



**Approved**  
**12/04/2015**

**Board Meeting Minutes  
October 2, 2015**

**Board Members Present**

Dr. Joel Hornung  
Dennis Franks  
Comm. Ricky James  
Director Deb Kaufman  
Chief Shane Pearson  
Director Chad Pore  
Dr. Martin Sellberg  
Director Jeri Smith

**Guests**

Jeff Smith  
Brad Sisk  
Jason White  
John Hultgren  
Marguerite Underhill  
Marvin Van Blaricon  
Terry David  
Brandy Rice  
Brandon Beck  
Frank Burrow  
Dalene Deck  
Dan Hudson  
Skylar Swords  
K. Brent Rouse

**Representing**

KCKCC  
Region II/GCCC  
MARCER/KEMSA  
Dickinson Co. EMS  
Retired  
Clay Co. EMS  
Rice Co. EMS  
Ark City Fire/EMS  
KEMSA/Region V  
Miami Co. EMS  
Sedgwick Co. EMS  
KU Hospital  
Finney Co. EMS  
Finney Co. EMS

**Staff**

Joe House – Exec Dir  
Curt Shreckengaust – Dep Dir  
Mark Grayson  
Wendy Gronau  
Chrystine Hannon  
Georganne Lovelace  
James Kennedy  
Suzette Smith  
Ann Stevenson  
Nance Young

**Attorney General Staff**

Sarah Fertig

**Board Members Absent**

Dr. David Kingfisher  
Comm. Keith Olsen  
Sen. Faust-Goudeau  
Director John Ralston  
Rep. Broderick Henderson  
Sen. Mitch Holmes

**Call to Order**

Chairman Hornung called the Board Meeting to order on Friday, October 2, 2015 at 9:07 a.m. The first order of business was to approve the August 7, 2015 minutes. Director Pore requested an addition to the minutes on the public comment by Fire Chief John Paul Jones. Chief Jones discussed a federal law regarding reimbursement through the Centers for Medicare and Medicaid

Services (CMS). Director Pore requested the August minutes be changed to include ambulance services, not just fire services. *Deb Kaufman made a motion to approve the minutes with the amendment. Dennis Franks seconded the motion. No discussion. No opposition noted. The motion carried.*

Chairman Hornung announced two additions to the agenda. There will be a KAPA session regarding an investigation and a brief executive session at the end of the Board meeting.

## COMMITTEE REPORTS AND POSSIBLE ACTIONS

### Planning and Operations Committee

Chairman Hornung called upon Chief Pearson to give the Planning and Operations Committee report. Chief Pearson reported to the board:

- The State of Kansas will be moving KEMSIS to ImageTrend Elite. Butler County EMS as well as a few others will be the pilot services to roll out the ImageTrend Elite for the patient care documentation and patient care records. Services will be able to add the CAD Integration System to their system at their own expense. The CAD System records run numbers and times coming directly from the dispatch center which would automatically roll into the patient care reports. User groups may also be implemented to discuss validation fields for ImageTrend Elite as it moves forward.
- Deputy Director Shreckengaust provided an update on the state fair. There were quite a few blood pressure screenings completed. Over 4,000 health history cards were distributed. Hutchinson Community College and Hoisington EMS did several sessions of hands only CPR for the public. There were also small gifts handed out to EMS certified personnel that stopped by the booth. Concordia Fire Department and EMS, Life Team, Cherokee County District #2 Ambulance Service, Larned EMS, Butler County, Halstead Fire EMS, Neosho Regional Medical Center Ambulance Service, Hoisington EMS, Phillips County EMS, Finney County EMS and EagleMed all assisted with the static display. There was quite a bit of movement with Facebook and social media during the State Fair and this is a positive thing for the Board. Chief Pearson also thanked Dave Cromwell, Jim Reed and everyone else from the Board office that assisted with the State Fair. Deputy Director Shreckengaust recommends we should continue to be a part of the State Fair.
- The following 11 services have received the outstanding inspection award since the last Board meeting: Cherryvale EMS, Children's Mercy Hospital (Air), Fire District #11 EMS, Independence Fire/EMS, Leavenworth County EMS, Lifeflight Eagle, Mulvane EMS, Sabetha Emergency Service, Seneca EMS, Town & Country EMS and Overland Park Fire. Almost 20% of services inspected have received an outstanding inspection. There are 17 more inspections that need to be completed by the end of the year. A few more may be added to the outstanding inspection list by the December Board Meeting.

- The regulations regarding staffing are moving now at the Attorney General's office. There may be information back by the December Board meeting so the Board can move forward.
- Chief Pearson and James Reed are planning a meeting in Salina by the end of October to review the inspection policy. They will determine if more latitude can be given to the inspectors during the inspections.
- The Committee discussed performance measures regarding what types of data should be collected. They also discussed how to utilize the data that is currently collected to benefit the Board, services in the state, and the state of Kansas. Suggestions from the Medical Advisory Committee regarding benchmarks and performance measures, both locally and state wide, may be beneficial in determining what types of data should be collected.
- For the region updates there was an educator workshop for Region I. Most of the regions hold their region meetings within a short period of time after the bi-monthly board meeting.

### Education, Examination, Training and Certification Committee

Chairman Hornung called upon Director Kaufman to give the EETC Committee report. Director Kaufman reported to the board:

- The number of attendants in Kansas who need to complete a transition program continues to be monitored. This number is expected to fall dramatically as this year's renewal cycle concludes because some individuals have waited to this point to submit their transition class and their renewal.
- A double stamped copy of the regulations that are in the regulatory process was received. There were a few changes made: mainly punctuation, history updates and one word was added to clarify the intent. The regulations are in the 60 day public comment period and the hearing will be December 1<sup>st</sup>. The regulations should be back at the December meeting.
- Regulation 109-5-1 needs to be flagged for further consideration and discussion for possible revision after this process is completed. The committee struck through language on the conversion of credit hours to CE hours. After consulting with Sarah Fertig, the consensus was the language may need to be put back, but they did not want to stop the process at this time.
- Wendy Gronau presented the BLS Examination Vendor Report. The examiner workshops have been completed with good feedback and participation. Three examination sites were scheduled in September, and none in October at this time.
- The EDTF met September 10<sup>th</sup> in Andover. The committee that was working on continued competency is now working on policy & procedure for the EDTF. They are also working on Mission and Vision Statements. The Scenario and Educator Proposal committees have established a google account for sharing documents which should help

with communications. Their next meeting is October 23<sup>rd</sup> via video conference, which they hope will increase attendance.

- There are 2 Instructor/Coordinator courses that are pilot courses. Charles Foat and Karyl White are both involved in these I/C pilot courses doing Beta testing application and evaluation tools. Charles Foat from Johnson County Community College has finished his I/C course. He had atypical students and wishes that to be considered in his participation. The students are beginning their mentored process. The committee will need to determine if the competencies in the current evaluation tool apply to the current education process. They will also need to determine if the objectives are possible to obtain throughout the state and especially in arenas outside the educational institutions. The committee will also outline a method of providing verifiable evidence that the competencies have been met. Barton County Community College has started the I/C class. Karyl White reported the forms need some revision as the mentored portion is vague and subject to a lot of interpretation. The platform for the document sharing will also need revision. The I/C instructor needs a method to secure the portion of the document that is complete when it is accessed by the student and the mentor. The student and the mentor will also need to have the ability to lock their portion of the document. When the document is shared, it currently requires a full Adobe program to access and input information and many do not have that available. The class room portion of the course will end in December. Karyl White has already met with some of the mentors who will be working with these candidates. Director Kaufman acknowledged Charles Foat and Karyl White for their hard work in Beta testing the program and wants them to know how much the Board appreciates the work they are doing. They plan to meet with Wendy Gronau and Deputy Director Shreckengast to work through issues they are finding.
- The committee discussed data collection and possible performance measures. They are interested in tracking the students who obtain certification in Kansas classes to see how long they stay in EMS, and if possible, where they go when they do leave.
- EIG student retention in rural areas was discussed. The committee would like to determine if the providers are staying in rural areas after they obtain certification and complete their one year of obligation to the service.
- The committee would like to ask the MAC to recommend clinical performance measures and also monitor the National EMS Compass Initiative.
- The results of the National Registry written exam have been requested by the committee and they would like those numbers verified with an explanation of what the results represent. They would also like a breakdown of the results by category to determine if there is a link between the number of course hours and the pass/fail rate. The same is true of the practical exam.
- With the discussion and challenges of implementing the educator proposal concept it would assist us if we could identify what some of the real problems are with the initial education process.
- Certification renewal applications have been mailed out and the online portal opened September 28<sup>th</sup>. The attendants were also emailed and that has resulted in numerous phone calls. The office is hoping that if they receive calls now it will lessen the December crunch burden. There were a few challenges with the online program but they have all been resolved. As of September 30, 88 online renewals have been received.

- Wendy Gronau has been working on a pilot course project. There are 8 regulations that reference the pilot projects. Any regulation updates will be put on hold until the Education Specialist position has been filled and trained.
- The committee reviewed a corrected initial course audit form. The verbiage on the form on one line was erroneous as it referenced the state student roster being on file versus the verification of student attendance. Although it is a minor change, it does realign the intent of the regulation to differentiate between the initial course and continuing education course requirements.
- The committee heard a report on the plans of the National Registry of EMTs regarding the continued competency plan. Rather than having a nationwide date of implementation as we previously understood, states will now be allowed to opt in individually. Deputy Shreckengaust will meet with the National Registry representatives to clarify what this means for Kansas and he will report back to the committee.
- If the regulations come back through the public hearing process as expected, and are adopted at the December Board meeting, the Kansas Continued Competency Plan would go into effect January 1, 2016.

### Executive Committee

Chairman Hornung called on Mr. Franks to give the Executive Committee report. Mr. Franks reported to the board:

- There has been no forward movement on S. 1648 (Rural Emergency Acute Care Hospital Act) since the August meeting.
- The main difference between H.R. 3225 (Save Rural Hospitals Act) and S. 1648 is it took out the funding to rural areas transferring to designated trauma centers. It amends the Social Security Act to make permanent increases to Medicare payments to rural ambulance services. It also provides for EMS grant funding to eligible rural hospitals of about \$2,000,000 per year total for the entire nation. Director House does not anticipate the bill moving during this session and talk is starting on the federal level.
- H.R. 2366 (Field EMS bill) deals with changing from pay for transport to pay for treatment. Director House does not anticipate this bill going through this session, but will pick up a lot of steam for the next session.
- H.R. 1021 is the Protecting the Integrity of Medicare Act of 2015 (S. 17). Director House anticipates less than a 50 percent chance of this bill being enacted. This bill deals with a prior authorization for repetitive scheduled non-emergency transfers.
- Terry David made a request to bring the Field EMS bill forward today to the Board and make a recommendation. Terry provided handouts on the field bill.
- Dr. Ryan Jacobsen from the MAC provided an update on the September teleconference of the MAC.
- The MAC drafted a best practices document for drug assisted and rapid sequence intubation procedures.

- There was a lengthy discussion on the CARES registry, the cardiac arrest registry for enhanced survival, which is the largest national cardiac arrest pre-hospital registry. They have stopped their grant funding and are going to a prescription based model. If a service serves a population of less than 3,000, the fee would be \$1,000 per year; if you serve 3,000-750,000 per year, the cost is \$2,500 per year; if you serve 750,000 plus, the cost is \$5,000 per year. Statewide the cost is \$15,000 per year. This would be administered by a state coordinator. The MAC discussed the possibility for starting this system statewide. Chairman Hornung asked if board staff could brainstorm to find funding for this to be purchased statewide.
- Flex EMS was discussed.
- A Resuscitation Academy was put on to encourage engagement of Medical Directors in the state. The Academy is free resources that have come out of Seattle, and emphasizes high performance cardiac arrest systems.
- Under a budget provision the Board was tasked with the development of an analysis and evaluation of state law and county regulations regarding the current and future utilization of other health care professionals providing prehospital services as part of an ambulance service. An update will be provided on the progress of this project.
- Director House sent out a survey on September 9<sup>th</sup> with a follow up reminder on September 22<sup>nd</sup>. The survey is still open. To date there have been 115 responses. The highlights include: 35 have local laws above and beyond state requirements, 20 used other health care professionals to staff ambulances for 911 transports (17 say they have been done within the last 12 months), 30 said they used other health care professionals to staff ambulances during inter-facility transports/transfers (all 30 report this is within the last 12 months), 59 responded that their budget would support utilization of other disciplines if that were an option, 62 responded that it would benefit their service to use other disciplines for 911 transports, 69 reported it would benefit for inter-facility transfers, 88 responded they would be willing to have other disciplines on their services if they would volunteer or work for similar compensation.
- Director House will be looking at the 35 locations with local laws above and beyond state requirements and will prepare a draft of a report to the board in December before presenting to the Legislature in January.
- At the June Board meeting, the Board asked for each of the regions to identify the top 3-5 issues pertaining to EMS within their region. The majority of concerns reported by the regions were regarding recruitment and retention. Other concerns were: the exam process (waiting 30-45 days); reliability of current stream of education; reimbursement; regionalization of services; transfers (length of time out of area and who's responsibility); and AEMT and EMR skill levels.
- K.S.A. 65-4946 requires the Kansas Board of EMS to certify entities which distribute DNR identifiers within the state. Director House presented a form that will be used to certify entities for DNR identifiers.

- The KRAF committee will meet October 20<sup>th</sup> in Salina to establish the guidelines for the 2016 award process and update the application forms.
- Dr. John Gallagher, Sedgwick County EMSS Medical Director, has requested to be appointed to the MAC. The committee passed a motion to appoint Dr. Gallagher to the MAC. Director Pore recommended that participation in MAC meetings be monitored. Dr. Hornung requested that attendance be taken for MAC meetings and a summary given to him for review.

***Mr. Franks made a motion to recommend a letter to support H.R. 2366. Jeri Smith seconded. No discussion. No opposition noted. The motion carried.***

***Mr. Franks made a second motion to appoint Dr. John Gallagher to the MAC. Deb Kaufman seconded. No discussion. No opposition noted. The motion carried.***

- After a brief discussion regarding acceptable forms for DNRs, Director House said he would publish DNR forms on the EMS website.

### **Investigations Committee**

Chairman Hornung called on Director Pore to give the Investigations Committee report. Director Pore reported to the board:

- There were no consent agenda items, so there was action taken on all cases discussed.
- An I/C falsified several documents during training of transition courses. The individual admitted to the falsification and all that had occurred. The committee moved to revoke that individual's I/C.
- An agency hired a paramedic with out of state certification and the individual failed to obtain Kansas certification during the first 2 weeks of employment, but road as a third person on an ambulance. The individual provided actual care including starting IV's on patients. He was the primary care technician on one call. The state has a process to complete for temporary certification, but that wasn't utilized. So this was a case of someone practicing without holding a certification. The information the investigator discovered lead the committee to believe the agency had been following this process for some time. Because of concerns with the agency, the committee tried a new method of issuing a consent agreement with the agency with them paying a \$200 fine for violating regulations. No action was taken on the individual who did obtain certification, but has since moved out of state with no plans to come back. The individual is up for renewal in December. So the committee decided to table his case until February to see if the individual renews his certification and the case will be reviewed at that time.
- An individual provided treatment to an eight year old with a gunshot wound to the chest. The lead paramedic decided to decompress the chest. There were a lot of concerns within the agency and by the medical director. After a lengthy discussion, the case was closed against the department. The lead technician received a six month suspension. The case

against the second technician, who was an also a paramedic, was tabled. The board staff will send a letter to the second paramedic requesting that he appear before the committee in December.

- An agency took local action against 2 paramedics who administered the wrong medication to a seizure patient. The mistake was discovered during the narcotic counts. There was nothing intentional in the action. The agency took very good local action: One paramedic was suspended without pay for a shift and the other was reprimanded. The agency developed a process to prevent this mistake from happening again. The committee accepted local action and the case was closed.
- There were two cases against individuals with a service that the committee has seen a lot of issues on. Recently, the committee asked to open their own investigation and more cases are coming in on this agency. The committee took action against the individuals and made a decision on the agency. The board will invoke KAPA to discuss the full picture on the agency at the end of this meeting. One individual was an AEMT who acted outside the scope of practice on three separate inter-facility transfers. The AEMT transported a patient while on heparin, another patient was transported on norepinephrine and heparin, and rocuronium was administered to a third transport patient. The committee suspended certification for three months, with nine months of probation after that. The AEMT will also develop a written instruction list on where to find the AEMT scope of practice and medication list guidelines at the state level. The committee directed Board staff to refer this case to the Board of Healing Arts because the hospital physician gave the AEMT an overview of the rocuronium drug and sent him on his way. The second individual was an EMT-I at the time from this same agency who also transferred a patient while on heparin. This individual also received a three month suspension.
- The committee is trying to reach a consent agreement on an ongoing case that has been in hearings and appeals.

### Office Update

Chairman Hornung called on Director House to give the office update. Director House reported to the board:

- Director House attended several meetings since the August meeting:
  - A Rural Emergency Care Conference, and Region I, II and IV meetings.
  - A Medical Directors get-together in Region VI. The attendance was good and the comments from the Medical Directors were very positive. Director House encouraged other regions to plan get-togethers to bring Medical Directors from the individual EMS agencies closer together.
  - He also attended several meetings with KDHE to discuss resource management credentialing and data sharing. They met Wednesday afternoon at the Kansas Hospital Association for a strategic planning meeting for the trauma program. Based off of their benchmark indicator scoring assessment, there are ten items that we are

working on. We have developed objectives and strategies for the next three to five years.

- There have been several personnel changes at the board office. Dave Cromwell resigned effective the first week of September. Joe Moreland retired effective the first of September. Carrie Doud, the Education Specialist, moved on to another state agency last week. The IT position has been filled by James Kennedy. James Reed has accepted the Operations Manager position, and the position title has been changed to Compliance Manager. The Education Specialist position and the EMS Specialist position should be posted within the next two weeks.
- The budget provision report should be finished within the next couple of months.
- We will be working on furthering KEMISIS over to the Elite side and starting the beta testing. The plan is to beta test the electronic patient care system in November and December, and have services come on board the first quarter of 2016. December 31<sup>st</sup>, 2016 is the deadline for services to migrate over to the new system, as ImageTrend will stop supporting our current solution at this time.
- There has been a change in project managers in our license management system on the ImageTrend side. This has caused a short delay. We still anticipate having the attendant side up and going sometime in February. We will wait for the services portion of that same system to come up after the renewal period.
- The online renewal system is up and going. This system is operated by a third party vendor of the state. There are no major issues with the system at this time, and minor issues have been corrected as they occur.

### New Business

- Director Pore stated that in a couple meetings yesterday the National Registry of EMTs came up in things the board is doing that are National Registry related and how we compare to them. Director Pore suggested board staff gather the data and explore what the process would be to go to the National Registry and what that would mean to our state. He said this information would be beneficial to the Board in deciding if they would like to go to the National Registry in the future. Chairman Hornung agrees and asked Director Pore to outline what he would like to do with Director House, and have Director House report back to the board in the next few months.

### Public Comment

Chairman Hornung called for public comment.

Director Jeri Smith introduced Brandy Rice, a firefighter/paramedic at Arkansas City Fire EMS. Ms. Rice received the NAEMT National Paramedic of the Year Award in Las Vegas. Director Smith stated Ms. Rice always goes the extra mile. She has even made lunch for her patients when she takes them home, and has also mowed their grass. Ms. Rice thanked Director Smith for all of her support.

Chairman Hornung closed the meeting for KAPA discussion with Director House, Deputy Director Shreckengaust, Sarah Fertig, and Mark Grayson from 9:53a.m. to 10:52 a.m.

Chairman Hornung took the Board into Executive Session to discuss personnel matters at 10:55 a.m. for 15 minutes.

The Board reconvened at 11:10 a.m. and adjourned.

The next meeting is December 4<sup>th</sup>, 2015.

DRAFT