

**Board Meeting Minutes
December 2, 2011**

**FINAL DRAFT
01/13/2012**

Board Members Present

Dr. Dennis Allin
Dr. David Kingfisher
Rep. Vern Swanson
Shane Pearson
Deb Kaufman
Dr. Deb Smith
Dr. Joel Hornung
Comm. John Miller
Comm. Bob Boaldin
JR Behan
John Ralston
Joe Megredy

Guests

Chy Miller
Gerry Ross
Kathy Dooley
Deb Brown
Jim Lebaron
Colin Fitzgerald
Dan Hudson
Sarah House
David Stithem
Ken Keller
Jeb Burress
Brandon Beck
Derek Sobelman
Frank Williams
Ralph Classen
Chad Pore
Randy Easter
Jon Friesen
Chris Way
Brad Sisk
Jason Bolt
Jason Jenkins

Staff

Steve Sutton
Joseph House
Carman Allen
Dave Cromwell
Jean Claude
Kandagaye
Jerry Cunningham
Patti Artzer
Nicole Wells
Rashelle Fowler
Georganne Lovelace

Board Members Absent

Sen. Jay Emler
Sen. Oletha Faust Goudeau
Rep. Broderick Henderson

CALL TO ORDER

Dr. Allin called the Board Meeting to order on Friday December 2, 2011 at 9:08am.

APPROVAL OF MINUTES

The first order of business was to approve meeting minutes from the October 7, 2011 Board meeting.

Representative Swanson moved to approve the October 7, 2011 Board Meeting minutes; Board Member Ralston seconded the motion. No discussion. Motion passed without objection.

COMMITTEE REPORTS AND POSSIBLE ACTION

Planning and Operations Committee

Deb Kaufman, Planning and Operations Committee Chair, provided a committee report to the Board, summarized as follows, from their meeting on December 1, 2011:

- Discussion took place regarding the 13 proposed operational regulations and the committee recommends the adoption of these regulations. The committee identified that there are still changes needing to be made to these regulations, but that the intention is getting them updated now and moved forward.
- Dave Cromwell provided an Operations Manager report. This report stated that there are 3 new service applications being processed, all service inspections have been completed, however 1 is being considered incomplete pending investigation. The committee requested to track attendant numbers throughout the transition period.
- A report from a meeting on Wednesday, November 30, with EMS leadership regarding protocol development and the KEMSIS project was tabled due to time constraints.
- The committee approved a Memorial display that will be placed just outside of the Board office. This Memorial display has already been approved by the Department of Administration and Facilities Management within the Landon State Office Building. The hope is to have this Memorial completed in conjunction with EMS Week 2012.

Education, Examination, Training and Certification Committee

JR Behan, Education, Examination, Training, and Certification Committee Chair, provided a committee report to the Board, summarized as follows, from their meeting on December 1, 2011:

- The committee received a report from Chad Pore with the EDTF on the six current items they are working on. There was also discussion on enforcement of current requirements

of EMS educators and educational programs and EDTF will provide a more formalized policy proposal at the February meeting.

- The committee was advised that there has been a little over 700 transition courses approved at this time.
- Discussion occurred regarding putting together an Examination Task Force, a group of people to review and to talk about inconsistencies among examiners and things that happen at test sites. More discussion regarding this will occur at the February meeting.
- 8 educational regulations are scheduled for public hearing on February 1, 2012 and hopefully will be ready for adoption at the February Board Meeting.
- Discussion occurred regarding BLS check sheets and how to use. More discussion and work will be done in February.
- The committee has directed staff to work with the National Registry to determine obligation for transition and refresher courses for the Kansas Paramedic. Clarification will be obtained and provided at the February meeting.
- Updates were heard from Charles Foat, Johnson County Community College, and Chy Miller, Hutchinson Community College, in regards to Hybrid educational courses. Written comments were also submitted to the committee as well from Cowley County Community College and Barton County Community College.
- The committee will be working on the Examination vendor contract in February.

Investigations Committee

Joe Megredy, Investigations Committee Chair, provided a committee report to the Board, summarized as follows, from their meeting on December 1, 2011:

- The Investigations Committee reviewed 5 cases. One case was in regards to a felony conviction; two cases were patient care complaints on EMS services – both of these cases will be reviewed in the February meeting; one case was a patient care complaint on an attendant; and one case was a complaint on an educator.

Executive Committee

Dr. Dennis Allin, Chairman of the Board, provided a committee report to the Board, summarized as follows, from their meeting on December 1, 2011:

- Discussion occurred regarding legislation issues. The Legislative Post Audit Committee found repetition of language in K.S.A. 65-6133 (a) and (b) and advised Board staff that this will need to be corrected in the next legislative session.
- Received a report from the Medical Advisory Council (MAC). Currently the MAC is looking at 2 issues. The first is in regards to an Attorney General opinion on the Board's authority to regulate air ambulances. The second is development of protocols and the processes involved with this development. The MAC feels that it is best to keep the physicians involved with this process and that the completed protocols come back to the MAC for review. Discussion regarding this report took place.
- Reviewed a Meeting Decorum recommendation and memorandum due to recurring instances of speakers not talking into a microphone, speaking over each other, and not being identified; all of which lead to complicating the ability to create accurate minutes.
- Discussion took place regarding strategic planning session dates and facilitators.

The Board discussed and came to the consensus, without motion, that the meeting should be facilitated and proposed April 2012 for a strategic planning session.

- Discussion took place regarding committee assignment policy. The committee recommends adoption of this policy by the board.

Motion: To adopt the Board Committee Assignments Policy. Moved by Dr. Allin, seconded by Joe Megredy. Discussion took place in regards to how the composition of the committee assignments are made and the number of individuals sitting on each committee. No further discussion topics. Motion passed with JR Behan opposed.

Operational Regulation Roll Calls:

ROLL CALL VOTE FOR 109-1-1

Motion: To approve K.A.R. 109-1-1. Moved by Deb Kaufman, seconded by Joe Megredy. Discussion summarized as follows:

Discussion was in regards to specialized training and what is current with the Center for Medicare and Medicaid Services (CMS) as well as what the definition is of a critical care patient. Discussion concluded without modification to the original motion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	No	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	No	
Representative Swanson	Yes	

Motion passes with 9 in favor; 2 opposed; 4 absent. K.A.R. 109-1-1 approved.

ROLL CALL VOTE FOR 109-1-2

Motion: To approve K.A.R. 109-1-2. Moved by Deb Kaufman, seconded by Joe Megredy; no discussion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	Yes	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	Yes	
Representative Swanson	Yes	

Motion passes with 11 in favor and 4 absent. K.A.R. 109-1-2 approved.

ROLL CALL VOTE FOR 109-2-1

Motion: To approve K.A.R. 109-2-1. Moved by Dr. Hornung, seconded by Joe Megredy; no discussion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	Yes	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	Yes	
Representative Swanson	Yes	

Motion passes with 11 in favor and 4 absent. K.A.R. 109-2-1 approved.

ROLL CALL VOTE FOR 109-2-2

Motion: To approve K.A.R. 109-2-2. Moved by Dr. Smith, seconded by John Ralston; no discussion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	Yes	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	Yes	
Representative Swanson	Yes	

Motion passes with 11 in favor and 4 absent. K.A.R. 109-2-2 approved.

ROLL CALL VOTE FOR 109-2-4

Motion: To revoke K.A.R. 109-2-4. Moved by Representative Swanson, seconded by Joe Megredy; no discussion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	Yes	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	Yes	
Representative Swanson	Yes	

Motion passes with 11 in favor and 4 absent. K.A.R. 109-2-4 revoked.

ROLL CALL VOTE FOR 109-2-5

Motion: To approve K.A.R. 109-2-5. Moved by Commissioner Boaldin, seconded by Joe Megredy; no discussion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	Yes	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	No	
Representative Swanson	Yes	

Motion passes with 10 in favor; 1 opposed; 4 absent. K.A.R. 109-2-5 approved for publication.

ROLL CALL VOTE FOR 109-2-6

Motion: To approve K.A.R. 109-2-6. Moved by Deb Kaufman, seconded by Joe Megredy; discussion by Dr. Kingfisher in regards to page 56. Discussion concluded without modification to the original motion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	No	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	No	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	No	
Representative Swanson	Yes	

Motion passes with 8 in favor; 3 opposed; 4 absent. K.A.R. 109-2-6 approved for publication.

ROLL CALL VOTE FOR 109-2-7

Motion: To approve K.A.R. 109-2-7. Moved by Commissioner Boaldin, seconded by Deb Kaufman; discussion summarized as follows:

Discussion pertained to the removal of the ability for a Type I service to have an EMT as an attendant attending the patient during transport. Concern was expressed over why this wording was removed and discussion took place regarding the regulatory process. Concern also expressed over the impact on the other operational regulations of not approving one of the regulations in the set. Discussion concluded without modification to the original motion.

Dr. Allin	No	
Mr. Behan		Absent
Commissioner Boaldin	No	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	No	
Ms. Kaufman	No	
Dr. Kingfisher	No	
Mr. Megredy	No	
Commissioner Miller	No	
Mr. Ralston	No	
Dr. Smith	No	
Mr. Pearson	No	
Representative Swanson	No	

Motion fails with 11 opposed and 4 absent.

The Board asked Sarah Fertig, Attorney General Staff, if, the Board could revert to the struck out language and approve the regulation without having to complete the entire regulation review process.

Motion: To take a 15 minute recess. Moved by Commissioner Boaldin, seconded by Joe Megredy, no discussion. Motion passed without objection.

Board recessed at 11:15 am by Dr. Dennis Allin, Chair.

Dr. Dennis Allin, Chair reconvened the meeting at 11:33 am.

Sarah Fertig reported that if we removed the struck out language, that it would be considered a substantive change and the entire regulation would have to go back through the approval process, including the hearing.

ROLL CALL VOTE FOR 109-2-8

Motion: To approve K.A.R. 109-2-8. Moved by Commissioner Boaldin, seconded by John Ralston; discussion pertains to the minimum number of safety straps on a cot:

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher		Abstain
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	Yes	
Representative Swanson	Yes	

Motion passes with 10 in favor; 1 Abstained; 1 absent. K.A.R. 109-2-8 approved for publication.

Shane Pearson thanked Dave Cromwell and others for their work involved with, especially, this regulation in ensuring that medications carried on a truck were consistent with the protocol rather than the office or board dictating which medications were to be carried.

ROLL CALL VOTE FOR 109-2-10A

Motion: To approve K.A.R. 109-2-10A. Moved by Deb Kaufman, seconded by Commissioner Boaldin; no discussion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	Yes	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	Yes	
Representative Swanson	Yes	

Motion passes with 11 in favor and 4 absent. K.A.R. 109-2-10A approved for publication.

ROLL CALL VOTE FOR 109-2-11

Motion: To approve K.A.R. 109-2-11. Moved by Commissioner Boaldin, seconded by Deb Kaufman; no discussion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	Yes	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	Yes	
Representative Swanson	Yes	

Motion passes with 11 in favor and 4 absent. K.A.R. 109-2-11 approved for publication.

ROLL CALL VOTE FOR 109-2-12

Motion: To approve K.A.R. 109-2-12. Moved by Representative Swanson, seconded by Commissioner Boaldin; no discussion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	Yes	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	Yes	
Representative Swanson	Yes	

Motion passes with 11 in favor and 4 absent. K.A.R. 109-2-12 approved for publication.

ROLL CALL VOTE FOR 109-2-13

Motion: To approve K.A.R. 109-2-13. Moved by Commissioner Boaldin, seconded by John Ralston; no discussion.

Dr. Allin	Yes	
Mr. Behan		Absent
Commissioner Boaldin	Yes	
Senator Emler		Absent
Senator Faust-Goudeau		Absent
Representative Henderson		Absent
Dr. Hornung	Yes	
Ms. Kaufman	Yes	
Dr. Kingfisher	Yes	
Mr. Megredy	Yes	
Commissioner Miller	Yes	
Mr. Ralston	Yes	
Dr. Smith	Yes	
Mr. Pearson	Yes	
Representative Swanson	Yes	

Motion passes with 11 in favor and 4 absent. K.A.R. 109-2-13 approved for publication.

Representative Swanson asked to reopen discussion on regulation K.A.R. 109-2-7; what would be the impact on other regulations. Staff and counsel will look into the impact, review the impact, and offer that review to the full Board.

Office Update

Steve Sutton, Executive Director, provided an office update to the Board summarized as follows:

- Emergency Preparedness funds are available to the EMS regions.
- EIG grant monies are still available.
- KRAF grant process has now started and the Board office is beginning to receive requests for those funds.
- Board staff is starting to pull data being collected and presenting it to the Board committees to help encompass data driven decisions and processes.

Public Comment

- Dr. Tyghe Neilson, Digital Ally recording systems, provided a brief presentation on their system. This system is used primarily by law enforcement agencies for logging video from the vehicle on calls, accidents, etc. Their presentation was to make EMS in the state of Kansas aware of this technology.
- Chy Miller, Hutchinson Community College (HCC), advised the board that Kent Sallee, a part-time faculty at HCC and EMS attendant, will have his photographic work appearing on the front page of a national supply catalog. Mr. Miller also wanted to thank Board Staff James Reed for doing an outstanding job while auditing the Continuing Education process at HCC.
- Sarah House, EMSC, advised the Board that Safe Kids Kiowa County was awarded the Local Coalition of the Year award. Kiowa County EMS is the lead agency for this coalition. Their coalition has been recognized for the outstanding effort and strides in their local community in attempting to decrease unintentional injury to children through partnerships with several organizations, active member participation, and a variety of events held in several communities.
- Ken Keller, American Medical Response – Topeka, thanked the Board and Board staff for all the hard work that has been done. Mr. Keller reported that the Local Emergency Planning Committee (LEPC) handbook has been released and is available online. He requested that a link be established on the KBEMS website to this handbook.

Executive Session

Motion: To hold an executive session from 12:45pm to 1:15pm for the purpose of discussion of non-elected personnel. Moved by Dr. Allin, seconded by Representative Swanson; no discussion. Motion passed without objection.

Dr. Allin called the Board meeting back into open session at 1:17 pm. There was no new business to discuss.

Motion: To adjourn the Board Meeting at 1:20 pm. Moved by Representative Swanson, seconded by Joe Megredy; no discussion. Motion passed without objection.

Meeting Adjourned at 1:20 pm by Dr. Dennis Allin, Chair.

Next Meeting: Friday, February 3, 2011 at 9:00 am.