



K A N S A S

DENNIS ALLIN, M.D., CHAIR
DAVID LAKE, ADMINISTRATOR

BOARD OF EMERGENCY MEDICAL SERVICES

KATHLEEN SEBELIUS, GOVERNOR

MINUTES

EMERGENCY MEDICAL SERVICES

BOARD MEETING

February 4, 2005

Board Members Present

Guests

Staff

Dr. Dennis Allin
Jim McClain
Robert Kort
Comm. Duane Mathes
Comm. Bob Boaldin
J. R. Behan
Dr. Daniel Caliendo
Joe Megredy
Michael Ryan

Pam Kemp
Jaime Miller
Sue Lieb
Bob Prewitt
Kerry McCue
Terry David

Sabrina Henry
Chris Alexander
Jeff Smith
Con Olson
David Stithem
Frank Williams

David Lake
Don White
Steve Sutton
Mary E. Mulryan

Board Members Absent

Rep. Margaret Long
Sen. Chris Steineger

CALL TO ORDER

Dr. Allin: Meeting called to order at 9:05.

APPROVAL OF MINUTES

Dr. Allin: There are minutes of the last Board meeting in your packets. Are there any questions? *Dr. Caliendo:* I move to approve the minutes. *Jim McClain:* I second. *Dr. Allin:* Any discussion? All those in favor say aye, contrary the same. Motion approved. Minutes approved.

OFFICE UPDATE

David Lake: Good morning. I will start with my activities. Welcome to all of you for coming. A special thanks to Region V for providing the refreshments for today.

David reported on his travel since the last Board meeting.

Don White gave an office update on current issues in the office.

COMMITTEE REPORTS AND POSSIBLE ACTION

Executive Committee—Mr. Jim McClain

- ❖ David gave a report on the FY 2006 Budget. The Governor's recommendation included our budget request and two enhancements.
- ❖ The committee discussed legislation for this session. That is agenda items #5.
- ❖ A variance request was received from Wesley Medical Center to allow to park two ground ambulances outside their ER. They were found to be in violation of Reg. 109-2-4 which requires ambulances to be parked in a completely enclosed building, etc. The members of the committee recommend approval of a temporary variance for a period of none-months. There was considerable discussion on this issue. *J. R. Behan: I move to allow a variance to Wesley Medical Center for nine-months. Dr. Caliendo: I seconded. (More discussion) J. R. Behan amended his motion from nine-months to six-months. Dr. Caliendo seconded. The motion passed.*
- ❖ A brief discussion was held about the National Scope of Practice and the major concerns about the loss of EMT-I as a certification level.
- ❖ A brief discussion was held but that topic will be part of the Education Committee report.
- ❖ David gave a report on the status of the on-line certification renewal project. It is on track to become operational soon.
- ❖ David reported on the steps he has taken to develop the EMS Benefit Fund. There was consensus agreement with his approach.
- ❖ Joe Moreland gave a brief report on the regulation review project. This topic is also part of the Education Committee report.

Education and Examination—J. R. Behan

- ❖ Educator Conference: Following the Instructor Development Task Force's recommendations, there will be 3 meetings per year with the even numbered regions hosting the meeting in the even years and the odd numbered regions hosting the meetings in the odd years. It was the committee's recommendation to accept the IDTF proposal in regards to frequency, administration and representation. *Rob Kort: I make a motion to accept the committee's recommendation from the Instructor Development Task Force's proposal of meetings. Mike Ryan: I second. Dr. Allin: Any discussion? All in favor say aye, opposed nay. The motion passed.*
- ❖ We heard a report on the National Registry CAT. Discussed with David and Steve what written exam options are available if the Board would decide not to align with the

National Registry in the future. David has been in discussion with Dr. Denton from Pittsburg State University. There will be a more formal plan in April. There will be a meeting with Bill Brown from the National Registry in June.

☼ Associate Degree Verification: The Committee recommendation is to send information to the Investigation Committee for non-compliance.

☼ Variances:

☼ Hutchinson Community College: *Rob Kort: I move that we accept the Committee's recommendation to deny the variance to allow an additional course without accreditation. Jim McClain: I second. Dr. Allin: Any discussion? All in favor say aye, opposed nay. The motion passed.*

☼ Barton County Community College: *Bob Boaldin: I move that we accept the Committee's recommendation to grant the variance to do an Instructor/Coordinator course. Rob Kort: I second. Dr. Allin: Any discussion? All in favor say aye, opposed nay. The motion passed.*

☼ Johnson Co. Med-Act: *Rob Kort: I move that we accept the Committee's recommendation to grant the variance for entrance into I/C course without T/O II requirement. Joe Megredy: I second. Dr. Allin: Any discussion? All in favor say aye, opposed nay. The motion passed.*

☼ For missing an Educator Conference due to a death in the family. *Jim McClain: I move that we accept the Committee's recommendation to grant the variance for missing the Educator Conference as a result of a death in the family. Rob Kort: I second. Dr. Allin: Any discussion? All in favor say aye, opposed nay. The motion passed.*

☼ I/C who did not meet 60 hour teaching requirement: *Rob Kort: I move that we accept the Committee's recommendation to grant the variance for an I/C who did not meet the 60 hour teaching requirement. Joe Megredy: I second. Dr. Allin: Any discussion? All in favor say aye, opposed nay. The motion passed.*

☼ We also approved (in concept) regulations 109-1-1, 109-5-1, 109-9-1 and 109-5-2. End of report.

Planning and Coordination Committee—Joe Megredy

Joe Megredy: I was late getting in here yesterday so Duane graciously volunteered to chair that, so we will both be giving a report.

Duane Mathes:

☼ All six regions were present. All of them gave pretty much the same report, i.e.; testing, the MERGe project, it sounds like the MERGe is really moving forward.

☼ Region II reported on Capitol Days and it was a successful day. They also were at the Reception with KEMSA and KEMTA.

☼ Region VI does have their website up and running

☼ All six regions are pretty much on equal footing when it comes to testing and so forth.

☼ KEMSA was the first group and Terry David gave that report. They said the Chronicle may or will be up and running. It will be four times a year. The first time it will be sent out to all attendants and there will be some other things added to that in the near future you will hear about.

☼ The Last Blast of Summer will again this year be in Overland Park. August 18-21.

Joe Megredy:

- ✿ The rest of them mostly just reported on Education activities.
- ✿ KEMTA Conference is April 8-10.
- ✿ The Fire Chiefs did not have any representation and I think that plan is right now that maybe we will send a letter to them to see if they have another representative that might want to fill in.
- ✿ The Fire Fighters Association just reported on the number of regional schools that they are going to have upcoming and then their conference in April and the dates I didn't get down.
- ✿ Emergency Management representative was there and also talked about their upcoming training program.
- ✿ David updated us on the Public Safety Communications Committee which you got a briefing on earlier today. The one thing I might note that David didn't discuss was they do have available through your local emergency management group two portable radio repeater stations in the event that your 800 system crashes or is taken out during a disaster, you can request this in pretty short order. They would have that in your neighborhood and set up. That would be requested through your Emergency Management Office.
- ✿ We talked a little bit about the Board's Strategic Plan and what our committee is working on. We are having a little trouble making some progress on that. Don did tell us he has been reviewing the current brochures that we have and has those out to a number of people with request for changes that need to be made. I think what I would like to do with that is to have a subcommittee of Mike, Duane and myself, with Don's assistance meet and kind of prioritize our goals. We just are not making any progress, even as to what we want to prioritize. We have that set up and if nobody objects, February 25 at 10:00. We will set up a short teleconference and make it a work session for us so hopefully we can come back in April and present that to our committee and go from there.

J. R. Behan: We had talked at one time, you know our Strategic Plan we approved in 2001. I wonder if maybe it isn't time to have a two hour overview of that. You know we had said we were going to take a look at it after three to five years. Maybe that is something to think about, having Nels come back into town and to look at the strategic plan. **David Lake:** It's interesting you should bring that up. I have asked for some money from the Rural Health Options for next year to fund us to do a strategic plan update with that original group or a similar group to set down and look at what we did, look at where we are and realign those things as a group. I think that is very doable.

Investigations—Mr. Rob Kort

We did have a number of cases that we needed more information on. In fact our first three cases we tabled and requested more information.

- ✿ We had two felony cases that we closed. Those are always interesting. We discussed one at length because there were two events and we weren't sure if there was a pattern or not, but after some discussion we closed that one as well.

- ✿ We had a self report. I think the last three meetings we have had self reports from this one county. They are very proactive as far as correcting their problems. It is a big department.
- ✿ We did finish in time and we did close two cases that we have had open for about a year. We cleaned off our plate a little bit, but we tabled some more things.
- ✿ One of the things that Jerry did was to create a graft on what we did last year in 04. 46% percent of the cases that we heard last year involved patient care problems. 31% were felony convictions that we looked into. 17% were operations and 6% was education problems. Jerry is going to run the same graft for the last four years so we can see if there is a trend. And then when the Chronicle gets back up we will get that information in the Chronicle.
- ✿ We did go into Executive Session right off the start of the meeting. We had a request from a person whose license was suspended asking, and this is the second time this individual has asked for us to give it back. The Attorney General's office counsel advised us of some Supreme Court things that we could look at to see if he met that criteria and he did not. We advised the Attorney General's office to write a letter saying no, we are not going to reverse the decision on that.

Dr. Allin: What was the purpose of that being in Executive Session?

Rob Kort: Attorney/Client Privilege.

Dr. Allin: Let me just ask you for future reference. Do we put that privilege at risk bringing up the conversation in even a vague way without particulars? Do we put that privilege at risk?

Mary Feighny: Yes, you probably do. You probably shouldn't refer to what the discussion was during Executive Session. Just tell the full Board what the action was.

Dr. Allin: Because the action has to be made in open session. So we just have to be careful that we do not lose the Attorney/Client privilege by something that gets said outside of open meeting. Was there an action taken by the Committee in open meeting on this issue?

Rob Kort: The action was taken in open meeting that we directed a letter to be written and that's pretty much the committee meeting.

Dr. Caliendo: A couple of points may be worth advising the Board. We had previously taken an action to have a technician teach a course to his peer group. We had done this before in the investigations committee, ask someone to study a subject and then present a class to their peer group. We received a letter from an attorney, probably a county attorney, challenging that action that this person was not a teacher and wasn't qualified to teach and wouldn't want them teaching their other attendants. We did discuss whether perhaps we need to offer another option. In this case we did offer the option to have this person present a class to staff who volunteered to listen.

The other thing that I was a little surprised at is we are looking into an I/C that was brought to our attention via one of these cases who's pass/fail record is about 30%. Apparently there is no mechanism for monitoring I/Cs. We are going to get some other data on this person. I'm a little concerned. Perhaps we need to provide some QA for our instructors.

(General discussion regarding Pass/Fail rates.)

2005 Legislative Update

David Lake: To date there are two bills that have been introduced in the Legislature that directly effects that Board of EMS. There has been another bill we have been asked to do a fiscal note on that I think it came to us because it had the word emergency in it. That is the bill with the patient's right to refuse or accept pain medication. From a fiscal standpoint it had no effect on us as an agency.

- ☒ The first bill is HB 2158 which is the bill that was introduced in the House Committee on Health and Human Services by both Rep. Judy Showalter and Rep. Bob Bethell. That is our bill to address temporary certification and the legal recognition issue. I have done some work on that bill. Mary Feighny and I have put together a document that looks at each section of current K.S.A. 65-6129 that is affected by our amendment to that bill and what that is.
- ☒ The other bill is HB 2211. This also was introduced in the committee on House Health and Human Services but it has been assigned to the Judiciary Committee. It is an act concerning ambulances related to carrying explanations of legal documents. This bill in a nutshell would require all ambulances to have on board at all times a brochure or other document containing the explanations of legal documents included in subsection B, which we have. Mary Feighny put together a document that does a very good job of explaining that. We have made that available to all the services. It is now on our website. Mary Mulryan dressed it up last week and would be the brochure that would fulfill our portion of this bill. What I would recommend service directors do is to take that document, go to their legal counsel and say, do you concur with what is in this document?

I will be doing weekly updates now to you via e-mail on what is happening across the street.

Advisory Committee on Trauma

Dr. Allin: The regional trauma councils need to present the regional plan by July 1st. We will be on hospital verification looking at level 3 and 4 criteria at the February 16th meeting. The hospitals have had a chance to look at what those criteria are. They are certainly based on the American College of Surgeons criteria. There are some alterations. Level 1 and 2 will be by American College of Surgeons criteria and will, as I have said before in this report, be verified by the American College of Surgeons by site surveys. Trauma Registry, there is a continued issue going on with Glasgow Coma Scale. There is one region, Southwest, looking at a training CD. (Discussion regarding the Glasgow Coma Scale CD and distribution to the six regions.)

The Northeast region has 100% of their hospitals reporting data to the Registry. Clearly that is the best region.

(Discussion regarding the unique identifiers given to trauma patients, possibly as orange wrist band with a number.)

Dr. Allin: In terms of our interaction legislatively because of our clear need for enhanced funding of this system, there will be a legislative briefing in both the House and Senate this month from our

committee. Dr. Harrison and I are going to meet with the insurance commissioner to talk about how this fits in with the insurance industry. Dr. Harrison is continuing to try to get in to see the Governor. I think the Advisory Committee on Trauma has done a good job as a committee of trying to come up with consensus on the nuts and bolts. What we have not done a good job on quite frankly; I think, is just that day to day exposure, working with people at the Capitol and having that exposure to them. We need to start being a little more active and interactive politically.

Election of Officers

Dr. Allin: Let's move to our next order of business which is the election of next year's officers. Basically the positions of chair and vice-chair. We will start with the chairs position. Are there any nominations?

J. R. Behan: I nominate Dr. Allin. *Rob Kort:* I second. *Jim McClain:* I move the nominations cease and a unanimous ballot be cast for Dr. Allin. *Bob Boaldin:* I second. *Dr. Allin:* Any discussion? All in favor say aye, any opposed? Motion passed. *Dr. Allin:* Thank you.

Dr. Allin: Vice-Chair? *Jim McClain:* I am not a candidate for re-election for that position, I would like to nominate J. R. Behan. *Duane Mathes:* I'll second that and move nominations cease. *Dr. Allin:* I'll second that. All in favor, any opposed? Motion passed. *Dr. Allin:* Congratulations J. R. *J. R. Behan:* Thanks.

Rob Kort: I move to adjourn. *Duane Mathes:* I second. *Dr. Allin:* All in favor say aye. Any opposed? Motion approved. Meeting adjourned.