

Landon State Office Building  
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**DRAFT**

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Dennis Allin, M.D., Chair  
Steven Sutton, Executive Director

Sam Brownback, Governor

## **Board Meeting Minutes October 7, 2011**

### **Board Members Present**

Dr. Dennis Allin  
Sen. Jay Emler  
Dr. David Kingfisher  
Rep. Broderick Henderson  
Rep. Vern Swanson  
Shane Pearson  
Deb Kaufman  
Dr. Deb Smith

### **Guests**

Dalene Deck  
Jon Friesen  
Anderson Lowe  
Mark Willis  
Sarah House  
Derek Sobelman  
Brandon Beck  
Kathy Dooley  
Terry David  
Chad Pore  
Jeb Burress

### **Staff**

Steve Sutton  
Joseph House  
Carman Allen  
Dave Cromwell  
Jean Claude Kandagaye  
Jerry Cunningham  
Patti Artzer  
Nicole Wells  
Rashelle Fowler  
Chrystine Hannon

### **Board Members Absent**

Sen. Oletha Faust Goudeau  
Dr. Joel Hornung  
Comm. John Miller  
Comm. Bob Boaldin  
JR Behan  
John Ralston  
Joe Megredy

## CALL TO ORDER

Dr. Allin called the Board Meeting to order on Friday October 7, 2011 at 9:10am.

## APPROVAL OF MINUTES

The first order of business was to approve meeting minutes from the April 1, 2011 Board meeting.

***Motion: To approve April 1, 2011 Board Meeting minutes. Moved by Dr. Allin, seconded by Dir. Kaufman. Motion passed.***

## COMMITTEE REPORTS AND POSSIBLE ACTION

### Planning and Operations Committee

Deb Kaufman, Planning and Operations Committee Chair, provided a committee report to the Board summarized as follows from their meeting on October 6, 2011:

- Dave Cromwell provided a verbal report regarding the first response groups and their identification through the Board office. This has been put on hold until next year due to the complexity of changes on the renewal forms.
- Discussion took place regarding Type V staffing issues and proposed Operational Regulations with the following recommendations coming to the board for action. Recommendations for changes came from the Joint Committee on Rules and Regulations and public comment received to date.

***Motion: To move section KAR109-2-13(e)(1) to KAR109-2-11. Moved by Deb Kaufman, seconded by Senator Emler. No Discussion. Motion passed without objection.***

***Motion: To change the wording on Advanced Registered Nurse practitioner to Advanced Practice Registered Nurse. Moved by Deb Kaufman, seconded by Dr. Smith. No Discussion. Motion passed without objection.***

***Motion: To change the term Air Medical Advisor to Air Medical Director. Moved by Deb Kaufman, seconded by Dr. Smith; No Discussion. Motion passed without objection.***

***Motion: To leave the language as it stands in KAR 109-1-1(dd), (ee) and (ff); Moved by Deb Kaufman, seconded by Representative Swanson; No Discussion. Motion passed without objection.***



***Motion: To change the language to say City, County, Township, or an appropriate combination. Moved by Deb Kaufman, seconded by Representative Swanson; No Discussion. Motion passed without objection.***

***Motion: To not move forward with KAR 109-2-5(c) recommendation by the Joint Rules and Regulations committee regarding calibration of equipment. Moved by Deb Kaufman, seconded by Representative Swanson. No Discussion. Motion passed without objection.***

***Motion: To leave the wording as is written in KAR109-2-10a, subsection A3. Moved by Deb Kaufman, seconded by Shane Pearson; No Discussion. Motion passed without objection.***

***Motion: To strike the language in KAR109-2-10A subsection 4. Moved by Deb Kaufman, seconded by Dr. Smith. No Discussion. Motion passed without objection.***

***Motion: To remove “multi-level” from KAR109-2-11A2. Moved by Deb Kaufman, seconded by Dr. Smith. No Discussion. Motion passed without objection.***

***Motion: To change the language to ensure an oxygen outlet for each patient capacity of the aircraft.. Moved by Deb Kaufman, seconded by Representative Swanson; No Discussion. Motion passed without objection.***

***Motion: To remove the word “yoke” in KAR109-2-11G1. Moved by Director Kaufman, seconded by Representative Swanson; No Discussion. Motion passed without objection.***

- The committee received reports from Terry David, KEMSA, regarding their August conference and from Sarah House, EMSC, regarding carbon monoxide safety.

### **Education, Examination, Training and Certification Committee**

Deb Kaufman, Education, Examination, Training, and Certification Committee Vice-Chair, provided a committee report to the Board summarized as follows from their meeting on October 6, 2011:

- EDTF has not met since August, however, there are individuals from the EDTF that have been meeting to work on statutes for the educator proposal.
- Carman Allan provided a verbal report to the committee regarding an update on the transition and that it is continuing to go well at this time. Educational audits are also being performed and going well at this time. Board staff is looking into K.A.R. 109-15-2 for non-Kansas credentials to see if it is too restrictive at this time. There have been some large test sites being requested and staffing could pose as an issue if this continues. AEMT regulations have been slow in going through the process due to circumstances out of the board staff control at the Attorney General’s office. There have been no initial AEMT courses approved due to the delay of regulations pertaining to this. Due to this delay it was asked that the committee recommend to the board to approve initial EMT-I courses for a period of time.

***Motion: To allow approval of EMT-I initial courses of instruction with a start date prior to March 31, 2012 and applications be received in the board office by January 31<sup>st</sup>, 2012. Moved by Deb Kaufman, seconded by Representative Swanson. No discussion. Motion passed without objection.***

- Discussion took place regarding the national registry EMT skills stations required for BLS attendant certification. Carman Allen will provide the committee with more information and clarification on this.
- Discussion also took place regarding validation of transition training for the National Registry at the paramedic level. Carman Allen will publish the requirements from the registry and what components are necessary for a transition at this level. The committee recommends that all refresher courses be submitted by single program provider approval for those requesting board staff validation electronically. Carman Allen will also investigate what requirements may need to be met through continuing education classes to make this transition more attainable for Kansas paramedics.
- Discussion took place regarding the Educator Proposal and what action was taken during the August Board and Committee Meetings. Board staff was asked at this meeting to formulate an implementation plan. Discussion also took place regarding how the legislative cycle works and the advantages/disadvantages of introducing legislation at this time.
- The committee asked Carman Allen to provide a report on the progress of hybrid courses for IC and paramedic within the state and to present the findings at the December Committee Meeting.

#### **Investigations Committee**

Senator Jay Emler, Investigations Vice-Chair, provided a committee report to the Board summarized as follows from their meeting on October 6, 2011:

- The Investigations Committee reviewed 5 cases. One case was waiting for a final order. 2 cases had to do with felony questions. 2 cases were information only.

#### **Executive Committee**

Senator Jay Emler, Executive Committee Chair, provided a committee report to the Board summarized as follows from their meeting on October 6, 2011:

- The committee reviewed a possible legislative packet for the upcoming legislative year. 3 statutes regarding Communicable Disease Reporting were pulled from the packet due to the CDC having not made their final recommendations and the impact that it may cause on these statutes. Discussion was made regarding the statutes for the Educator Proposal (13 statutes) and new statutes for fines and background checks respectively. The committee recommends to adopt and file this as a legislative packet with the following caveats: 1) An AG opinion be made on the authority the board has to regulate air ambulances; 2) Board staff work with lobbyists on what the issues and concerns were in regards to KMS and Children's Mercy Hospital regarding K.S.A. 65-6110; and 3) Make certain that any existing programs are not put at risk.



***Motion: To adopt the recommendation of the Executive committee regarding the statues mentioned. Moved by Senator Emler, seconded by Representative Swanson. Discussion summarized as follows:***

Discussion was in regards to introducing legislation at this time and the risk and benefits of waiting another year versus the concerns of holding on possible legislation that has been in the works for a good length of time already. Discussion also touched on the air ambulance issues and had Dr. Kingfisher ask staff to request an AG review and opinion of federal law regarding the staffing of type V air ambulances. Discussion concluded without modification to the original motion. No clear consensus by verbal vote. Roll call vote taken:

<b>Representative Swanson:</b>	<b>No</b>	
<b>Mr. Pearson:</b>	<b>No</b>	
<b>Dr. Smith</b>		<b>Yes</b>
<b>Dr. Allin</b>		<b>Yes</b>
<b>Senator Emler</b>		<b>Yes</b>
<b>Ms. Kaufman</b>	<b>No</b>	
<b>Dr. Kingfisher</b>	<b>No</b>	
<b>Representative Henderson</b>		<b>Yes</b>
<b>Mr. Ralston</b>		<b>Absent</b>
<b>Mr. Behan</b>		<b>Absent</b>
<b>Mr. Megredy</b>		<b>Absent</b>
<b>Dr. Hornung</b>		<b>Absent</b>
<b>Senator Faust-Goudeau</b>		<b>Absent</b>
<b>Commissioner Boaldin</b>		<b>Absent</b>
<b>Commissioner Miller</b>		<b>Absent</b>

**The votes of the motion were four to four; as a result the motion dies.**

- The committee received a report from the MAC. MAC has requested a more focused issue discussion rather than generic policy discussion. It was also added that the Board may need to address revising the MAC membership based on board composition due to the statutory changes in the make-up of the board.
- Discussion took place regarding meeting materials and a consistent format to receive the board packet materials. The Executive Committee recommends that meeting materials be provided to board members by CD only.

Discussion by the board took place regarding this recommendation. Board members in attendance agreed to accept the recommendation to go primarily paperless and give board members a CD in advance of the board meeting and a hard copy of the agenda at the board meeting.

- Discussion took place in regards to the online ambulance renewals and the disparity in pricing by INK in regards to the online development fees. The committee recommends that Executive Director Sutton sign a letter of termination for the contract with INK.

***Motion: To allow Executive Director Sutton to sign letter of termination with INK. Moved by Senator Emler, seconded by Representative Swanson; No discussion. Motion passed without objection.***

- The committee received a report that the Kansas Hospital Association had requested funding from the Board of EMS for the amount of \$10,000 for the EMResources application. Discussion took place in the committee and since funding was not available for this project, the committee took no action.
- Discussion took place regarding committee assignment issues and Executive Director Sutton is developing a policy to cover this issue.
- Executive committee does recommend that there be a strategic planning session and that the timing be coordinated with legislative scheduling.
- Executive Director Sutton presented a PowerPoint presentation regarding a task force for development of a model state protocol.
- The committee received a report from Executive Director Sutton regarding regionalization and community paramedicine.
- The committee also discussed having a luncheon the Friday after the full board meeting in December.

Discussion by the entire board as to when to have the luncheon took place. The decision was left to Executive Director Sutton.

***Motion: Board Staff with consultation of the Chairman of the Board establish a task force and continue to work with Kansas Medical Society to move forward with protocol development for the first response groups. Moved by Senator Emler, seconded by Dr. Smith. No discussion. Motion passed without objection.***

### **Office Update**

Steve Sutton, Executive Director, provided an office update to the Board summarized as follows:

- Staff will be moving forward with establishing a task force and focus initially on getting the group organized and put together.
- The Attendant Scope of Practice regulations will be reviewed by the Joint Committee on Rules and Regulations on October 10, 2011 at 11:30 in Room 152-S. The operational regulations are scheduled for public comment on October 19, 2011 at 1pm to 3pm in the Landon state office building room 106.
- There is a listing available of the stops that the Office of Repealer is making throughout the state and this has been provided on the ListServ.
- Argonia EMS has surrendered their ambulance service permit effective on September 21, 2011. An issue that this created for the board office was that the service had been provided equipment through KRAF funding and we are unsure where that equipment is currently at. Staff will be sending out a letter requesting that these items/equipment be made available for inventory.
- The Board Office has scheduled interviews for the Examination Specialist position that is currently vacant. Those interviews are set for October 13<sup>th</sup> and 14<sup>th</sup>.
- The network and computer audit has ended and the office has not yet received the formal report at this time, but has been notified that we passed the audit.



- Agencies will now be able to pay for groups of individuals through the online attendant renewal system.
- Board office staff has been reviewing the functionality of the KBEMS website to determine if it is meeting the purpose and needs of the EMS public.
- On September 6, 2011, Director Deb Kaufman and Steve Sutton met with the Thomas County Commissioners in an executive session to address personnel issues with Thomas County EMS. In an open session at this meeting, they answered questions on the service's operation and offered continuing assistance as to helping with staffing questions and transition questions.
- Steve Sutton attended the National Organization of State Offices Rural Health and EMS learning session funded by KDHE and had the opportunity to listen to presentations about community paramedicine and discussion in regards to regionalization.
- Steve Sutton had been invited to Oklahoma to speak to them about the composition of the Board of EMS and the responsibilities of the Board. Oklahoma is looking at moving out of the Department of Health under the Trauma Coordinator and become an independent regulatory board. Individuals at this meeting were invited to attend the December Board and Committee Meetings.
- Ty Neilson, a physician, has requested the opportunity to speak in front of the board at the December Board Meeting in regards to a digital system that could be used to support QA. He is planning on speaking during the public comment period on this topic at the December Board Meeting.

#### Public Comment

There was no public comment this Board Meeting

#### Executive Session

There was no executive session this Board Meeting.

***Motion: To adjourn the board Meeting at 10:34am. Moved by Representative Swanson, seconded by Senator Emler; No discussion. Motion passed without objection.***

Meeting Adjourned at 10:34am by Dr. Dennis Allin, Chair.

Next Meeting: Friday, December 2, 2011 at 9am.