned against adopting narrow language that binds the Board to procedure; some things need to be reworded.
- Concern was also expressed to define some of the voting rights within some of the committees. There is still work to be done on the bylaws but there is a good start.

Chairman Hornung then deferred to Joe House to give a brief update of the REPLICA project, Interstate Compact.

Interim Director House reported to the Board:

- Meeting of the states in June to discuss the final draft of legislation.
- Allows attendants to go across state boundaries if adopted into legislation, on a day to day basis following their own protocols for the service that they're affiliated with.
- Does not go against any type of mutual aid agreement nor would it require you to enter into a mutual aid agreement.
- Obstacles are the background checks.
- Webinar for the public September 16<sup>th</sup> at 1pm central time.

Chairman Hornung continued to report that the committee discussed the new user friendly database for the agency that will replace the 23 year old one being used now. It should be completed over the next several months.

### [Investigations Committee](#)

Chairman Hornung called upon Director Ralston to give the Investigations Committee report. Director Ralston reported to the Board:

- The committee discussed revamping the investigation policy. There were suggestions from both legal counsel and others that will be compiled. Chad Pore, Board staff and legal counsel will be working on that document.
- Case #14-005 and #14-009: both were applications for certification with a felony; applicants both withdrew; both cases closed.
- Case #14-003: application for certification with a felony but still has a large balance of restitution owed; application is denied until the restitution is fulfilled.
- Case #14-018: refusal to respond to a 911 call due to the size of the patient and no bariatric capabilities; the first service referred it to another service that had bariatric capabilities and the patient was cared for. Committee found no evidence of any violation of regulation or statute; case closed.
- Case #14-019: complaint from a family member that the crew refused to take their parent to the hospital by ambulance because the patient was refusing; committee accepted local action; case closed.

- Case #14-016: application for legal recognition from an attendant in California with a felony; it was found the felony was old and he was in good standing with the state; committee approved the application.
- Case #13-026: moved down for further discussion, complaint from a student that was attending a paramedic program. The respondent provided several emails regarding various conversations with the IC. Committee decided no violation in statute or regulation existed, but chose to issue a cautionary letter to the IC due to circumstances being similar to a complaint in 2006.
- Case #14-021: was a revisit of a previous case where the committee had denied his request for recertification due to alteration of his card. The individual requested the committee to provide what could be determined as sufficient to possibly reinstate his certificate. After an executive session the committee made a recommendation to enter into a consent agreement and allow him to regain his certification.
- Case #14-023: was a complaint from hospital risk management regarding a combative psychiatric patient and unprofessional conduct by EMS attendants. The committee accepted local action; case closed.
- Case #14-002: an attendant who was a TO was discovered to be a supervised offender. The recommendation was to revoke certification through a summary judgment since he is now incarcerated with another felony.

### Office Update

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

- Personnel changes
  - Investigator Mark Grayson begins work officially August 4, 2014.
  - Welcome to Carrie Doud as the new Education Specialist; she's doing a great job.
- Meetings attended by staff:
  - Interstate Compact
  - National EMS Memorial Service
  - Community Paramedicine Mobile Healthcare Initiative presented by KEMSA
  - ImageTrend Annual Conference
  - Meeting with Kansas Hospital Association regarding Medicaid expansion, provider tax and Federal Reimbursement Act
  - Examiner trainings
- An upcoming opportunity for growth as the Board office is being contacted daily to collaborate with other agencies; a lot is coming out of KDHE with the office of State Rural Health and their Flex Program also want to meet with KBEMS to see what projects the Board can assist them with in their development. They have Federal funds to support what they do and maybe some of that can be turned back around to our local services to help.

- Carman Allen was named as the new director of the KDHE Trauma Program. She's asked to have an initial meeting between KEMSIS and the Trauma Registry. KBEMS will be working with her on that.
- Interstate Compact webinar, Tuesday September 16<sup>th</sup> from 1-2pm. There will be a link on the KBEMS website to register.
- Online renewal is still on schedule to open in late September. Still unable to develop a method of allowing non-ambulance services to batch pay for their attendants.
- EIG collection letters have gone out as well as letters to service directors to verify if individuals have met their obligations. The Board office wants to recognize and express appreciation to the service directors for their prompt response to these letters.
- Memo going out to Instructor Coordinators regarding the examination policy at exam sites. The memo asks them to emphasize to students if they ignore the policy, the exam vendor has the right to ask them to leave. Complaints have been dress code, noise level, electronic device usage, anger and aggression and the grievance procedure.

### Public Comment

Chairman Hornung called on Terry David for public comment.

Terry David gave a Mobile Emergency Response Group (MERGe) overview:

- MERGe manages the responding emergency vehicles in a disaster situation
- Tuesday August 5<sup>th</sup> MERGe is doing a large exercise at Crisis City in conjunction with the military
- MERGe actually came out of a Region III meeting after the Andover tornado; they studied every major event in the state of Kansas that impacted local EMS Services, majority were weather incidents
- September 25<sup>th</sup> and 26<sup>th</sup> in conjunction with interviewing potential members out in Region II MERGe is taking the entire team to Garden City for mandatory two day training
- MERGe contact 24/7 is 1-800-HELPS3 they can get response teams deployed quickly
- MERGe invited attendees to go across the street to the Capitol grounds to see some of the MERGe vehicles on display; they have computers, patient scanners, cell phone boosters and all kinds of equipment

Chairman Hornung thanked Terry and called on Dave Johnston for public comment.

Dave Johnston addressed the Board regarding three items:

- Community Paramedicine and mobile integrated health is really an expansion of EMS services looking to fill gaps in communities where health care is not properly being served.
- Announced the Last Blast of Summer conference dates and content
- Request to the Chair to move forward with the AEMT medication list since another Board Member joined the meeting
- The price for auto injection Epi is \$199; the cost for a vial of IM Epi that they can give with this new medication list is \$3.92. That's a 5000% cost difference

Chairman Hornung thanked Dave and announced that the Board would now enter Executive Session after a 10 minute break and asked Director Kaufman to make the motion.

***Director Kaufman motioned that the Board convene into Executive Session at 10:30am for 20 minutes to discuss nonelected personnel;***

Chairman Hornung announced that all Board Members, Sarah Fertig and Suzette Smith are to be present in the Executive Session. ***Representative Swanson seconded. No discussion. No opposition noted. The motion carried.***

***Board recessed for 10 minutes. Board reconvened in Executive Session at 10:30am. Board reconvened in open session at 10:50am.***

Chairman Hornung announced the Board was back in open session. At request, Chief Pearson was granted permission to make a motion.

***Chief Pearson made a motion that the Board appoint Joe House to serve as Executive Director for the Board effective immediately; Director Ralston seconded. No discussion. No opposition noted. The motion carried.***

Congratulations Director House!

Chairman Hornung announced that Senator Faust-Goudeau requested to enter a vote on K.A.R. 109-3-5 and called for a roll call vote to adopt the revised version of K.A.R. 109-3-5.

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

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

***The motion passes 9-6 (9 Yes; 0 No; 6 Absent). K.A.R. 109-3-5 is adopted by the Board.***

Representative Swanson addressed the Chairman asking to go on record as saying “I had some misinformation. We in Clay County enjoy the privilege of having our EMS ambulances at our football games and it’s not nearly as dire a situation as I made it out to be yesterday.”

***Director Ralston made a motion to adjourn; Mr. Franks seconded the motion. No discussion; no opposition noted. The motion carried and the meeting adjourned at 10:54 a.m.***

The next meeting is scheduled for October 3, 2014.