

Board Meeting Minutes

June 7, 2019

Approved
8/2/19

Board Members Present

Dr. Joel Hornung
Comm. Ricky James
Director Deb Kaufman
Chief Shane Pearson
Mr. Chad Pore
Comm. Bob Saueressig
Mr. Dennis Shelby
Director Jeri Smith
Sen. Faust-Goudeau
Rep. Henderson
Director John Ralston
Dr. Martin Sellberg

Guests

Con Olson
Ron Marshall
David Adams
Colin Fitzgerald
Tom Miller
Brian Aeschliman
Frank Williams
Brandon Beck
Galen Anderson
Dan Hudson
Craig Isom
Robin Welkn

Representing

TECHS EMS
KHA
Riley Co. EMS
Leawood FD
Lenexa FD
Stormont Vail
Butler Co. EMS
Lyon Co./KEMSA
AMR KC Metro
KU Hospital
EagleMed/Life Star
Midwest AeroCare

Staff Present

Joseph House-Exec Dir
Curt Shreckengaust-Dep Dir
James Kennedy
Terry Lower
Suzette Smith
Amanda Walton
Chrystine Hannon
Carmen Allen
Kim Cott
James Reed

Attorney General Staff

Kurtis Wiard
AnnaLouise Fitzgerald

Board Members Absent

Rep. John Eplee
Dr. Gregory Faimon

Call to Order

Chairman Hornung called the Board Meeting to order on Friday, June 7, 2019 at 9:00 a.m.
Chairman Hornung called for a motion to approve the minutes.

Director Ralston made a motion to approve the April 5, 2019 minutes. Director Kaufman seconded the motion. No discussion. No opposition noted. The motion carried.

Chairman Hornung reported that there were no Planning and Ops, MAC or Executive Committee reports made due to them not meeting.

Education, Examination, Training and Certification Committee

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

- There were no variance requests. Deputy Director Shreckengaust reported there have been 18 exams this year with a total of 689 examined. They have noted a 3% “no show” rate at exam sites.
- Dr. Charles Foat reported the EDTF met April 25 and addressed housekeeping, meeting frequency and internal communications. They have instituted an electronic platform where they will be exchanging information. The group will be meeting every other month now. A survey went out to request input on topics of interest for webinars on initial and continuing education programs. They plan to offer a webinar every other month that will be free to educators and other interested parties. The EDTF also had discussion on the need for IC licensure and heard a board update.
- The committee looked at regulatory revisions for K.A.R. 109-5-1a, 109-5-1b, 109-5-1c, and 109-5-1d. The four regulations update the continuing education plan. These should be back through the process for vote at the December Board meeting, if not before. Also K.A.R. 109-11-1a on EMR Course Approval is in the regulatory process.
- K.A.R. 109-6-1 is up for revocation. It deals with temporary certification and that process is no longer needed. They looked at the proposal of K.A.R. 109-17-1, 109-17-2, 109-17-3, and 109-17-4 that deal with the sponsoring organization responsibilities in the education process. These would also implement the requirement of a rolling 3-year average with a 70% pass rate for sponsoring organizations offering an initial education course. The committee asked the word “ensuring” in 109-17-1 be replaced or deleted. It was also suggested we look at requiring the sponsoring organization to have the education management plan available for inspection but not requiring many of the items to be submitted to the Board with each new course application. The distance education piece would still be added in as a protection piece as this is varied and new enough to be subject to pre-approval. It is felt the Board office should be notified of cancellation of classes, perhaps via a text to a specified number as a courtesy due to the course audits.
- The committee agreed it was important to look within the sponsoring organization at the pass rate for each level of instruction. Board staff will look at the suggested language revisions and provide a draft at the next meeting for further discussion.
- Deputy Director Shreckengaust reported staff is extremely busy with examinations and all of the other responsibilities with the office.
- The committee received a group of 17 regulations for their review that will require update due to the recent name change in statute from attendant to emergency medical service provider.

That concluded the EETC Committee report.

Investigation Committee

Chairman Hornung called upon Vice-Chairman Pore to provide the Investigation Committee report. Vice-Chairman Pore provided the following report:

- There were 25 cases. Seven had consent agendas. 13 were other cases. Four of the cases they had heard from previous meetings. Two cases they had to go into KAPA.

That concluded the Investigation Committee report.

Office Update

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

- Director House gave the committee a Ground Ambulance Staffing Alternative handout. Chairman Hornung asked if there was any discussion.

Mr. Shelby motioned to approve the Ground Ambulance Staffing Alternative as presented. Director Ralston seconded. Motion passed with 1 dissention.

- A legislative meeting was held on May 20th. A report will be presented at the August Executive Committee meeting. Most of the items are being pushed to KEMSA, KMS and the hospital association. There was great discussion with 27 in attendance.
- A KEMSIS User Group meeting was held on May 21st. Chief Pearson was thanked for allowing the use of space at the Tony's Pizza Event Center. One item that needs to be addressed is that the statute for data collections systems says we need a regulation that ensures completeness, quality, and timeliness. We don't have any regulations right now for KEMSIS, so a draft regulation was prepared and sent out for feedback.
- Staff attended the NASEMSO and Compact meeting in May. The EMS Compact has rules now and gives a foundation to get up and running by the first quarter of 2020. There was a lot of heartburn over the word "bypass" for going past a facility to get to the correct facility. The term "triage" was recommended but causes conflict and puts a huge onus on the hospitals about their capacities.
- Mr. Shelby asked should a patient request a certain hospital if that EMS staff have to honor that request. Vice-Chairman Pore and Chairman Hornung said the service protocols direct their flexibility.
- There were Medical Directors meetings held in Hays and Abilene. Chairman Hornung and Director House went and talked with medical directors and service directors about their responsibilities and goals, some practical basics, and statutory responsibilities. There was a nice turnout at both meetings. They introduced the idea of changing the protocol approval process, which was fairly well received. There will be another meeting in August which will focus on clinical issues in EMS. Chairman Hornung gave an update on the protocol approval process and a meeting with the Board of Healing Arts staff on what it would take to get credentialing of medical directors. After speaking with their staff, it would be better to get a certification through them. We would need a recommendation from our board to theirs. The next step is sitting down with the MAC to determine levels of certifications.

- KEMSA and Kansas State Firefighters Association held a non-transporting agency stakeholders meeting this week. Handouts were provided with 70-80 in attendance. Good conversation was had at that meeting. There was discussion on using the term “emergency medical response agency” and how that would look. They asked for comments to be submitted through KEMSA, Firefighters Association or the Board.

New Business

- Chairman Hornung asked Assistant Attorney General Kurt Wiard to introduce our new attorney, AnnLouise Fitzgerald. She will replace Mr. Wiard immediately as he has accepted another position within their agency. Mr. Wiard was thanked for his service to the Board.
- Director House announced the successful passage of SB53, formerly SB 99, by the Legislature. There are four items that need to be discussed. Inactive certificate will need a decision on an effective date. Criminal History record check will need a start date. He would like it in place before the compact goes live. And Board meeting frequency minimum is reduced from six to four meetings per year.
- Chairman Hornung opened up the discussion about meeting frequency. He said it would be difficult for the Investigation Committee to meet quarterly. Dr. Sellberg was in agreement to keep it at six meetings because the Board would lose the interface. Vice-Chairman Pore asked if the Board stayed with six meetings does that allow us to cancel a meeting. Director House said it would. It was noted that the Board must meet at least quarterly and the bylaws would need amended if less the six meetings were held.
- A new regulation will be needed for inactive certification. There are a lot of options on how to implement this statutory change. Three fees need added to K.A.R. 109-7-1: inactive certificate, return from inactive, and fingerprinting. A form for changing status from inactive to active will be needed.
- For Criminal Background Check no regulation will be needed, however, Assistant Attorney General Fitzgerald recommended the Board post what will be checked on our website and include language to allow the background check on applications.
- Director House explained that a 2017 statute change for the Attorney General’s office allows them to charge agencies for counsel. Their proposed fee and our amount were vastly different. This fee will go into effect on July 1 and we will be billed hourly by the Attorney General’s office.
- Chief Pearson provided a manager’s report for Mr. Reed. They have completed 93 service inspections with no significant issues. Nine unannounced vehicle inspections have been made and found a few outdated items. They have conducted 83 program provider audits and 19 initial course audits. The operations section has been very busy with service renewal, completed on April 30th, and assisting with BLS exams. Planning for the 2019 state fair will start soon and we will get the word out for services who want to participate.

Chairman Hornung thanked Region I for the refreshments.

Chairman Hornung adjourned the meeting at 10:00 a.m.