



KANSAS

DENNIS ALLIN, M.D., CHAIR
ROBERT WALLER, ADMINISTRATOR

KATHLEEN SEBELIUS, GOVERNOR

BOARD OF EMERGENCY MEDICAL SERVICES

MINUTES

EMERGENCY MEDICAL SERVICES

BOARD MEETING

December 7, 2007

Board Members Present

Dr. Dennis Allin
J.R. Behan
Deb Kaufman
Dr. Joel Hornung
Comm. Duane Mathes
Col. Dale Wasson
Comm. Bob Boaldin
Sen. Jay Emler
Joe Megredy

Board Members Absent

Mike Ryan
Sen. Chris Steineger
Rep. Kasha Kelley
Rep. Margaret Long

Guests

Jeff Smith
Jon Friesen
Dalene Deck
Pam Kemp
Kathy Dooley
David Stithem
Steve Isaacsen
Bill Young
Randy Easter
Kerry McCue
Randy Cardonell

Staff

Robert Waller
Patti Artzer
Carman Allen
Joe Moreland
Dave Cromwell

CALL TO ORDER

Chairman Allin called the meeting to order on Friday, December 7, 2007 at 9:05 am.

The first order of business was the approval of the minutes from the October 5, 2007 Board Meeting.

APPROVAL OF MINUTES

Motion: Moved by Commissioner Boaldin, seconded by Board Member Megredy to approve the minutes of the October 5th Board Meeting. Motion passed.

COMMITTEE REPORTS AND POSSIBLE ACTION

Planning and Operations Committee

Chairman Allin called upon Board Member Megredy to report on the meeting conducted by the Planning and Operations Committee. Board Member Megredy reported that the Committee heard an update on the KEMIS project from Board Staff. The Committee was informed that Image Trend was selected as the vendor with a cost of \$462,000 over the next five years. He noted that a request for proposal (RFP) will need to be issued to purchase computers. Mr. Megredy also explained that twenty seven (27) services had been selected to participate in the initial roll out, and a list of those services was provided by Board Staff. Lastly, he informed the Board that a letter of intent will be mailed to Image Trend and a contract developed.

Board Member Megredy further reported that the Committee heard an update on the License Plate project and a sample was shown to the Committee; at an estimated cost will be around \$8,000. All regions and EMS organizations have agreed to finance this project.

Board Member Megredy advised the Board that EMS Operations was working on one technical assistance; that regulations 109-1-2 to 109-2-8 are being reviewed; and 167 service inspections have been completed out of 173 services.

Board Member Megredy further advised that that the Committee heard from Jason Moses, Interoperable Communications Coordinator for the State, who gave a presentation on State Interoperable Executive Committee (SIEC) and the statewide interoperability project. Mr. Moses discussed the project and informed the Committee that Kerry McCue (Ellis County Service Director) had been selected as the EMS representative. The Committee also heard from Paula Phillips, National Incident Management System (NIMS) coordinator for the Adjutant General Department Division of Emergency Management (DEM), who gave an update on the new NIMS requirements for 2008. The Committee also had some discussion on a variance request from Kiowa County EMS (Greensburg, KS).

Motion: Approve sending a letter of intent to Image Trend locking in the cost for services at \$462,000 over the next five years. Moved by Commissioner Boaldin, seconded by Colonel Wasson. Motion passed.

Motion: Approve a variance to K.A.R. 109-2-5 and K.A.R. 109-2-9 to allow Kiowa County EMS to restart from May 21, 2007, the three year process of retaining patient care records and quality assurance records. Moved by Vice Chairman Behan, seconded by Commissioner Mathes. Motion passed.

Board Member Megredy also informed the Board that the organizational reports were submitted in a written format and were distributed during the Committee meeting.

Investigations Committee

Chairman Allin called upon Colonel Wasson to report on the meeting conducted by the Investigations Committee. Colonel Wasson reported that the Committee reviewed 13 cases. Eight of those cases were closed. The Committee revoked two cases and approved two individuals to obtain certification in Kansas. The Committee also had one public admonition that will be implemented at a later date.

Education and Training Committee

Chairman Allin called upon Vice Chairman Behan to report on the meeting conducted by the Education and Training Committee. Vice Chairman Behan reported that Carman Allen (KBEMS Education Manager) gave the Committee a report on the Instructor Development Task Force.

Vice Chairman Behan further reported that the Regulation Review Committee had forwarded their changes to Camille Nohe (Attorney General's Office), and the preliminary legal review had been completed. Vice Chairman Behan suggested that the Educational Regulation Review Committee be temporarily suspended until such time as the Board adopts a recommendation on the Scope of Practice/Agendas for the Future.

Vice Chairman Behan announced that the continuing education renewal requirements meeting would be scheduled on December 20, 2007. The CEU Committee will review the proposals submitted by the Board Staff, the Kansas Emergency Medical Services Association (KEMSA), and evaluate the National Registry of Emergency Medical Technician (NREMT) CEU requirements. Vice Chairman Behan further advised the Board that all educator workshops are complete for the year, and noted that there were six this year, and three last year, for a total of nine opportunities for people to attend during the renewal period.

Vice Chairman Behan reported a request for variance was received from Patrick Hultman to obtain IC status without attending a course of instruction. The Committee found that documentation was missing, and therefore recommended denial.

Motion: Deny the variance request from Patrick Hultman to obtain IC status without attending a course of instruction due to lack of documentation. Re-application of the variance can be made with all appropriate documentation. Moved by Vice Chairman Behan, seconded by Board Member Kaufman. Motion passed.

Vice Chairman Behan reported a request for variance was received from Scott Schaunaman to obtain IC status without attending a Kansas course of instruction. The Committee found that documentation was missing, and therefore recommended denial.

Motion: Deny the variance request from Scott Schaunaman to obtain IC status without attending a Kansas course of instruction due to lack of documentation. Re-application of the variance can be made with all appropriate documentation. Moved by Vice Chairman Behan, seconded by Board Member Kaufman. Motion passed.

Vice Chairman Behan reported a request for variance was received from Hutchinson Community College (HCC) to conduct a hybrid, online Paramedic program starting September 2008. He informed the Board that Chy Miller (HCC) gave a presentation to the Committee and explained that the program would be available to citizens in and outside of the state of Kansas. Vice-Chairman Behan noted that the Committee recommended approval of the request, and requested quarterly updates from HCC on the program with a final report in October 2009.

Motion: Approve the variance request to allow Hutchinson Community College to conduct a hybrid, online Paramedic program, and report back to the Board on a quarterly basis, with a final report in October 2009. Moved by Board Member Megredy, seconded by Vice Chairman Behan. Motion passed.

Vice Chairman Behan reported a request for variance was received from Garden City Community College (GCCC) to conduct a combined TO1/TO2/IC course via a combination of online and classroom formats, with the course being offered in June 2008. The Committee recommended approval of the request.

Motion: Approve the variance request to allow Garden City Community College (GCCC) to conduct a combined TO1/TO2/IC course via a combination of online and classroom formats. Moved by Vice Chairman Behan, seconded by Board Member Megredy. Motion passed.

Vice Chairman Behan reported a request for variance was received from Chad Pore to use EMS EXPO and the National Association of Emergency Medical Services Educators (NAEMSE) conferences to replace the requirement of attending a Kansas Educators Workshop in the two year renewal period. He noted that the Committee was unable to determine whether these met the Instructor Development Task Force's requirements, and recommended denial of the request.

Motion: Deny the variance request as the conferences did not meet the Instructor Development Task Force's criteria for Kansas Educators Workshops. Moved by Commissioner Boaldin, seconded by Board Member Kaufman. Motion passed.

Examination and Certification Committee

Chairman Allin reported that the Committee discussed the EMT-I examination and the validity of the current exam. He explained that the Board could continue with the current test or inject the current EMT-I level into the NREMT exam. He noted that the "base" level EMT-I would remain, and those at that level would be ill-equipped to pass an exam with intubation questions. Chairman Allin explained that another option would be to issue an RFP for the EMT-I exam and allow vendors to provide the service. However, this option could also change dependent on the Scope of Practice/Agendas for the Future discussions. Chairman Allin further explained that if the Board chooses to adopt the National Scope of Practice and Agendas for the Future, requirements for education and authorized activities for attendants would also change. He informed the Board that the implementation of the documents is set for CY 2010, but the Board will have to make a decision over the next calendar year. Chairman Allin requested that work begin on the discussions about the National Scope of Practice/Agendas for the Future, and directed Robert Waller, KBEMS Chief Administrator to convene a committee of stakeholders to begin reviewing the documents.

Chairman Allin advised the Board that the Examination and Certification Committee also recommend submittal of legislation with the changes to K.S.A. 65-6129, which included:

- Legal recognition and reciprocity changes
- Expanding the date of last class from one year to two years to mirror the NREMT; and
- Expanding the number of attempts from four to six to mirror the NREMT.

In addition, he noted that any motion to include background checks would be included in this statute.

Motion: To approve submitting legislation to revise K.S.A. 65-6129, this would include:

- Legal recognition and reciprocity changes***
- Expanding the date of last class from one year to two years to mirror the NREMT; and***
- Expanding the number of attempts from four to six to mirror the NREMT.***
- All instruction or training course must be approved or curriculum match by the Board whether taken in or out of state***

Moved by Chairman Allin, seconded by Board Member Megredy. Motion passed

Lastly, Chairman Allin reported that the issue of the age of attendants (allowing 17 year old to work as attendants) was also discussed by the Committee. He explained that language to revise K.A.R. 109-3-1, to reflect that “each attendant shall be at least 17 years of age”, rather than 18 years of age, was recommended by the Committee and the word “driver” would also be stricken from the regulation.

Motion: To approve the language to revise K.A.R. 109-3-1 to lower the age of an attendant to 17. Moved by Senator Emler, seconded by Board Member Megredy. Board Member Kaufman was opposed. Motion passed.

After some discussion, Board Member Megredy advised that the Operations Regulations Committee was meeting with Service Directors on January 17, 2008 and could review the language and present findings at the February board meeting.

Executive Committee

Chairman Allin called upon Senator Emler to report on the meeting conducted by the Executive Committee. Senator Emler reported that the Committee discussed the Education Incentive Grant Program. The Committee requested Mr. Waller provide more information to clarify wording and verify costs associated with the EIG program to enable the Board to validate expenditures in case of a Legislative Post Audit review. Board Staff will provide information and recommendation during the February Board meeting.

Senator Emler reported that a request for variance to the EIG policy was received by Dave Porter (Logan County EMS). Mr. Porter was requesting that EIG monies allotted to the second half of the fiscal year be applied to his course that was submitted in the first half of the fiscal year. Senator Emler stated that the Committee recommended approving the variance.

Motion: To approve the request for variance allowing Logan County EMS to be eligible to receive any EIG monies that are received back in the second half of the fiscal year 2008. Moved by

Senator Emler, seconded by Vice Chairman Behan. Board Member Megredy and Director Kaufman were opposed. Motion passed.

Senator Emler further reported that, regarding background checks, the Committee recommended that if the applicant had been in-state for less than three years or from out-of-state and requesting legal recognition/reciprocity that a national background check be conducted. However, if the applicant has lived in-state for more than three years, there would only be a state background check. He informed the Board that the expense for the state background check is \$15 to \$18, and national background check is \$56 and the individual would be responsible for the cost. Senator Emler noted that the legislation would have to be submitted and passed by the Legislature to access the national background checks.

Motion: To approve the proposal of background checks requiring applicants who had been in-state for less than three years or out-of-state applicants to have a national background check, and applicants who have lived in-state for more than three years would be required to have a state background check only. The applicant would be responsible for the cost. Moved by Senator Emler, seconded by Commissioner Boaldin. Motion passed.

Senator Emler reported that the Committee reviewed granting variances of regulations, and noted that KBEMS currently does not have the authority to grant variances of regulations by the Attorney General's office. He explained that legislation would need to be submitted to request authority to grant variances to rules and regulations. The Committee recommended submitting legislation to the 2008 Legislature.

Motion: To approve the submitting of legislation to grant the Board authority to grant variances to rules and regulations. Moved by Senator Emler, seconded by Board Member Kaufman. Motion passed.

Budget/Office Update

Chairman Allin called upon Robert Waller, Chief Administrator, to give a Budget/Office update. Mr. Waller reported that the FY 2008/FY 2009 Budget was submitted to Division of Budget on September 15, 2007, and was reviewed. The enhancement request of \$18,000 for the tuition program, and \$20,000 for marketing were not granted. He noted that funding for KEMIS was also pulled out of the state budget and replaced with federal monies. However, Board Staff appealed that revision because no federal money is available and asked the KBEMS funding be restored. Mr. Waller also informed the Board that an appeal for reinstatement for a tuition program was submitted with funding coming from the EMS Operating Fund. However, Board Staff will not know the result of the appeals, or the overall budget, until the Governor releases her FY 2008/FY 2009 recommendations.

Mr. Waller further reported that Dee Klama (KBEMS Staff) is retiring December 14, 2007. He also informed the Board that Steve Sutton had been with the State for 10 years and his pinning ceremony will be in February.

Advisory Committee on Trauma

Chairman Allin reported that five hospitals are pursuing Level 3 designation, and consultations had been completed in Pittsburg, Coffeyville, Hutchinson and Parsons (Hays Medical Center is

preparing for a January 2008 visit). He explained that Kansas Flex Project is looking to fund initiatives in the trauma program; with one being the American College of Surgeons (ACS) Consultation and another being trauma center designation for critical access hospitals. A subcommittee of the Advisory Committee on Trauma would be reviewing and recommending how to utilize the funding to help develop these trauma centers. Chairman Allin noted that the state would also develop Level 4 trauma centers. He continued by updating the Board on medical director training, and the partnership of the Office of Local Rural Health, Kansas Medical Society, the Board, and the Kansas Hospital Association (KHA) to review medical direction and education. Lastly, Chairman Allin informed the Board that the 2007 Legislature increased funding for the trauma program and the ACT will utilize those funds at the regional level through a grant process to address needs regionally.

Public Comment

There was no public comment.

Executive Session

Motion: Convene a 45 minute Executive Session to discuss evaluation of Non-Elected Personnel. The Session will begin at 10:45 and end at 11:30. Moved by Chairman Allin, seconded by Vice Chairman Behan. Motion passed.

The Board reconvened at 11:30.

Motion: Convene a 45 minute Executive Session to discuss evaluation of Non-Elected Personnel. The Session will begin at 11:30 and end at 12:15. Moved by Board Member Megredy, seconded by Vice-Chairman Behan. Motion passed.

The Board reconvened at 12:15.

Motion: To adjourn the Board Meeting. Moved by Commissioner Boaldin, seconded by Vice-Chairman Behan. Motion passed.



February 1, 2007

Approved