



K A N S A S

DENNIS ALLIN, M.D., CHAIR
ROBERT WALLER, EXECUTIVE DIRECTOR

KATHLEEN SEBELIUS, GOVERNOR

BOARD OF EMERGENCY MEDICAL SERVICES

MINUTES

EMERGENCY MEDICAL SERVICES

BOARD MEETING

October 3, 2008

Board Members Present

Dr. Dennis Allin
J.R. Behan
Deb Kaufman
Dr. Joel Hornung
Comm. Duane Mathes
Col. Dale Wasson
Rep. Cindy Neighbor
Mike Ryan
Joe Megredy
Sen. Jay Emler

Guests

Pam Kemp
Jon Friesen
Geoffrey Allen
Jeff Smith
Mark Willis
Frank Williams
Chris Way
TL David
Randy Cardonell
Randy Easter
Grant Heltenech

Staff

Robert Waller
Steve Sutton
Patti Artzer
Chrystine Hannon
Dave Cromwell
Carman Allen
Jean Claude Kandagaye
Nicole Bradley
Camille Nohe

Board Members Absent

Dr. Dennis Allin
Sen. Chris Steineger
Rep. Kasha Kelley
Sen. Jay Emler
Rep. Cindy Neighbor

CALL TO ORDER

Vice Chairman Behan called the meeting to order on Friday, October 3, 2008 at 9:07 am.

The first order of business was the Planning and Operations Committee.

APPROVAL OF MINUTES

Vice-Chairman Behan called the meeting to order, and requested approval of the August meeting minutes. Upon discussion regarding the approval of Terry David as the back-up to the Statewide Interoperability Executive Committee (SIEC), the Board concluded that the approval of the minutes would be passed over in lieu of additional information provided by Board staff.

COMMITTEE REPORTS AND POSSIBLE ACTION

Planning and Operations Committee

Vice-Chairman Behan called upon Planning and Operations Chairman Megredy to discuss the Planning and Operation (P and O) Committee meeting. Chairman Megredy informed the Board that the operational regulations had been reviewed and provided to the Regional Councils. However, upon further discussion, an additional meeting would be held (date to be determined) to continue the review of those regulations. Chairman Megredy noted that members to be included in the additional meeting would be as follows: two (2) from each Regional Council and one (1) per each Association. He continued by discussing the Memorandum of Agreement (MOA) with the Adjutant General's office regarding the "opening" of the EMS conventional system to other agencies including law enforcement, fire and public works. He explained that the KBEMS Board has the statutory authority to provide such access, and noted that hospitals have been previously given access to the system. Board Member Megredy recommended to the Board to enter into the MOA with the Adjutant General's office for the use of the conventional system by entities other than EMS.

Motion: To enter into Memorandum of Agreement with the Adjutant General's office for the purpose of "opening" to EMS conventional system to other entities outside of EMS. Moved by Board Member Megredy, seconded by Commissioner Mathes. Motion passed.

Board Member Megredy continued his review by discussing the concept of reducing the certification age from 18 years old to 17 years old. The language was provided and presented by Board staff. With no objection, Board staff was directed to initiate the regulatory review process. Further, Chairman Megredy discussed the presentation provided by Sarah House, Kansas Department of Health and Environment (KDHE) Emergency Medical Services for Children (EMSC) Coordinator who gave a power point presentation on the new Emergency Pediatric Care (EPC) education program. He explained that the program is for attendants to aid in providing quality care for pediatric patients. He noted that Ms. House would be in contact with the Regional Councils to assess and roll-out the course statewide. Additionally, Rosanne Rutkowski, Kansas Department of Health and Environment (KDHE) Trauma Program Coordinator provided an update on the Trauma Plan and the recent completion of the American College of Surgeons BIS assessment.

Lastly Board Member Megredy briefly discussed the Kansas Emergency Medical Information System (KEMIS) and the initiation of the project via the selected pilot services. He also discussed and provided an update on the EMS license tags. He informed the Board that the tags would be available the first of December 2008.

Education, Examination, Training and Certification Committee

Vice Chair Behan called upon Carmen Allen, Kansas Board of Emergency Medical Services (KBEMS) Technician Services Manager to give a report on Education Examination Training and Certification. Ms. Carmen called upon Chad Pore, KBEMS Education Development Task Force (EDTF) Chairman for an update. Mr. Pore reported the EDTF met August 11, 2008 and September 8, 2008 to discuss KAR 109-5-1, KAR 109-15-1 and KAR 109-15-2. Their recommendations are as follows:

- KAR 109-5-1 – it is recommended to include physician assistants under (g)(1).

The EDTF recommended that paragraph (o) be changed to read: *Credit toward certification renewal requirements shall not be awarded for multiple educational programs with identical objectives taken within the same calendar year.*

- KAR 109-15-1 – it is recommended by EDTF that paragraph (c) be struck.

Mr. Pore acknowledged that the EDTF believed that allowing a former attendant to regain certification more than 2 years after it has expired compromises the well-being of the public. He noted that the regulation is implementing the changes in KSA 65-6129. EDTF also recommended that the refresher training requirement and proof of valid CPR be included in paragraph (b) for those attendants whose certification has been expired for more than 31 days, but less than 2 years.

- KAR 109-15-2 – it is recommended by EDTF that the definition of legal recognition be added to KAR 109-1-1.

In August it was recommended to change paragraph (a)(2) to read: *provide documentation on a board approved form.*

Mr. Pore also informed the Committee that the EDTF has scheduled meetings the 2nd Monday of each month throughout the remainder of this calendar year and will revisit meeting schedules in December.

Continuing, the Chairman called upon Board staff to review and provide an update on K.A.R. 109-5-5 (retroactive approval of continuing education courses). Staff informed the Committee that the regulation had completed the procedures for filing of Kansas administrative regulations. It had been approved by the Department of Administration, the Attorney General's office, the Joint Committee on Rules and Regulations, and the public hearing process. It is now ready for final adoption by the Board to be placed into regulation.

Motion: To formally adopt KAR 109-5-5. Moved by Vice Chairman Behan, Board Member Kauffman seconded that motion. A roll call vote was required.

On roll call, the vote was: Yeas 7, Nays 0, Absent or Not Voting 5. Yeas: Behan, Boaldin, Hornung, Kaufman, Mathes, Megredy, Wasson. Absent or Not Voting: Allin, Emler, Kelly, Neighbor, Ryan.

The motion passed

Vice-Chairman Behan continued by discussing the membership of the Education Development Task Force and members appointed to the EDTF which would represent the KBEMS Board. The

Chairman determined that further review would be made and individuals selected to fill those positions. He also remarked that discussion was also held on an EDTF recommendation regarding the definition of “substantially equivalent”. The Vice-Chairman informed the Board that the EDTF was tasked to provide a recommend as to the definition of substantially equivalent for clarification of KSA 65-6129 and KAR 109-5-1. Their recommendation for definition was as follows:

“...an initial course of instruction that includes a minimum of 90 percent of the content required by the DOT curriculum for the level sought and for FR, EMT-B, and EMT-I the KS enrichments required per KAR 109-10-1 and for the MICT 90 percent of the didactic, clinical, field internship, and total hours required per KAR 109-11-6...”.

After discussion of the recommendation, no action was taken by the Committee. The Vice-Chairman then informed the Board, that the Committee discussed a proposal submitted by Chy Miller, Hutchinson Community College (HCC) to use the end of course practical final as practical certification examination for HCC students. The proposed would allow accredited programs to “sign off” on practical exams skill, in lieu of the state exam. After discussion, the Committee took no action but directed Board staff to begin the collection of statistical information to review the proposal.

Lastly, the Committee review variance request(s) brought AMR-KC. Those being:

Chris Kueter – 50 hrs
Dennis Ryan - 37.75 hrs
Alan Korosec – 50 hrs
Constance Cook - 17.5 hrs
Mark Olcott – 5.75 hrs
Kendra McKinley – 4 hrs
Curtis Alldredge – 50 hrs
Greg McCurdy – 50 hrs
Kyle Hala – 50 hrs
Antoinette Ryan – 50 hrs
Kenya Love – 50 hrs
Kent Richey – 50 hrs
Breanna VanFleet – 50 hrs
Brett McCoy – 50 hrs
Rodney Williams – 50 hrs

Vice-Chairman Behan explained that AMR taught a Department of Transportation (DOT) paramedic refresher course under their program provider in January and February 2006, but did not submit it on their quarterly report. He further noted that the original submission lacked proper documentation, signature, contained different CEU hours provided to individuals, and other errors. Dr. Hornung recommended Board Staff investigate the lists of students that requested the variances and verify hours for these students that are requesting the variances. Vice Chair Behan motioned to deny the variance request or the staff to validate the certificates.

Motion: To deny the variance request submitted by AMR-KC and direct KSBEMS staff to review and validate the certificates. Moved by Vice Chairman Behan, seconded by Board Member Megredy.

Commissioner Boaldin called upon Executive Director Robert Waller to give an update on the Executive Committee. Mr. Waller gave an update on the FY 2009/FY 2010 Budget submission. Mr. Waller explained that all agencies were directed to cut expenditures by 2 percent. Therefore, all expenditures (both operations and grants), excluding the KBEMS Revolving and Assistance Fund (KRAF) program would be reduced. Mr. Waller noted that Board staff had prepared an appeals letter to the Governor, and were preparing to present said document. He continued by discussing the recommended changes provided by the Education Incentive Grant (EIG) program subcommittee. He explained that the Subcommittee met to review the policies and procedures operating the EIG program (as directed by the Board during the August 2008 regular meeting). The EIG subcommittee recommended that frontier and rural EMS (those with populations between 0.0 to 6.0 and 6.1 to 19.9 citizens per square mile respectively) would have access to the funds exclusively for the first 4 months of a cycle (July 1 through October 31 and January 1 through April 30). All applications would be accepted, but only frontier and rural EMS services would be approved/funded for the first 4 months. After those dates, those in densely populated rural areas (20.0 to 39.9 citizens per square mile) would then have access to the funds on/after November 1 and May 1 as money was available and application received. Additionally, the following cities would be eligible (Burton/Cherryvale (rural), Halstead, Mt. Hope, Sedgwick, Buhler, Haven, and Pretty Prairie (densely populated rural)). Although the cities are located in urban or semi urban counties, the population density of the cities listed above are rural, or densely populated rural. He noted that the Subcommittee further recommended changing the verbiage "priority" to "criteria" under "request criteria", and deleted all definitions regarding full-time, part-time, and volunteer eligibility. Vice-Chairman Behan motioned to accept the recommendations from the EIG Committee.

Motion: To accept the EIG Subcommittee's recommendation to allow frontier and rural EMS (those with populations between 0.0 to 6.0 and 6.1 to 19.9 citizens per square mile respectively) access to the funds exclusively for the first 4 months of a cycle (July 1 through October 31 and January 1 through April 30), and densely populated rural areas (20.0 to 39.9 citizens per square mile) access to the funds on/after November 1 and May 1 as money was available and application received. Moved by Vice-Chairman Behan, Seconded by Board Member Kaufman. Motion passed.

Mr. Waller continued by discussing the Financial Assistance Review Committee (FARC) recommendations to the KRAF grant program. The Committee recommended numerous changes to forms and the application process, but made no significant changes to the structure of the grant. Mr. Waller informed the Board that the grant would open November 1, 2008 (electronically) and close January 2, 2008. The application process and instructional documents would be available via the Board website. Vice-Chairman Behan motioned to accept the recommendations from the FARC Committee.

Motion: To accept the FARC Committee's recommendations to the KRAF grant. Moved by Vice-Chairman Behan, Seconded by Board Member Kaufman. Motion passed.

Investigations Committee

The Investigations Committee met and reviewed and approved the sanction guidelines, as required under 2008 SB 51. Dr. Hornung motioned to approve the sanction guidelines.

Motion: To approved the sanctioning guidelines as recommended by the Investigations Committee. Moved by Dr. Hornung, Seconded by Board Member Megredy. Motion passed.

- A hearing for reinstatement of certificate (Case 07-042 Zach Biegler) was conducted. The Committee moved to reinstate, and directed the respondent to write an article on professional conduct for the KEMSA magazine, and agree to speak on professional conduct by request from EMS organizations. No payment is to be received.

Budget/Office Update

There was no office update.

Public Comment

Vice Chairman Behan recognized Jon Friesen and Randy Cardonell (KEMSA and KEMTA) regarding the operational regulation review. Both organizations discussed the review process and reiterated the need for further discussion on the proposed regulations.

Vice Chairman Behan then recognized Dr. Geoffrey Allen, President and Medical Director (Children's Mercy Hospital) addressed the proposed changes in the EMS Regulations and the changes affecting critical care transports. He noted his concerns regarding staffing requirement and possible reimbursement issues relating to regulatory name changes. The Board took note of his concerns, and information him of the pending regulatory review meeting.

KC Jones (Life Net) President of Kansas Chapter of the Kansas Air Medical Services Association also commented on the proposed regulations and their impact on critical care transport services. The Board noted his concerns.

Executive Session

There was no executive session.

Motion: To adjourn the board Meeting at 10:42 a.m. Moved by Vice Chairman Behan, seconded by Dr. Hornung. Motion passed.

The Investigations Committee meeting will be reconvened immediately following the full board meeting.

Robert Wall

December 5, 2008

Approved