

**Approved 2/06/2015**

**Board Meeting Minutes  
December 5, 2014**

**Board Members Present**

Senator Oletha Faust-  
Goudeau  
Wendy Gronau  
Rep. Broderick Henderson  
Sen. Mitch Holmes  
Dr. Joel Hornung  
Comm. Keith Olsen  
Chief Shane Pearson  
Director Chad Pore  
Director John Ralston  
Dr. Martin Sellberg  
Rep. Vern Swanson

**Attorney General Staff**

Sarah Fertig

**Board Members Absent**

Dennis Franks  
Director Deb Kaufman  
Dr. David Kingfisher  
Comm. Mike Lewis

**Guests**

Marvin Van Blaricon  
Frank Williams  
Eric Voss  
Brandon Beck  
Brad Sisk  
Kathy Dooley  
Mark Willis  
Kerry McCue  
Dan Hudson  
Kristena Jackson  
Terry David  
Collin Fitzgerald  
Rosa Spainhour  
Skylar Swords  
Scott Reese  
Jason White  
Angela Fera  
Marguerite Underhill  
Dave Johnston  
Tracy Cleary  
Kevin Joles

**Representing**

Clay County EMS  
Life Team  
Concordia Fire Dept.  
Emp. Fire/EMS/Reg V  
GCCC/SKEMS/Reg. II  
Reg. II  
Newton Fire/EMS  
Region I/Ellis Co EMS  
KU Hospital  
NWK EMS  
Rice Co EMS  
Leawood Fire  
Kiowa County EMS  
Finney Co. EMS  
Region I EMS  
MARC/KEMSA  
Johnson Co. MEDACT  
R-E  
SG Co. EMS/KEMSA  
EMSC  
Olathe Fire

**Staff**

Dave Cromwell  
Carrie Doud  
Mark Grayson  
Chrystine Hannon  
Joe House  
Martin Miller  
Georganne Lovelace  
Jim Reed  
Curt Shreckengast  
Suzette Smith  
Ann Stevenson

## Call to Order

Chairman Hornung called the Board Meeting to order on Friday, December 5, 2014 at 9:04 a.m. The first order of business was to approve the October 3, 2014 minutes.

## APPROVAL OF MINUTES

***Vern Swanson moved to approve the October 3, 2014 minutes; John Ralston seconded; No discussion. No opposition noted. The motion carried.***

Chairman Hornung welcomed Dr. Sellberg and introduced him as the newest board member. Dr. Sellberg gave the board a brief history of his credentials and experience with EMS.

## COMMITTEE REPORTS AND POSSIBLE ACTIONS

### Planning and Operations Committee

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

- Committee had discussion on K.A.R.109-2-8, which deals with supplies and equipment carried on the ambulance. No one attended the public hearing held on October 16<sup>th</sup>.
- The comment made by Chief Pearson regarding the addition of cot straps has been stricken as it would have required a substantial change.
- The other comment dealt with foam wedges and the equipment to fully immobilize a patient. If it is not required by local protocols it does not have to be on the ambulance.

***John Ralston made a motion to take a roll call vote to adopt K.A.R. 109-2-8; Wendy Gronau seconded; No discussion. No opposition noted. The motion carried.***

Chairman Hornung called for a roll call vote to adopt K.A.R.109-2-8.

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

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

***The motion passes 10-0 (10 Yes; 0 No; 4 Absent). K.A.R. 109-2-8 is adopted by the Board.***

Chairman Hornung announced that Dr. Sellberg was not voting until all of the appointment paper work was completed. He called on Chief Pearson to continue with the P&O committee report.

Chief Pearson continued to report:

- Sticker for outstanding inspection was discussed. Mr. Cromwell will send the sticker choices out to the entire board to pick the one they like.
- Rep. Swanson suggests press releases for those receiving outstanding inspection.
- State Fair discussion regarding the board of EMS having a booth. Chief Pearson and Mr. Cromwell will form a committee working with EMSC, Trauma, etc. There will be some prevention education provided to the public. Things like CPR and blood pressure checks will be offered. It will be a collaborative effort. James Reed will also be helping to work out the details.

***Director Ralston made a motion to move forward with the planning phase and address the dollars at a later date; Rep. Swanson seconded; No discussion. No opposition noted. The motion carried.***

Chief Pearson continued to report:

- Joe gave a brief overview on ambulance safety including personnel and patient safety and suggested bringing a Safety Summit to Kansas that would go over best practices for crew member and patient transport. This will need to be endorsed by the board. There will be some expense as this training will be taken out to the services rather than the services having to come to it.
- Discussion on recognition from the board of employers who allow their staff to volunteer.
- The committee heard updates from the Regions and professional organizations. They have been putting on Educator workshops. Region II and KEMTA will be putting on a conference March 27-29 in Hutchison and hoping to get dynamic speakers. Region III announced that John Ralston and Skylar Swords were accepted to the MERGe team. Marcer discussed some policy issues and handed out the TPOPP brochure.

### **Education, Examination, Training and Certification Committee**

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

- Curt provided an update to the committee on transition. There are 540 attendants remaining to transition as of November 14, 2014, 271 will expire December 31, 2014 and 269 will expire December 31, 2015.
- Dir. Ralston commended Board staff on their efforts for going above and beyond to provide communication to the attendants regarding their requirements to transition.
- K.A.R. 109-15-1 public hearing was held December 02, 2014 in RM 560; no comments were made. Board action is required.

***Director Pore made a motion to adopt K.A.R. 109-15-1; Comm. Olsen seconded; No discussion. No opposition noted. The motion carried.***

Chairman Hornung called for a roll call vote to adopt K.A.R.109-15-1.

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

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

***The motion passes 10-0 (10 Yes; 0 No; 4 Absent). K.A.R. 109-15-1 is adopted by the Board.***

Director Ralston continued to report:

- The following regulations are in the state process: K.A.R. 109-10-1; K.A.R. 109-10-1e; K.A.R. 109-10-2; K.A.R. 109-10-7; K.A.R. 109-11-3a; K.A.R. 109-11-4a; K.A.R. 109-11-6a; K.A.R. 109-11-10 and K.A.R. 109-10-1c; this is for information only.
- The following regulations are open for revision: K.A.R. 109-1-1; K.A.R. 109-5-1; K.A.R. 109-5-2 and K.A.R. 109-5-3 addressing continuing education and need language cleaned up.
- There was one variance request that was withdrawn.
- The committee heard a report from the exam vendor regarding the busy month of December for exam sites. They are still requesting volunteers to be patients or assistants. There was a brief discussion on increasing stations to 11 and 12 for the larger test sites.
- It was suggested to form a review committee to review exam updates, scenarios vs. road skills; education standards vs. changes in medicine and the national testing process.
- The committee also asked for additional reporting of data, specifically cancelled sites, test sites in each region, pass/fail rates, etc.
- Vendor is up for renewal June 30, 2015.
- EDTF continued work on KS Continued Competency proposal. The committee encouraged regional representatives to communicate with their regions and bring forward comments and concerns so they can be addressed prior to implementation.

- Scenario development is ongoing; no new report
- Curt provided an update on Educator Proposal Implementation Plan. The subcommittee met in November with discussion of form development and moving towards a performance appraisal to replace the current mentoring packet.
- Much discussion ensued specifically on the timeline for being able to implement the new plan, current processes and outdated curriculum.
- Concern was voiced regarding adding to the current process without fixing the issues. There was a motion made, seconded and passed, with one member opposed, to discontinue approval of Initial Courses for I/C candidates for a period of one year with reevaluation in December 2015. The motion was then amended to forward to the full Board for further discussion on the issue.

***Director Pore motions to stop Initial Instructor Coordinator courses for a minimum of one year and then re-evaluate in December; Representative Swanson seconded.***

Director Pore shared some statistics with the board: there are 238 ICs in the state and 73 of those have not taught a course since 2010; of those that do teach 36 have taught only one course and 112 less than five. Also Kansas has one of the lowest pass rates with the National Registry for the written exam. ICs need to be held accountable.

Chair Hornung mentioned he's received emails from Community Colleges opposing this. Colleges need to be involved in the process.

***After much discussion Director Pore withdraws his motion.***

Director Ralston continued to report:

- A motion was made, seconded and passed to recommend approval of the revisions to the AEMT Education Standards PR 15 Emergency Medications to correlate with the new medication list approved.

***Director Pore moves to accept the new AEMT Education standards dated October 2014 and the subsequent change to K.A.R. 109-10-1c; Director Gronau seconded. After brief discussion, no opposition noted. The motion carried.***

- Curt reviewed the proposed questions to be added to attendant certification forms, specifically Application for Certification; Application for Renewal; Application for Non-Kansas Credentials; Application to Reinstate Expired Credentials and the Application for Deployed Military Personnel.
- The questions specifically address any criminal proceedings, felony or misdemeanor, investigations or disciplinary actions to the attendant's license, certifications or registrations or registration on any state offender registry as part of any criminal sentencing.
- In committee the motion was made, seconded and passed to recommend approval of these additional questions to the board.

***Director Pore moves to approve the additional questions on application forms: Application for Certification; Application for Renewal; Application for Non-Kanas Credentials; Application to Re-instate Expired Credentials; Application for Deployed Military Personnel; Commissioner Keith Olsen seconded. No opposition noted. The motion carried.***

- Curt updated the committee on the communication provided to the training officers renewing this year that they are not required to provide teaching documentation however it is required and may be requested in the future. A copy of the correspondence was included in the packet for review.
- A motion was made, seconded and passed to recommend to the Board that 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 be opened for Kansas Continued Competency

***Director Ralston moves to open 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 for re-evaluation; Director Pore seconded. No discussion. No opposition noted. The motion carried.***

Director Ralston called upon Curt Shreckengast to give an Educational Manager's report.

Curt reported the board an update on the NREMT new position on authority to examine. Once the student completes the application and fee process, they will only have 90 days to take the exam or they will have to start the process over again.

Curt provided the following renewal statistics: 4778 attendants are to renew by the 1<sup>st</sup> of this year; 1833 have completed the process; 375 educators are to renew by 12/31/14; 102 have completed the process.

There were 26 initial course approvals, 13 transition course approvals, 44 single program providers, 69 retroactive approval requests, and 7 initial approvals for long term provider.

### **Executive Committee**

Chairman Hornung gave the Exec Committee report in Dr. Kingfisher's absence. He reported to the Board:

#### Legislative Packet

- The committee had a scope discussion regarding minimal impact and the fact that those affected had sufficient time to transition. This is to be effective July 1, 2015 or Jan 1, 2016. The issue is when this should be effective. A motion was made in committee to move forward with July 1<sup>st</sup> date.
- There was a subpoena discussion regarding splitting bills or combining bills (fines and subpoenas; fining capacity is an absolute necessity as far as investigations.
- There was discussion about reassuring opposing entities and explaining reasons behind the need for subpoena language.
- Joe reached out to KS Hospital Association but has had no response yet.
- Sen Holmes made a motion in committee to keep it in one bill and then to strike the subpoena language if it doesn't seem to be going through; motion passed unanimously.

- AEMT is currently allowed the capability to do synchronized Cardioversion in legislation.

***Director Gronau makes motion to move the legislative packet forward with the removal of Cardioversion from the AEMT scope of practice and; Director Ralston seconded. No discussion. No opposition noted. The motion carried.***

- Dr. Kingfisher gave the committee a MAC meeting report. There was discussion on the development of a position statement from the MAC regarding RSI specifically the level of detail to be included.
- Curt provided a brief overview to the MAC members regarding the interstate compact. He stated the intent is to allow providers to cross state lines in their daily activities of providing care of patients as assigned by appropriate authority.
- AG Opinion – EMS Attendants capabilities/limitations outside EMS environment, Sarah indicated that the attorney working on this is still waiting for input.
- Board Bylaws – meant to be a guideline for new board members. After discussion a motion was made to move bylaws forward to the board with the proposed changes.

***Director Ralston makes motion to accept the Board Bylaws; Representative Swanson seconded. After brief discussion, no opposition noted. The motion carried.***

- Committee discussed Infectious Disease Preparedness
- KRAF grant opened on December 1 for submission and will close on January 4, 2015.
- The EIG committee met on December 4<sup>th</sup> to review and reaffirm the grant criteria and priorities. A summary of the requested changes will be available at the February 2015 meeting.

Chairman Hornung called on Angela Fera to give the board a presentation on the TPOPP initiative.

- Ms. Fera explained that TPOPP is Transportable Physician Orders for Patient Preferences (TPOPP) and she is here seeking resolution from the board to support TPOPP (MO/KS Program). She answered several questions from board members and offered clarifications.
- This would give EMS a physician medical order regarding DNR, treatment level, etc. mostly for advanced progressive chronic terminal illness.
  - A brochure was presented to the committee
  - Standard of care approach
  - MAC supports this
  - EMS is just one element of this

***Director Ralston motions to approve the resolution in support of Transportable Physician Orders for Patient Preferences (TPOPP); Director Gronau seconded. After discussion, no opposition noted. The motion carried.***



## Investigations Committee

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

- Committee had 12 cases on the consent agenda 10 were pushed through and 2 were pulled out. One of the cases was pulled because it involved the agency of a committee member. After they recused themselves that case was pushed through as a consent item.
- There was extensive discussion on a case involving a complaint that an individual had respiratory difficulties and walked to the ambulance. Video and audio from law enforcement cameras was provided. Overall the case was dismissed.
- Many of the cases went back to 2011, 2012 and 2013; old cases are getting cleaned up.
- Three cases that were deliberated on:
  - One from 2012 was a service responded to a cardiac arrest. The attendant, an EMT-I, was in the back of the ambulance waiting for paramedics to arrive. The EMT-I administered Epinephrine as the paramedics pulled up. No local action was taken. This happened 2 ½ years ago and attendant is now an AEMT. Committee motioned to do a 2-week suspension.
  - The next two cases involved people from the same agency. An EMT in a paramedic class attempted an IV on himself after a marathon, and then attempted to start one on another individual a week later. Mark Grayson's investigation found that the assistant Chief of the agency was present during the first event. The chief denied any involvement. The committee motioned for a 30 day suspension for the EMT and a 90 day suspension for the chief that was present.
- Marty gave an update to the committee on some old cases that are going through the hearing process. In the next few months they should be cleared up.
- One of the cases required emergency action on an individual who had a number of felony counts for sexual solicitation of a minor. The committee motioned for an emergency order to suspend this individual's certification pending the outcome of these charges.
- Mark Grayson is to be commended for his work and reporting methods.

## Office Update

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

- Joe H. attended the NASEMSO conference which was extremely informative. He will be participating on their joint committee regarding the NEMSIS version 3 roll out.
- He was appointed to a committee dealing with helicopter EMS and air medical. Kansas is being looked at closely because of the good job of regulating within our boundaries. The Air Deregulation Act is causing issues in other states. Kansas has done a great job of remaining legal without interfering with the ADA.



- He also attended a Kansas Trauma strategic planning meeting in late October. The majority of their points involve EMS. We anticipate a significant involvement with EMS in the plan.
- KRAF committee met to prioritize. The process is open, available online, and closes January 2nd at 4:30pm.
- Met with the office of rural health with KDHE at a one day conference with their Joint Committee on Rural EMS. Focus was on community Paramedicine and how it's working in rural settings in Wyoming and Nebraska. Their model could be propagated out to other states. Wisconsin was present and has developed a great survey to help with community needs assessment. They are willing to share it so Kansas has requested a copy.
- Several Ebola meetings were attended. MERGe is the EMS transportation entity for suspected cases; they are doing this in conjunction with Sedgwick County EMS biocontainment.
- KDHE is on top of things and continuing their weekly teleconference on Thursday mornings as a population health call. They are planning one more table top exercise with multiple patients.
- Director House welcomed Dr. Sellberg to the board.
- The board office was notified that there should be a County Commissioner appointed to replace Commissioner Lewis by the February meeting.
- He commended the board staff for their hard work and effort. Hopefully the two vacancies in the agency will be filled within the next month and a half.

### New Business

Chairman Hornung called on Joe to discuss the consideration of development of an inactive status. Director House deferred to Director Ralston who suggested the inactive status.

- Director Ralston commented to the board that most licensing entities have an inactive status. If someone devotes their whole life to EMS they should be able to display an EMS license tag, etc.
  - It is suggested that a retiree could still pay a fee and remain in inactive status.
  - Another suggestion from a board member is to allow attendants that are not affiliated with a service to be able to go into inactive status.
- Director House included a list of those that do an inactive status. NREMT has this status and it requires continuing education.
- Three that are in Kansas are: Board of Healing Arts, Board of Nursing and the Board of Pharmacy. All of them have this status within statute and it does waive the continuing education requirements during that time.

- 3500 attendants out of approximately 10,000 in Kansas are not affiliated with an ambulance service.

Chairman Hornung stated this will be taken as an information item for now. The Executive Committee can look at this at the February meeting to see if it should be added to the Legislative packet in the future.

### Public Comment

Chairman Hornung called on Jason White for public comment.

-Jason White discussed Interstate Compact and reported that many national and international associations have not taken a position on this yet. He doesn't think it's ready to go across the street until it has more industry support.

Chairman Hornung announced that Terry David was elected to the NAEMT board of directors and commended Terry for that and called on him for comment.

-Terry David thanked everyone who voted and everyone who was running alongside him and commended them.

-Mr. David also commended Director House and the board staff and mentioned that he thought there is now a much better environment and attitude in EMS.

Chairman Hornung called on Dave Johnston for public comment.

-Mr. Johnston updated the board the staffing regulations. There is a potential to be able to eliminate K.A.R. 109-2-7 and simplify it under K.A.R. 109-2-6 to just ground or air. It doesn't touch the air services at all. He commended the board staff for their participation in that.

-He stated that community Paramedicine was on their legislative agenda for this year. After meetings with Board of Healing Arts, Kansas Medical Society, Kansas Hospital Association, and Board of Nursing, KEMSA found this a moot point at this time. They were instructed they could move forward with community Paramedicine under physician delegated practice. KEMSA is somewhat uncomfortable since it doesn't provide guidance to an agency on how this should be done. KEMSA will continue to work with the board to see if it needs to occur under regulation or statute to address reimbursement for these services.

-Mr. Johnston will be hosting a KEMSA billing and administrator's workshop in Salina on March 6<sup>th</sup> and 7<sup>th</sup>.

Chairman Hornung called on Commissioner Olsen for comment.

-Commissioner Olsen attended a KAC meeting with other commissioners. He was asked to do a workshop about the importance of EMS. He thanked the following individuals that took time out of their schedules, came and provided valuable information:

Kerry McCue, Terry David, Wendy Gronau, and Chad Pore.

-Comments received were there are too many strict guidelines for the smaller counties to keep their service going so many will be merging with their local hospitals. Commissioner Olsen referred them to Director House for questions.

Chairman Hornung announced that this was the last meeting for Representative Swanson and thanked him for his wisdom, expertise and service on the board. He then presented Representative Swanson with a plaque.

### Adjournment

Meeting adjourned at 10:58am. The next meeting is scheduled for February 6, 2015.

DRAFT