

## Board Meeting Minutes

**December 1, 2017**

### Board Members Present

Dr. Gregory Faimon  
Dr. Joel Hornung  
Comm. Ricky James  
Director Deb Kaufman  
Chief Shane Pearson  
Director Chad Pore  
Director John Ralston  
Comm. Bob Saueressig  
Sen. Vicki Schmidt  
Dr. Martin Sellberg  
Director Jeri Smith  
Rep. Susie Swanson

### Guests

Brandon Beck  
John Cota  
Jason White  
Mark Holcomb  
Dave Johnson  
  
Rosa Spainhour  
Chris Matson  
Galen Anderson  
Terry David  
Craig Isom  
  
Jon Antrim  
Colin Fitzgerald  
Matt Epperson  
Matt Loving  
Tony Burr

### Representing

KEMSA/Region V  
KCKFD  
MARCER  
Med-Trans  
Region III/Sedgwick  
County EMS  
Kiowa County EMS  
Andover Fire Rescue  
AMR KCKS  
Reno Co EMR  
EagleMed/Med-Trans  
Corp  
AMR  
Leawood Fire Dept.  
Shawnee Fire Dept.  
Midwest AeroCare  
Edwardsville  
EMS/Fire

### Staff Present

Joseph House-Exec Dir  
Curt Shreckengast-Dep Dir  
James Kennedy  
Terry Lower  
Suzette Smith  
Emilee Turkin  
James Reed  
Alicia Bergquist

### Attorney General Staff

Sarah Fertig

### Board Members Absent

Sen. Faust-Goudeau  
Rep. Henderson  
Dennis Shelby

## Call to Order

Chairman Hornung called the Board Meeting to order on Friday, December 1, 2017 at 9:00 a.m. He introduced our new board member, Senator Vicki Schmidt, and had her tell a little about herself. Dr. Hornung called for a motion to approve the minutes.

***Director Ralston made a motion to approve the October 6, 2017 minutes. Director Kaufman seconded the motion. No discussion. No opposition noted. The motion carried.***

## Planning and Operations Committee

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

- KEMSIS update from Director House shows that 100% of Kansas hospitals are utilizing Hospital Hub. There are also hospitals in Nebraska, Colorado, and several in Missouri who participate.
- Over 85% of all services in Kansas are reporting in ImageTrend Elite. There are 211,000 records so far this year.
- Fourteen 911 response services are not reporting data yet. Director House will contact them to offer assistance and see what obstacles they have.
- Elite is capturing 78% of the total call volume in the state. An additional 20% would come when Sedgwick County begins reporting. Some services are having vendor issues. Some are confused on which state they should be reporting.
- Several trainings were conducted and there will be more next year. Deputy Director Shreckengast reported on the licensure side of ImageTrend. Good changes have come from the update on November 28<sup>th</sup>.
- There were 4,900 attendants whose certification expires on December 31<sup>st</sup> and there are currently 3,500 who have yet to renew. The last two weeks of December will be a rush.
- Director Kaufman asked if entering the required CE hours on your renewal was better than entering actual hours. He said previously if you need 28 hours, you wrote 28 hours. But now it is easier in ImageTrend to just put in the actual hours.
- Kansas Board of EMS staff are spearheading an effort to create a Workgroup of all states using ImageTrend to identify pieces of the system that need fixed. This should streamline the process.
- Mr. Reed reported that service inspections are 100% complete for the year and 85% of the all ambulances have been inspected. Chief Pearson said this was pretty incredible and was a big task.
- New business included a discussion point on EMS personnel doing blood draws for DUI purposes. Assistant Attorney General Fertig commented that over the summer the Kansas Supreme Court struck down the law. There are three times as blood draw can be done: consent, warrant and exigent circumstances. She advised that exigent circumstances is a hairy legal issue that should be left to law enforcement and district attorneys. She thinks there will be more warrants. Chief Pearson said they do not do blood draws unless there is a warrant and all legal issues are resolved. Region III asked if law enforcement can compel EMS to make a blood draw. Dr. Gallager offered his opinion that they could not compel EMS to make a blood draw due to medical ethics. Law enforcement officers cannot give medical direction.

- Facility transport choices were brought up for discussion. Smaller community access hospitals have instances they have to transport to the next county or bypass the nearest facility. This topic is on the agenda for discussion with KDHE at the beginning of the year.
- There was discussion regarding staffing on ambulances for interfacility transfers. The discussion centered on whether we need two attendants.
- Mr. Reed is working with ImageTrend to roll out the EMS Volunteer Recognition Program, which is essentially complete. This will start the process for services to be recognized.

That completed the committee report.

### Medical Advisory Council

Chairman Hornung called upon Director House to give the Medical Advisory Council report. Director House reported to the Board that the council met yesterday. There was discussion on the medication shortage. A NAEMSP paper was adopted for Kansas as well, and it affirms there should be medical oversight for shortages. In checking with the Board of Pharmacy director, he does not see an issue with using expired medications in a shortage. He will be checking with his field inspector first but thinks it is allowable.

A Regional Medical Director Workshop update was provided. Region V recently had theirs and six services were in attendance. There were a lot of questions answered. The Region II Workshop is January 11<sup>th</sup> in Dodge City.

### Investigation Committee

Chairman Hornung called upon Director Pore to provide the Investigation Committee report. Director Pore provided the following information.

The Committee had three items on consent agenda regarding renewal applications that they agreed with Board staff recommendations. Other cases discussed were:

- An individual who was arrested on felony person crimes had an emergency order previously placed on him by the Committee. His emergency order was lifted and the Committee moved to revoke his certification.
- A complaint against a paramedic, who is also the service director, was an issue with patient care. The investigation found no violations and was closed.
- A technician was found to be practicing out of their scope of practice. An EMT had started an IV and done a blood draw. It appears this was not the first time this happened. The individual received a 90 day suspension and \$150 fine. Another attendant on that call didn't know they couldn't do the blood draw. When they found out, they still falsified the documentation on it. That attendant will get a consent agreement with a \$50 fine and will participate with the Attorney General's office in helping with DUI training. The Service Director was there and put their name down as doing the blood draw. The Committee felt the service director needed mentoring. They issued a consent agreement to put the service director on probation for 12 months, fined \$500, and will attempt to get them into some Fire Academy classes. If that is denied, it will be brought back to the Committee. For the agency the Committee accepted local action.

- A patient care violation was reported regarding a stabbing victim. EMS care was initially refused. They were called back six hours later. The receiving hospital filed the complaint about the triage care from the EMS provider. The EMS agency reported it to the Board and the employee was fired. The Committee did not feel there were any violations by the crew. However, an investigation was opened against the agency because some information came out during the investigation that the supervisor on the first call had asked someone to change something on the run report after the information from the hospital came out.
- A paramedic student falsified records on dates for clinicals and was kicked out of the paramedic program. The Committee imposed a fine.
- Two cases involving nurses were reported. One was at a scene and the nurse was believed to be part of the EMS agency. The nurse administered the IV. The agency self-reported this. There was no violation from the agency. The nurse functioning without being under an agency has the potential to be a problem and was referred to the Board of Nursing. The second was a nurse who was part of the ambulance service as an EMT. She had standing orders as a nurse and gave a wrong dose of a medication. We have no jurisdiction over the nursing side for the violation, so that was turned over to the Board of Nursing. The Committee questioned whether they should take action against her EMT certification, but decided her actions were as a nurse and not under the Board's jurisdiction.
- A service inspection found there were 16 missing continuing education course records. The service says the instructor took them, but is no longer with them. The instructor says they left the records, but they can't be found. The service is ultimately responsible for that, so they were fined \$1,000.
- An emergency suspension was issued earlier this year for an individual who was accused of getting into a hospital computer and accessing hospital records on a fiancée's ex-spouse and family members. The Attorney General's office had filed charges on the individual. The Committee lifted the suspension so they could take other action. She did fail to work with the investigator. The Committee imposed a 180 day suspension, fined her \$500, and if/when she renews she will automatically be audited.

That concluded the report by Director Pore.

### Education, Examination, Training and Certification Committee

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

- The Committee reviewed two courses submitted by the Board for an Educator Workshop.

***Director Kaufman made a motion to approve the two courses. Director Ralston seconded the motion. No discussion noted. The motion carried.***

- Chief Rob Boyd reported on the October and November exam sites. They were both slower months but no issues were reported. January will have more exams.
- One public comment was received on the open regulations regarding the TO I. JCARR also had a comment. The Committee consulted with Assistant Attorney General Fertig, who will draft a response to JCARR.

***Director Kaufman made a motion to adopt all regulations as listed on the agenda. Director Ralston seconded the motion. No discussion noted.***

***Roll call vote for K.A.R. 109-1-1 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-1-1 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-2-9 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-2-9 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-1 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>

<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-1 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-1a as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-1a is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-1b as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-1b is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-1c as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-1c is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-1d as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-1d is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-3 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-3 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***



***Roll call vote for K.A.R. 109-6-2 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-6-2 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-7-1 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-7-1 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-8-1 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-8-1 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-8-2 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-8-2 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-9-4 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-9-4 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-10-1a as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-10-1a is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-10-1b as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-10-1b is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-10-1c as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Comm. James</i>		<i>Director Smith</i>	<i>Aye</i>
<i>Director Kaufman</i>	<i>Aye</i>		
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-10-1c is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-10-1d as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-10-1d is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-10-3 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-10-3 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-10-7 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-10-7 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-11-1a as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-11-1a is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-11-9 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-11-9 is approved by the Board as revised on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-1f as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-1f is approved by the Board as revoked on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-7a as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-7a is approved by the Board as revoked on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-7b as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-7b is approved by the Board as revoked on a 12-0 vote (12 Yes; 0 No; 3 absent).***



***Roll call vote for K.A.R. 109-5-7c as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-7c is approved by the Board as revoked on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-5-7d as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-5-7d is approved by the Board as revoked on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-10-1f as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-10-1f is approved by the Board as revoked on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-10-1g as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>Aye</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-10-1g is approved by the Board as revoked on a 12-0 vote (12 Yes; 0 No; 3 absent).***

***Roll call vote for K.A.R. 109-13-1 as noted:***

<i>Dr. Faimon</i>	<i>Aye</i>	<i>Director Ralston</i>	<i>Aye</i>
<i>Senator Faust-Goudeau</i>	<i>(Absent)</i>	<i>Comm. Saueressig</i>	<i>Aye</i>
<i>Rep. Henderson</i>	<i>(Absent)</i>	<i>Senator Schmidt</i>	<i>Aye</i>
<i>Chairman Dr. Hornung</i>	<i>Aye</i>	<i>Dr. Sellberg</i>	<i>Aye</i>
<i>Comm. James</i>	<i>Aye</i>	<i>Dennis Shelby</i>	<i>(Absent)</i>
<i>Director Kaufman</i>	<i>(Absent)</i>	<i>Director Smith</i>	<i>Aye</i>
<i>Chief Pearson</i>	<i>Aye</i>	<i>Rep. Swanson</i>	<i>Aye</i>
<i>Director Pore</i>	<i>Aye</i>		

***K.A.R. 109-13-1 is approved by the Board as revoked on a 12-0 vote (12 Yes; 0 No; 3 absent).***

- Effective July 1, 2018 the BLS skills exam contract ends. Director House provided a draft proposal for a scenario based state practical exam and a summary of how he would like the exam delivered. The Committee discussed concerns and provided praise for the proposal. Director House was requested to bring back a more concise plan to the committee in February. Director Kaufman asked Director House if he would like help from the EDTF. He said he would.
- The Committee would like to open K.A.R. 109-5-1 to review continuing education requirements for looking at other state approved courses.
- A written report was provided to the Committee on field education inspections regarding audits broken down by scope. The Committee appreciates Mr. Reed and Ms. Turkin adding education audits to their workload.
- There are about 3400 attendants left who expire this year. They will look at the number not renewing to determine the effect of the new continuing education requirements.
- The Committee heard public comment from Shawn Coffey regarding continuing education requirements and the confusion with individual and local components. They asked Director House and Assistant Attorney General Fertig to review. Assistant Attorney General Fertig said an explainer could be used on the cover of the continuing education plan to explain that local and individual are Flex Hours. She said at some point it might be good to open up the plan to clarify it, but she thinks that legally the Board can explain what they meant.
- A public comment from Dan Hudson was received regarding inactive status for EMS providers. It will be added to agenda.
- Request for continuing education hours for board meeting attendance was reviewed. The Committee did not take action.
- The first Board sponsored written testing will take place on December 16<sup>th</sup> at Atwood, and two more are scheduled.

Director Kaufman concluded her committee report.

## Executive Committee

Chairman Hornung provided the Executive Committee report since he has yet to appoint a chairman.

- The Controlled Substances Act was signed into law last week. We will have to wait to see how the DEA will administer it.
- The Medicare reimbursement bill is still in the works.
- Director House said there may be an air medical bill in the works this legislative session on how to handle insurance billing. We will have to keep an eye on it the next year or two.
- Director House reported on the EMS Personnel Licensure Compact. He attended the first meeting in Oklahoma City on October 7<sup>th</sup> and 8<sup>th</sup>. One rule was passed about rule making. The Board will need to implement background checks by May 17, 2022. These checks will only be for new providers. There have been questions on background checks by other states. This is a privilege to practice and cross to another state. If behavior is found to violate Kansas law, we will have to address action to be taken. Other discussion will include if a background check is done in one state will it look for all initiated investigations or felonies and can they share their investigative action with other states. Director House anticipates it will take until the end of 2018 to get the Compact operations up and running.
- Medication Shortage Guidance Document was provided as a guide for what to do if the FDA has a shortage. Assistant Attorney General Fertig explained that the document did not have the force and effect of law, but was a description of the current interpretation of the law to explain how the Board interprets certain circumstances. As long as there is documentation of a shortage with the medical director's approval, the Board considers that to be in compliance. Section 3 added that the Board may request documentation of a shortage.

***Director Ralston made a motion to accept the guidance document. Director Kaufman seconded the motion. No discussion. No opposition noted. The motion carried.***

- Board Policy BD001 on committee assignments was discussed. This policy was replaced with bylaws which gave more flexibility. It was requested that bylaws be put on the agenda annually to review in February.

***Director Ralston made a motion to revoke Board Policy BD001. Director Pore seconded the motion. No discussion. No opposition noted. The motion carried.***

- A reaffirmation of delegation of concurrent authority of legislative matters was discussed. Last year the Board gave Director House authority to act on EMS matters. This allows him to provide testimony to the legislature on the fly. Email can be used to keep the Board up to date.

***Director Ralston made a motion to reaffirm delegation of authority on legislative matters to Director House. Director Smith seconded the motion. No discussion. No opposition noted. The motion carried.***

- Dr. Hornung discussed an issue from the MAC on statewide protocols. It looks at a baseline set of protocols required for all services to use. Each service could augment the protocols for other things they want to do. He said the time was right to start working on that process and make this a priority. Chief Pearson said state protocols would be a floor, not a ceiling.

Director Pore wants to avoid mandating, and to keep local control. Dr. Hornung wants to start exploring the process to see where it takes us. Forty percent of all states have statewide protocols. They would not be used as a limit, but to make sure quality is there. There would be a standard of care; not a whim of people who want to try something new. He estimates this process may take a couple years. The medical director workshops sparked this idea. Rural and frontier services would like them. The Kansas Medical Society will need to be involved as well as various service directors.

Chairman Hornung asked for questions and, hearing none, concluded his report.

### Office Update

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

- Kansas Board of EMS joined the National Collaborative for Bio-Preparedness. It will allow the sharing of data from many different sources, and doesn't cost us anything.
- At the Medical Advisory Council meeting the National Association of EMS Physicians started a state chapter in Kansas. A majority of the MAC members are members of the group. This might subject them to KOMA issues. The MAC requested the Board assist in figuring out the open meeting issue.
- Jason White, wearing his KEMSA hat, gave an update on the Medicare Reimbursement bill. The current House Bill gives a five year extension but sets the stage for permanency with cost reporting. Funding could be used to provide for non-emergency services for dialysis patients. Senator Roberts is a sponsor of the bill again, so passage of the bill hinges on him.
- Senator Schmidt asked Director House about who funds the National Collaborative for Bio-Preparedness. Director House reported it was the federal government.
- Director House reported that he had just received an email from the Board of Pharmacy regarding the use of expired medications that stated it was allowed in training situations and prefaced their reply by saying that accrediting bodies may have issues with it.

Director House concluded his update.

*Dr. Hornung adjourned the meeting at 10:44 a.m.*