

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

Board Meeting Minutes

October 12, 2018

Approved
10/12/2018

Board Members Present

Dr. Gregory Faimon
Rep. Henderson
Dr. Joel Hornung
Comm. Ricky James
Director Deb Kaufman
Chief Shane Pearson
Director Chad Pore
Director John Ralston
Comm. Bob Saueressig
Sen. Vicki Schmidt
Director Jeri Smith
Dennis Shelby

Guests

Terry David
John Hultgren
Jason White
Mark Holcomb
Kent Vosburg
Craig Isom
Kerry McCue
Con Olson
Chrissy Bartel
Dawn Cornejo
Richard Sigle Jr.
Brandon Beck

Representing

Reno Co EMS
Dickinson Co EMS
MARCER
Med-Trans/Eagle Med
JC Fire Dep.
Med-Trans Corp.
Ellis Co./Region 1
Tech EMS
Norwich EMS
Conway Springs
Topeka Fire
Emporia Fire/EMS

Staff Present

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

Attorney General Staff

Sarah Fertig
Kurtis Wiard

Board Members Absent

Sen. Faust-Goudeau
Dr. Martin Sellberg
Rep. Susie Swanson

Call to Order

Vice-Chairman Pore called the Board Meeting to order on Friday, October 12th at 9:02 a.m.
Vice-Chairman Pore called for a motion to approve the August 3, 2018 minutes.

Director Ralston made a motion to approve the August 3, 2018 minutes. Director Smith seconded the motion. No discussion. No opposition. Motion carried.

Vice-Chairman Pore announced no meetings were held for the Medical Advisory Council.

Planning and Operations Committee

Vice-Chairman Pore called upon Chief Pearson to provide the Planning and Operations Committee Report. Chief Pearson reported to the Board:

- Director House provided a KEMSIS update and said the number one issue is speed of connectivity. There are plans to change servers. As of right now, they are 98% full. We are currently working on logistics, as moving them would take over 24-hour with a shutdown of the system.
- The plan is to move to KEMSIS Version 3 entirely the first of the year and close Version 2. He said 78% of the state volume is in KEMSIS.
- Data quality review shows it's not up to where it needs to be. Director Pore spoke about the need for validity scores. All validation rules are based off NEMSIS requirements. Version 2 started in October 2015 and everyone used the same form. They found it didn't work for everyone.
- The data side needs to see more consistency in inputting data. An example is in stroke patients. They need to receive a stroke assessment and check blood sugar levels. We need to work with agencies for a standard to collect data.
- Director House is now focused on getting more people in the system and working on validation rules that aren't being met. 152 of the 173 services are reporting data.
- Mr. Reed said they have done 153 inspections and only have 21 left. They are anticipating finishing in November.
- At the end of the year they hope to do some revamping of their procedures. They are hitting the 100% mark. They are open to suggestions on how to better the process.
- There have been no issues with Quality Assurance like previous years.
- They have completed 44 initial course audits along with 147 program provider audits.
- There was only one variance for a service name change. They needed 30 days for re-lettering emergency vehicles.
- Mr. Reed has spent considerable time collecting data on non-transport agencies. He found 254 individual services were doing non-transport.
- There was a little discussion on permitting EMS agencies that provide 911 only, inter-facility transport, first response, etc. Currently the Board licenses air and ground services. Chief Pearson said he could see how this would be useful data. There was concern with this being something that straps the service, but we can address that.
- A new service license was issued to Good Samaritan Air Care out of Kearney, NE and Medical Air Rescue out of Sydney, SD.
- Name changes that occurred were Stockton and Plainville combined into Rooks County EMS and Ottawa County Fire District #4 was changed from Bennington EMS.
- Mr. Reed gave details about the State Fair. He would like to do something different, but it seems to be a destination stopping point for the fair participants.
- Region III has a new MERGE commander, Brandon Beck. New Medicaid rates should be in effect now.
- Dr. Hornung appointed Vice-Chairman Pore to lead up a committee to address the AEMT medication list. He is concerned with how the medical list has grown much larger than the original intent. Additional information will be discussed in the Executive Committee Report.

That concluded the Planning and Operations Committee report.

[Education, Examination, Training and Certification Committee](#)

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

- No variances have been submitted.
- Carmen Allen, Education Manager, reported that new exams are going well. Tests have been done in Wichita, Kansas City, Topeka, and Labette County. Minor changes have been made to processes as they are identified. At the committee's request Jeff Smith, Kansas City Kansas Community College, provided comments on their experience with the new examination process. Students liked the video information and found it was consistent with the actual process. Ms. Allen added that evaluations were being done at each exam site on staff, students, examiners, and volunteers. Candidates did question why they were not tested on all the skills they learned, but liked the overall process. There is one exam site scheduled for later in October, none in November, and numerous sites scheduled for December.
- Due to the board meeting date change, the EDTF chairman was unable to attend to give a report. Regulatory revisions to K.A.R. 109-5-1, K.A.R. 109-8-1, K.A.R. 109-8-2, and K.A.R. 109-11-6a have completed all three phases of review and are now in the 60-day public comment phase, with the public hearing scheduled for December 17th.
- There was open discussion on the education standards. No actions were taken, but there was discussion on matching with national standards and how often we review them for emerging trends.
- Ms. Allen reported that 947 individuals have been newly certified. There are 4,873 individuals scheduled to renew by December 31st and only 9% of these have renewed to date. There are 4,458 left to renew.
- Ms. Allen reported that staff have been fielding many calls referencing Kansas Continuing Education Plan requirements and how to enter them into the portal. She also reported that she and Deputy Director Shreckengast were working to clean up system data.

That concluded the EETC Committee report.

Executive Committee

Chairman Hornung called upon Mr. Shelby to provide the Executive Committee report:

- Director House went over key points which were included in the handout for Kansas Legislation, which are background checks, inactive status and clean-up language. Director House would like a legislator to work with the Reviser's office to get these going. Senator Schmidt offered to help.
- Director House stated that under the EMS Compact the National Registry is offering to assist with management. They will be getting away from the term REPLICA and it will be referred to as the EMS Compact. They will work on moving towards education and away from advocacy. Draft rules would include the following: 1) A rule on rulemaking. This will include how information is moved from one state to another. This is 80% done and should be out to the commissioners by the first of the year. 2) Develop scenarios. This will continue to be developed. Early March is the deadline to get out to the public with a hearing in May. The database should be done in early 2019.
- There was discussion on whether for-profit services should be eligible for Education Incentive Grant funds. Chief Pearson suggested that for-profit services should be the last

group to receive grant monies if money is leftover. He also suggested that the agency could be liable if the student fails to meet the grant requirements or could set some parameters for for-profit entities.

- To bring the medication lists to a better solution, Chairman Hornung will create a new committee called the AEMT Excellence Committee to clean up the AEMT medication list. The committee will consist of one MAC member, one urban or rural representative, and a member of the Education Committee or an education institution representative. Dr. Hornung still has a lot of concern with the AEMT list as it is too broad, not clear how it will be administered, or how it will be taught. He wants to get all the ideas in one place. Vice-Chairman Pore will chair the committee. He wants a progress report by February 2019. He suggested a review of data on what AEMTs are doing and create a unified education process to make sure we have the right education process.

Director Kaufman motioned to approve the medication lists for the EMR and EMT and postpone the list for AEMT. Senator Schmidt seconded the motion for discussion purposes. There was considerable discussion. The motion failed.

- Chairman Hornung requested the EMR and EMT medication lists be sent back to the Executive Committee for consideration.
- The KRAF grant is currently funded with 2.23% of fines, which was recently dropped down from 2.5%. This makes approximately \$395,000 available for grants. The Committee was in favor of asking for more funding.

Vice-Chairman Pore made a motion to pursue legislation to increase funding to 2.93%. Director Ralston seconded the motion. There was discussion provided by Senator Schmidt about the pros and cons. She would recommend requesting state general funds and to build the case. No opposition. The motion carried.

That completed the Executive Committee report.

Investigation Committee

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

- The Committee had a big agenda. They heard 20 cases and only one was on the consent agenda.
- There were four applications approved, 7 cases with violations (on 3 cases they accepted local action), and 8 cases without a violation.
- Cases presented include:
 - A technician drew up a little more of a sedation medication than they should have. They hit a bump during administration and his thumb pushed in more than he should. Local agency took great action and the Committee accepted local action.

- There was an AEMT scope of practice issue with confusion on one paramedic who had passed his national testing but wasn't yet state certified. His agency had given him a "Paramedic" shirt already. They did find a violation and did a consent agreement and talked with the service.
- There were a couple cases on creating fictitious accounts in the Public Portal. This is the second time it has happened. This new case had no ill intent. So they dismissed this case along with the previous case and will reimburse the person the fine from the previous case.
- They had an attendant not sign a consent agreement from a previous case. They moved forward on a summary proceeding order along with requiring him to take a PEPL course.
- They are watching another case where there was suspicion of drinking on the job while on a call. They did a consent agreement to take rehab.
- A paramedic student was federally indicted on child pornography charges. We put in an emergency order of suspension. When he was told of the suspension, he surrendered his certification. When it came up in the meeting, counsel advised that the Board is the only agency without a statute to surrender for revocation. Director House will meet with counsel to discuss options.
- An individual had a previous felony charge that involved alcohol. There was a previous battery charge that involved alcohol. The individual flat out told the committee that she was at the lowest point of her life. There was also a DUI in April. Her current position is working at a research facility and had direct physician oversight daily. The Committee's concern was she should not be on an ambulance. She was willing to agree to that. However, counsel didn't think the Committee had a leg to stand on. So Director House will meet with counsel to determine if anything needs done.

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:

- The office has been very busy with conferences, the state fair and the NEMSIS Regional Conference.
- There was a rural EMS success story that was shared from a NE Wyoming county hospital-based EMS system. It was costing the hospital \$180,000.00 to operate, but they are now netting the hospital close to a million dollars in the last 3 years by changing some management philosophy.
- A national collaborative was using Kansas data for Edwards, Pawnee and Stafford counties where there was a higher rate of cardiac arrest, but the bystander CPR use rate was low. They might need to talk locally about CPR classes.
- Early in September Director House met with Hamilton County Commissioners to get one of their instructors to gain reciprocity. He will talk with them more about strengthening EMS.

- Director House has been heavily involved with the Governor's Substance Abuse Task Force which met three times in September. A report was due on the 30th and they got the report finalized.
- Budget revisions for 2019, 2020 and 2021 were submitted on time and have cleared Division of Budget review.
- A Sepsis project is currently being worked on in Rooks, Edwards and Smith Counties. He is also working with the Kansas Foundation of Medical Care along with the Heart Stroke Collaborative.
- The next NASEMSO Regional Fall meeting will be hosted by Kansas. The target date is mid-September and we are looking at Kansas City for a site.
- Recertification for mobile testing and testing administrators is due by the end of the month.
- In December he plans to do cognitive testing in the morning and afternoon while alternating the skills exam at the AEMT level in Ellinwood.
- We are entering into a contract with KDHE for FLEX funds of about \$11,000.00 to have a better understanding of economic indicators for rural ambulance services. The project is intended to provide funding for education.
- Currently we are working with the Kansas Department of Labor on an occupational license project. Kansas is one of 11 recipients of funding from the US Department of Labor. It is designed for researching what current State of Kansas licensing criteria is for 8 occupations. Future stages of their project are focusing on identifying barriers to obtaining licensure by sideline populations. There will be a rising need for labor in the next eight years.
- There are a ton of upcoming meetings scheduled in the next few months.
- On August 14th we received a report about a private, for-profit company out of Olathe, KS that was providing police, fire and EMS by subscribing on their website. We found that no one on the service or business was licensed in any state and they are not a legitimate organization. On September 4th we sent them a letter advising them to stop advertising and representing themselves as EMS. They were using the Pulse Point App to dispatch to calls. On September 10th they did respond and removed what we asked them to.
- We received multiple reports from ambulance services who had been contacted by National Med Trans. The contracts they sent out looked like a phishing scam but it was a legitimate company under United Healthcare. It's a non-emergency transport service and ambulances are in a perfect position to transport and provide emergency care. It also could be a great alternate funding source for services.
- On September 18th we received a concern about a 12-year-old going on an ambulance run, but it was with a first response agency. Their agency has since changed their policy. The 12-year-old was at school sharing stories.
- On September 20th we received a request from an individual to open a renewal application. We noticed that they didn't have certification. The individual needed a certification card for their job where they had worked for the past two years. We did reach out to the agency to show them how to verify a person is state certification.
- We did receive notification about Mercy Hospital closing but were told that the ambulance service would stay open until March 31, 2019. The service has done a great job keeping the Board apprised.

- We received notification of a private raceway that was going to operate with a private ambulance service of out of state personnel. It was a heated discussion, but finally all parties know what they need to do.
- Clearwater EMS suspended their service director and 6-8 other individuals reportedly left the service as well. A post on social media started inquiries on the community's safety of its citizens. We are working with Clearwater and Sedgwick County on their transition.

Dr. Hornung recognized Assistant Attorney General Fertig for her seven years as counsel to the Board. He described her as a wonderful representative from the Attorney General's office who was a joy to work with. He thanked her for her help and work for the Board and gave her a plaque and roll call certificate.

Chairman Hornung adjourned the meeting at 10:33 a.m.