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Dr. Joel E Hornung, Chair  
Joseph House, Executive Director

Sam Brownback, Governor

## Board Meeting Minutes

May 3, 2016 12:00pm

Teleconference

Approved  
06/03/2016

### Board Members Present

Dr. Joel Hornung  
Director Chad Pore  
Comm. Ricky James  
Director Deb Kaufman  
Chief Shane Pearson  
Director John Ralston  
Director Jeri Smith  
Rep. Susie Swanson  
Dennis Franks

### Board Members Absent

Dr. Martin Sellberg  
Comm. Keith Olsen  
Sen. Mitch Holmes  
Sen. Oletha Faust-Goudeau  
Rep. Broderick Henderson

### Attorney General Staff

Sarah Fertig

### Staff Present

Joe House – Exec Dir  
Curt Shreckengast-Dep Dir

### Guests

John Cota  
Craig Isom  
Con Olsen  
Natalie Hartig  
Jeb Burress  
Kerry McCue

### Representing

Kansas City Kansas FD  
MedTrans / EagleMed  
Techs, Inc.  
Johnson County Med-Act  
Butler Community College  
Ellis County EMS

## Call to Order

Chairman Hornung called the Board Meeting to order on Tuesday, May 3, 2016 at 12:02 pm.

## Delegation of Authority to Decide Petitions of Review

Chairman Hornung called upon the Board's legal counsel, Ms, Sarah Fertig, to provide an overview of the sole agenda item.

Ms. Fertig explained that most regulatory boards have delegated their authority to decide petitions of review to either a single member or a panel of Board members that are not directly involved with the investigation or the case proper.

It was further explained that petitions of review come up because a party is not pleased with the outcome of, or orders filed because of, a case and can request an appeal, a stay, or a reconsideration of the orders among some other items. It was explained that these occur infrequently and that this is the first occurrence since the Board began utilizing the Office of Administrative Hearings for initial hearings.

Ms. Fertig provided that the Board member(s) would provide review of the case, but that legal counsel would be assisting with the review throughout, create orders as needed, and provide responses as needed.

Chairman Hornung requested any volunteers willing to assist in this process. Mr. Dennis Franks and Director Jeri Smith both volunteered. Director Chad Pore provided comment that he felt it would be a good idea to have at least 2 individuals serve on this panel so that the burden of review could be shared by the two parties. No further comment noted.

- *Director Pore made the following motion: “pursuant to K.S.A. 77-514(g), the Board delegate to Dennis Franks and Jeri Smith its authority as agency head to review, decide, and issue any orders in any case after a hearing has been held, including petitions for review, petitions for reconsideration, motions for stay, and any other pleading or correspondence related thereto that has been filed with the Board, and that this delegation continue until further action by the Board.” Director John Ralston seconded the motion. No further discussion noted. No opposition noted to the motion. The motion carried.*

### Adjournment

Being no further business of the Board, Chairman Hornung adjourned the meeting at 12:12 pm.

### Future 2016 Board Meeting Date(s)

June 3<sup>rd</sup>, 2016

August 5<sup>th</sup>, 2016

October 7<sup>th</sup>, 2016

December 2<sup>nd</sup>, 2016