

Board Meeting Minutes

December 4, 2020

Approved
2/5/2021

Board Members Present

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

Guests

Mike Johnson
Jason White
Ron Marshall

Representing

NW KS Amb Serv
MARCER
Ks Hospital Assn

Staff Present

Joseph House, Exec. Director
Curt Shreckengaust, Dep. Dir.
Terry Lower
Suzette Smith
Jim Reed
Mary-Elaine Skinner

Board Members Absent

Attorney

Whitney Casement - phone

Call to Order

Vice-Chairman Pore called the Board Meeting to order on Friday, December 4, 2020 at 9:00 a.m.

Rep. Eplee made a motion to approve the October 2, 2020 minutes. Mr. Shelby seconded the motion. No discussion. No opposition noted. The motion carried.

Old Business

Director House reported that no decisions were made requiring affirmation on COVID-19 related topics/updates.

Director House discussed the possibility of EMS Providers collecting COVID-19 test specimens and administering vaccines. The MAC recommended to allow EMTs and AEMTs to collect COVID-19 test specimens and administer vaccines. Chairman Hornung said the starting level for collecting and administering should be at the EMT level. Chief Pearson said it would be handled like a flu shot clinic and that the Planning and Operations Committee was comfortable with this recommendation with the right oversight.

Chairman Hornung made a motion to allow EMS providers at the EMT and above level to administer the COVID-19 and flu vaccines in accordance with the Guidance Document. Vice-Chairman Pore seconded the motion. No discussion. No opposition noted. The motion carried.

Attorney Whitney Casement asked to discuss the legal authority the Board has for what this motion allows. She suggested the Board go into Executive Session for legal advice.

Mr. Shelby moved that the Board go into Executive Session for 15 minutes to discuss legal authority for allowing EMTs and AEMTs to administer vaccines. Vice-Chairman Pore seconded the motion. No discussion. No opposition noted. The motion carried.

The Board returned from Executive Session. Chairman Hornung stated that legal counsel had provided an advisory statement to adopt. There was a brief discussion and Attorney Whitney Casement advised that on page two of the document it says that the Guidance Document can be revoked at any time. Director House informed the Board that there are training videos from KDHE on how to test on all five different types of specimen collection.

Vice-Chairman Pore made a motion that the Board allow EMTs and above to participate in COVID-19 specimen collection in accordance with the Guidance Document. Director Ralston seconded the motion. No discussion. No opposition noted. The motion carried.

Mr. Shelby shared with the Board that he thought the CARES ACT funds could be used to pay for those who help with the vaccination and specimen collection process.

Planning and Operations Committee

Chairman Hornung called upon Chief Pearson to provide the Planning and Operations Committee report. Chief Pearson provided the following report:

- Director House gave a KEMSIS update and reported that there are only three services left in the state to begin submitting data to KEMSIS. Two are working on legal issues and could take six months or so and one just needs to get setup.
- Mr. Jim Reed reported that all service inspections have been completed. They are currently completing education audits remotely. They had started to do unannounced inspections and found that worn tires was a recurring issue. He gave the reminder that tread should be no less than 2/32nd. He recommended services check their tires. Unannounced inspections have been suspended due to the COVID-19 spike.
- Mr. Mike Johnson of Northwest Kansas Ambulance Service applied for a variance to be able to send one EMS provider and a trained driver on transfers. Due to COVID-19, the service is making more frequent and longer transfers assisting several other counties. If two providers

are out on an ALS patient transfer, then it is hard to cover their 911 or first out calls. The Board discussion centered around whether this was a hardship to the service. Chief Pearson said that when you accept transfers outside your area, you are creating the hardship for yourself and for your county. Overall, the KEMSIS data does not support a hardship. The Board has not heard from other counties having atypical trouble keeping up with transfer requests or staffing these requests. Vice-Chairman Pore said the Board put out a Guidance Document regarding staffing shortages. He said when we feel like there are not enough resources, then maybe that is the trigger to request a FEMA deployment to send resources to a specific region.

Chief Pearson moved that the variance be denied. Commissioner Saueressig seconded the motion. No discussion. No opposition noted. Motion carried.

- Jason White, MARCER, gave an update on Medicaid ambulance reimbursement. He believes federal roadblocks are gone and it is a good time to move forward.
- Brittany Nichols, KDHE, provided an update on their recent activity.
- Dave Johnston, KEMSA, provided an update on their survey on COVID-19 impacts. He said 62% of those responding had staff at one time unable to work due to COVID-19. He also reported that there was a decision to allow all employees with a KPERS or KP&F cap of 1,000 hours to exceed that limit.

That concluded the Planning and Operations Committee report.

Medical Advisory Council (MAC)

The MAC discussed administration of vaccines by EMS providers as provided earlier.

Education, Examination, Training and Certification Committee

This committee did not meet.

Investigations Committee

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

- They tabled a case involving a service on a call for a cardiac arrest at a nursing home. They got a Lucas device on but that was about all they did. They had issued a fine and probation, but the service admitted they don't really do training on care except turning a monitor on and off. The Committee is waiting for more information to proceed.
- There was a staffing issues case with an agency that was previously fined \$1200, but they entered into a consent agreement and were working through a resolution. They may seek a summary proceeding order to reinstate the fine. The Board may have to look to shut them down.
- Another agency performed two transports with only one technician on board. One individual was fined \$50 and the agency received a \$500 fine.

- A request was received to re-look at a case. The EMS Provider agreed with a lot of the Committee's findings but didn't agree with some of the facts. They had already requested a hearing.
- An AEMT transported an individual with a normal saline drip in a central line, not an IV, which is outside their scope. The committee found there was a violation and accepted local action.
- An EMS individual was accused of verbal abuse of a patient. The individual was fired from the service and the Committee is looking at a possible suspension.
- Vice-Chairman Pore said that in the past Emergency Orders of Suspension were done quickly until current legal staff said we aren't able to practice this way. A Committee would have to be convened, which slows the process. Director House provided two recent incidents. One case had someone accused of two counts of indecent liberties with a child where the individual was being imprisoned and the second was a domestic abuse case with five felony charges and five misdemeanors. In the past the Board could handle the Emergency Order quickly. There is an option that the Committee was in favor of and that is to delegate Director House to determine if an Emergency Order is warranted. He could then make that happen without convening the entire Committee right away.

Vice-Chairman Pore moved to delegate authority to Director House for decision making on Emergency Orders of Suspension for the protection of the public. Director Ralston seconded the motion. No discussion. No opposition. Motion carried.

- That concluded the Investigations Committee report.

Office Update

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

- Director House reported there are three rapidly evolving issues facing EMS right now, two of which deal with specimen collection. In testing, the first responder community was initiative number one. The second is filling access to testing gaps within the community. The third is he was asked to be the EMS lead for Mission Control of Cheyenne Mountain Software Solutions. He will act as a collection point for EMS and create a tracking method for both successes and when improvements are needed.
- He also reported that he will be continuing to have weekly meetings with Service Directors.
- The State of Kansas entered into a contract with Cheyenne Mountain Software to provide Mission Control for access to all hospitals in the state for bed finder capabilities and transports.
- There is a joint initiative with KDHE and KHA ensuring the communicable disease legislation in reference to the four hour notification rule is followed. EMS agencies need an infection control person designated so that communication can occur.

- The EMS Compact has some things coming up. He will provide more detail in a written report.
- Renewals are going well. We have 1,633 individuals who have renewed already. There is the potential for 3,200 more providers to renew.
- Staff is currently working on an integration between Elite and Licensure with our IT person matching up the two. ImageTrend Version 2 needs retired. An option is a complete data dump into our analytical software and copies of PCRs will move to PDF and be pushed out to services.
- He will be exporting licensing data out to the EMS Compact. The information being sent will only be information that is otherwise publicly available.
- There are eleven exam sites in December with 400 stations that are currently half full.
- Mobile testing has been requested in Goodland and at Washburn Tech. Topeka Pearson Vue is having some issues with testing EMS.
- Amanda Walton has left for employment at the Kansas Department of Labor. Ross Boeckman will be taking over her duties and his new title will be Education Specialist and Exam Coordinator. He will be helping with Education and Sponsoring Organization audits.
- Two staff members have been working from home.
- Chief Pearson inquired as to how we could be certain that infectious diseases are being reported. Director House asked for any concerns to be reported to him to address.

That concluded the Office Update report.

Chairman Hornung addressed the potential for Delegation of Concurrent Authority to Director House for this legislative session.

Director Ralston moved the Reaffirmation of Delegation of Concurrent Authority for the 2021 Legislative Session to Director House. Director Smith seconded the motion. No discussion. No objections. Motion carried.

Public Comments

- Mr. Jason White, of MARCER, reported that his organization had been working with KEMSA regarding Medicaid supplemental programs for services.

Chairman Hornung adjourned the meeting at 11:05 a.m.