

Investigations Committee

Jeri Wheatley - Chair

AGENDA

Thursday, April 16, 2026 – 9:30am CDT

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1. CALL TO ORDER

2. CONSENT AGENDA –

- 2.1. Delegated Activity Report – the Board has delegated concurrent authority to the Executive Director for the issuance of Orders related to failure to disclose a criminal conviction and/or criminal proceedings.**

2.1.1. Case 2026-009-01 – *In the Matter of Kirby Salmans, Applicant*

2.1.2. Case 2026-011-01 – *In the Matter of Travis Smith, Applicant*

- 2.2. Delegated Activity Report – the Board has delegated concurrent authority to the Executive Director for the issuance of Emergency Orders in matters indicating an immediate threat to the public.**

2.2.1. Case 2026-010-01 – *In the Matter of Ethan Goble, EMT*

Individual charged with Involuntary Manslaughter. Emergency order of suspension issued pending completion of the criminal case and further order of the Board.

2.2.2. Case 2026-017-01 – *In the Matter of Dennis Dees IV, EMT*

Individual charged with 21 counts of Sexual Exploitation of a Child. Emergency order of suspension issued pending completion of the criminal case and further order of the Board.

3. DISCUSSION CASES

- 3.1. Case 2021-178-01 – *In the Matter of Ryan Kilby, Paramedic***

Case 2021-178-02– *In the Matter of Megan Jamis (Nowak), Paramedic*

Case 2021-178-03 – *In the Matter of Dunnae Mercer (Scroggins), Paramedic*

Respondents were alleged to have violated a patient's rights in the performance of activities without a beneficial necessary medical purpose and without consent. The investigation found no evidence to support the allegations, however, there was evidence supporting Respondents failed to adhere to medical protocols for patient care performed. Board staff recommends the

violation be found for each Respondent and as there has been no repeat issues reported since this incident, no further action be taken at this time.

3.2. Case 2022-007-01 – In the Matter of Anthony Shankel, Paramedic

Respondent is alleged to have provided inadequate patient care during the provision of care to a patient in respiratory failure. Evidence supports the allegation. Board staff recommends the Board find Respondent provided inadequate patient care and to accept local action.

3.3. Case 2022-009-01 – In the Matter of Charlie Snead, Paramedic

Respondent is alleged to have provided inadequate patient care during the provision of care to a patient in cardiac arrest as well as to have engaged in unprofessional conduct. Evidence supports both allegations. Board staff recommends the Board find Respondent provided inadequate patient care and engaged in unprofessional conduct through unethical, unprofessional and disparaging comments related to a patient. For this behavior, staff recommends revocation of Respondent's paramedic certificate.

3.4. Case 2023-007-01 – In the Matter of Shane Unruh, AEMT

Case 2023-007-02 – In the Matter of Waylon Isaac, EMT

Case 2023-007-03 – In the Matter of Seth Isaac, AEMT

Case 2023-007-04 – In the Matter of Mark Nichols, AEMT

Case 2023-007-05 – In the Matter of Bryson Nichols, AEMT

Case 2023-007-06 – In the Matter of Brian Koehn, EMT

Case 2023-007-07 – In the Matter of Daylan Koehn, EMT

Respondents are alleged to have acted in a manner which could be grounds for disciplinary action, specifically initiating advanced level skills and relinquishing care to a lower level of certification and contributing to a violation of minimum staffing during transport. Evidence supports the allegations. Staff recommends the violations be found and to levy civil fines in the amount of \$50 in Case 2023-007-01 and \$25 in the remaining six (6).

3.5. Case 2023-036-01 – In the Matter of Travis Latham, EMT

Case 2023-036-02 – In the Matter of Stephanie Pilger, EMT

Case 2023-036-03 – In the Matter of Kathy Smeltzer (Kemp), EMT

Respondents are alleged to have provided substandard care to a pediatric patient in cardiac arrest. Evidence supports Respondents failed to adhere to medical protocols and attempted to utilize a medical device in a manner inconsistent with its appropriate usage. Board staff recommends the Board find Respondents provided inadequate patient care according to applicable medical protocols and to levy a \$25 civil fine to each Respondent. In coming to this recommendation, it should be noted despite the care not adhering to medical protocols, the desired overarching outcome was achieved.

3.6. Case 2023-106-01 – In the Matter of Bryan Shastid, Paramedic

Respondent is alleged to have rendered advanced emergency care to an animal as an EMS provider. Evidence supports the allegation and indicates Respondent diverted property from the ambulance service to render the advanced emergency care provided. Staff recommends the Board find a violation for diversion of property be found and to levy a civil fine in the amount of \$150.

3.7. Case 2026-013-01 – In the Matter of Jesse Cross, Applicant

Respondent submitted an application for certification indicating revocation of a professional license or certification. Evidence indicates the professional license was revoked for unprofessional conduct and intentionally providing false information and indicates prohibition from seeking reinstatement of the license until June 24, 2027. Staff recommends the Board deny the Respondent's application for certification.

- 3.8. **Case 2026-016-01 – *In the Matter of Kevin Lanterman, Paramedic***
Case 2026-016-02 – *In the Matter of Matthew Manning, Paramedic*
Case 2026-016-03 – *In the Matter of Tyler Sullivan, Paramedic*
Case 2026-016-04 – *In the Matter of Sedgwick County EMS, Service*

Received a report for failure to notify the Board of the addition of three EMS providers to the service's employee roster within 7 days of their addition. Evidence supports the report. Staff recommends the violation be found and as this is Respondents' first violation of this provision, it is technical in nature, and the service has taken what appears to be appropriate action to prevent recurrence, to accept local action.

- 3.9. **Case IRV2026-015-01 – *In the Matter of Neosho County Comm Coll, Spons. Org.***
Case IRV2026-016-01 – *In the Matter of Fort Scott Comm Coll, Spons. Org.*
Case IRV2026-017-01 – *In the Matter of Barber County Amb Serv, Spons. Org.*
Case IRV2026-018-01 – *In the Matter of Concordia Fire Dept EMS Division, Spons. Org.*

Respondents failed to provide an enrollment roster to the Board's executive director within 20 days of their first scheduled class session in violation of K.A.R. 109-17-3 subsection (b). Staff recommends the violation be found and, as this is a first occurrence, to accept local action.

4. OLD BUSINESS

4.1. **Service Inspection and Ambulance Inspection Sanctioning Reference Points**

In light of 135 investigations into regulatory and statutory non-compliance during 2025 from the service inspection and ambulance inspection process, there is a desire to have an objective tool to assist with the determination of any associated penalty related to the non-compliance. A similar tool was utilized to assist with processing CE audits in 2020. As directed, the SRP Tool provided in the February packet was applied to all 135 inspections and the following is reflective of how this would appear in future agendas. Note: the fine listed is **NOT** being proposed in these matters, this is what the tool indicates would be the fine.

SRP Score <=0 – Sanction Level 1 – 24 services

Case SV2025-011 - *In the Matter of AMR - Osborne County, Service*

- 2 violation(s) - 80 points – Fine: \$250

Case SV2025-021 - *In the Matter of Pottawatomie County EMS, Service*

- 1 violation(s) - 10 points – Fine: \$250

Case SV2025-023 - *In the Matter of Greeley County Ambulance, Service*

- 2 violation(s) - 85 points – Fine: \$250

Case SV2025-028 - *In the Matter of Norton County EMS, Service*

- 9 violation(s) - 337.5 points – Fine: \$250

Case SV2025-037 - *In the Matter of Elk County EMS, Service*

- 3 violation(s) - 65 points – Fine: \$250

Case SV2025-049 - *In the Matter of Great Bend Fire EMS, Service*

- 3 violation(s) - 75 points – Fine: \$250

Case SV2025-056 - *In the Matter of Haskell County EMS, Service*

- 6 violation(s) - 155 points – Fine: \$250

Case SV2025-058 - *In the Matter of Hesston Ambulance Service, Service*

- 9 violation(s) - 217.5 points – Fine: \$250

Case SV2025-073 - *In the Matter of Osage County EMS, Service*

- 8 violation(s) - 390 points – Fine: \$250

Case SV2025-074 - *In the Matter of Finney County EMS, Service*

- 4 violation(s) - 120 points – Fine: \$250

Case SV2025-076 - *In the Matter of Ford County Fire EMS, Service*

- 1 violation(s) - 10 points – Fine: \$250
- Case SV2025-081 - *In the Matter of Pawnee County EMS, Service***
 - 3 violation(s) - 50 points – Fine: \$250
- Case SV2025-088 - *In the Matter of Eaglemed of Kansas, Service***
 - 1 violation(s) - 10 points – Fine: \$250
- Case SV2025-093 - *In the Matter of Caney Ambulance Service, Service***
 - 1 violation(s) - 50 points – Fine: \$250
- Case SV2025-105 - *In the Matter of Barber County Ambulance Service, Service***
 - 2 violation(s) - 60 points – Fine: \$250
- Case SV2025-108 - *In the Matter of Bonner Springs Fire Dept, Service***
 - 5 violation(s) - 222.5 points – Fine: \$250
- Case SV2025-111 - *In the Matter of Harper County EMS, Service***
 - 2 violation(s) - 40 points – Fine: \$250
- Case SV2025-116 - *In the Matter of Mulvane EMS, Service***
 - 1 violation(s) - 50 points – Fine: \$250
- Case SV2025-126 - *In the Matter of Marquette Ambulance Service, Service***
 - 1 violation(s) - 50 points – Fine: \$250
- Case SV2025-130 - *In the Matter of Nemaha County EMS, Service***
 - 5 violation(s) - 105 points – Fine: \$250
- Case SV2025-137 - *In the Matter of Sabetha EMS, Service***
 - 3 violation(s) - 150 points – Fine: \$250
- Case SV2025-139 - *In the Matter of Survival Flight, Service***
 - 1 violation(s) - 75 points – Fine: \$250
- Case SV2025-145 - *In the Matter of The Children's Mercy Hospital (A), Service***
 - 2 violation(s) - 100 points – Fine: \$250
- Case SV2025-151 - *In the Matter of Salina Fire Department, Service***
 - 5 violation(s) - 237.5 points – Fine: \$250

SRP Score 1 – Sanction Level 2 – 21 services

- Case SV2025-007 - *In the Matter of Wallace County Ambulance Service, Service***
 - 2 violation(s) - 125 points – Fine: \$350
- Case SV2025-013 - *In the Matter of Mitchell County EMS, Service***
 - 11 violation(s) - 112.5 points – Fine: \$385
- Case SV2025-024 - *In the Matter of Hodgeman County Ambulance, Service***
 - 8 violation(s) - 535 points – Fine: \$350
- Case SV2025-044 - *In the Matter of Clark County EMS, Service***
 - 23 violation(s) - 852.5 points – Fine: \$805
- Case SV2025-045 - *In the Matter of Lyon County City of Emporia, Service***
 - 23 violation(s) - 370 points – Fine: \$805
- Case SV2025-048 - *In the Matter of Morton County EMS, Service***
 - 14 violation(s) - 480 points – Fine: \$490
- Case SV2025-053 - *In the Matter of Hutchinson/Reno County EMS, Service***
 - 23 violation(s) - 1132.5 points – Fine: \$805
- Case SV2025-055 - *In the Matter of Newton Fire EMS, Service***
 - 23 violation(s) - 1022.5 points – Fine: \$805
- Case SV2025-061 - *In the Matter of Hoisington Ambulance Service, Service***
 - 2 violation(s) - 150 points – Fine: \$350
- Case SV2025-063 - *In the Matter of Waterville Ambulance Service, Service***

- 9 violation(s) - 510 points – Fine: \$350

Case SV2025-077 - *In the Matter of Riley County EMS, Service*

- 22 violation(s) - 1060 points – Fine: \$770

Case SV2025-085 - *In the Matter of Coffey County EMS, Service*

- 24 violation(s) - 835 points – Fine: \$840

Case SV2025-087 - *In the Matter of Lifewatch, Service*

- 4 violation(s) - 250 points – Fine: \$350

Case SV2025-091 - *In the Matter of Sedgwick County EMS, Service*

- 23 violation(s) - 882.5 points – Fine: \$805

Case SV2025-104 - *In the Matter of Miami County EMS, Service*

- 12 violation(s) - 295 points – Fine: \$420

Case SV2025-141 - *In the Matter of Leavenworth County EMS, Service*

- 3 violation(s) - 175 points – Fine: \$350

Case SV2025-144 - *In the Matter of The Children's Mercy Hospital (G), Service*

- 12 violation(s) - 600 points – Fine: \$420

Case SV2025-146 - *In the Matter of Air Evac Lifeteam, Service*

- 13 violation(s) - 650 points – Fine: \$455

Case SV2025-147 - *In the Matter of Lifesave, Service*

- 4 violation(s) - 250 points – Fine: \$350

Case SV2025-148 - *In the Matter of Johnson County Med-Act, Service*

- 11 violation(s) - 497.5 points – Fine: \$385

Case SV2025-154 - *In the Matter of Bourbon County EMS, Service*

- 21 violation(s) - 967.5 points – Fine: \$735

SRP Score 2 – Sanction Level 3 – 26 services

Case SV2025-002 - *In the Matter of Rawlins County EMS, Service*

- 2 violation(s) - 200 points – Fine: \$450

Case SV2025-003 - *In the Matter of Cheyenne County EMS, Service*

- 2 violation(s) - 200 points – Fine: \$450

Case SV2025-004 - *In the Matter of EMS Unlimited, Service*

- 3 violation(s) - 300 points – Fine: \$450

Case SV2025-008 - *In the Matter of Logan County EMS, Service*

- 1 violation(s) - 100 points – Fine: \$450

Case SV2025-010 - *In the Matter of Jewell County EMS, Service*

- 4 violation(s) - 400 points – Fine: \$450

Case SV2025-012 - *In the Matter of Smith County EMS, Service*

- 2 violation(s) - 200 points – Fine: \$450

Case SV2025-017 - *In the Matter of Canton Ambulance Service, Service*

- 7 violation(s) - 700 points – Fine: \$450

Case SV2025-019 - *In the Matter of Ness County EMS, Service*

- 3 violation(s) - 300 points – Fine: \$450

Case SV2025-020 - *In the Matter of Jackson County EMS, Service*

- 37 violation(s) - 1327.5 points – Fine: \$1665

Case SV2025-031 - *In the Matter of Labette Health EMS, Service*

- 3 violation(s) - 300 points – Fine: \$450

Case SV2025-032 - *In the Matter of Greenwood County EMS, Service*

- 24 violation(s) - 1347.5 points – Fine: \$1080

Case SV2025-051 - *In the Matter of Stevens County Ambulance, Service*

- 15 violation(s) - 970 points – Fine: \$675
- Case SV2025-059 - *In the Matter of Meade County EMS, Service***
 - 4 violation(s) - 310 points – Fine: \$450
- Case SV2025-060 - *In the Matter of Clyde Community Ambulance, Service***
 - 49 violation(s) - 1107.5 points – Fine: \$2205
- Case SV2025-062 - *In the Matter of Linn City Ambulance, Service***
 - 5 violation(s) - 500 points – Fine: \$450
- Case SV2025-070 - *In the Matter of Seward County EMS, Service***
 - 34 violation(s) - 1642.5 points – Fine: \$1530
- Case SV2025-078 - *In the Matter of Via Christi Critical Care Transfer, Service***
 - 10 violation(s) - 652.5 points – Fine: \$450
- Case SV2025-080 - *In the Matter of Junction City Fire Dept, Service***
 - 17 violation(s) - 992.5 points – Fine: \$765
- Case SV2025-082 - *In the Matter of Morris County EMS, Service***
 - 64 violation(s) - 2745 points – Fine: \$2880
- Case SV2025-083 - *In the Matter of Comanche County Ambulance Service, Service***
 - 3 violation(s) - 300 points – Fine: \$450
- Case SV2025-090 - *In the Matter of Haven Community Ambulance, Service***
 - 11 violation(s) - 642.5 points – Fine: \$495
- Case SV2025-102 - *In the Matter of Franklin County EMS, Service***
 - 12 violation(s) - 655 points – Fine: \$540
- Case SV2025-117 - *In the Matter of Winfield Fire EMS, Service***
 - 9 violation(s) - 800 points – Fine: \$450
- Case SV2025-135 - *In the Matter of Town and Country EMS, Service***
 - 15 violation(s) - 967.5 points – Fine: \$675
- Case SV2025-162 - *In the Matter of Life Touch EMS Inc., Service***
 - 10 violation(s) - 665 points – Fine: \$450
- Case SV2025-167 - *In the Matter of Gray County EMS, Service***
 - 1 violation(s) - 100 points – Fine: \$450

SRP Score 3 – Sanction Level 4 – 30 services

- Case SV2025-005 - *In the Matter of Quinter Ambulance Service, Service***
 - 4 violation(s) - 620 points – Fine: \$1000
- Case SV2025-009 - *In the Matter of Jefferson County Ambulance Service, Service***
 - 7 violation(s) - 857.5 points – Fine: \$1000
- Case SV2025-015 - *In the Matter of American Medical Response, Service***
 - 51 violation(s) - 2770 points – Fine: \$5100
- Case SV2025-016 - *In the Matter of Woodson County Ambulance, Service***
 - 7 violation(s) - 1340 points – Fine: \$1000
- Case SV2025-035 - *In the Matter of Coffeyville Regional Medical Center, Service***
 - 4 violation(s) - 552.5 points – Fine: \$1000
- Case SV2025-038 - *In the Matter of Minneapolis Ambulance Service, Service***
 - 9 violation(s) - 1195 points – Fine: \$1000
- Case SV2025-041 - *In the Matter of Ottawa County Fire District #4, Service***
 - 5 violation(s) - 1120 points – Fine: \$1000
- Case SV2025-046 - *In the Matter of Miltonvale EMS, Service***
 - 21 violation(s) - 1640 points – Fine: \$2100
- Case SV2025-052 - *In the Matter of Pretty Prairie Ambulance Service, Service***

- 8 violation(s) - 1575 points – Fine: \$1000

Case SV2025-054 - *In the Matter of Washington EMS, Service*

- 1 violation(s) - 150 points – Fine: \$1000

Case SV2025-057 - *In the Matter of Marion County EMS, Service*

- 37 violation(s) - 2347.5 points – Fine: \$3700

Case SV2025-071 - *In the Matter of Clifton City Ambulance, Service*

- 21 violation(s) - 1800 points – Fine: \$2100

Case SV2025-084 - *In the Matter of Anderson County EMS, Service*

- 10 violation(s) - 800 points – Fine: \$1000

Case SV2025-089 - *In the Matter of Eaglemed Fixed Wing, Service*

- 5 violation(s) - 595 points – Fine: \$1000

Case SV2025-103 - *In the Matter of Starcare, Service*

- 6 violation(s) - 845 points – Fine: \$1000

Case SV2025-112 - *In the Matter of Edwardsville Fire Department, Service*

- 6 violation(s) - 650 points – Fine: \$1000

Case SV2025-113 - *In the Matter of Kingman EMS, Service*

- 5 violation(s) - 1150 points – Fine: \$1000

Case SV2025-115 - *In the Matter of AirLife Denver, Service*

- 5 violation(s) - 825 points – Fine: \$1000

Case SV2025-118 - *In the Matter of Conway Springs Volunteer Ambulance, Service*

- 6 violation(s) - 950 points – Fine: \$1000

Case SV2025-131 - *In the Matter of Axtell Community Ambulance Service, Service*

- 7 violation(s) - 725 points – Fine: \$1000

Case SV2025-132 - *In the Matter of Frankfort Ambulance Service, Service*

- 8 violation(s) - 900 points – Fine: \$1000

Case SV2025-136 - *In the Matter of Atchison County EMS, Service*

- 4 violation(s) - 570 points – Fine: \$1000

Case SV2025-138 - *In the Matter of Tulsa Lifeflight, Service*

- 4 violation(s) - 650 points – Fine: \$1000

Case SV2025-149 - *In the Matter of Kansas City Kansas Fire Department, Service*

- 232 violation(s) - 10927.5 points – Fine: \$23200

Case SV2025-155 - *In the Matter of Burrton Consolidated Fire Dist #5, Service*

- 7 violation(s) - 860 points – Fine: \$1000

Case SV2025-156 - *In the Matter of Cherokee County Ambulance Assoc, Service*

- 5 violation(s) - 600 points – Fine: \$1000

Case SV2025-157 - *In the Matter of City of Sedgwick EMS, Service*

- 13 violation(s) - 1092.5 points – Fine: \$1300

Case SV2025-158 - *In the Matter of Clay County EMS, Service*

- 4 violation(s) - 650 points – Fine: \$1000

Case SV2025-160 - *In the Matter of Halstead Fire/EMS, Service*

- 2 violation(s) - 225 points – Fine: \$1000

Case SV2025-166 - *In the Matter of Stanton County Ambulance Service, Service*

- 8 violation(s) - 1687.5 points – Fine: \$1000

SRP Score 4 – Sanction Level 5 – 27 services

Case SV2025-001 - *In the Matter of Decatur County EMS, Service*

- 9 violation(s) - 3700 points – Fine: \$2000

Case SV2025-026 - *In the Matter of Sheridan County EMS, Service*

- 3 violation(s) - 1050 points – Fine: \$2000

Case SV2025-027 - In the Matter of Rooks County EMS, Service

- 10 violation(s) - 1732.5 points – Fine: \$2000

Case SV2025-034 - In the Matter of Neodesha Fire EMS, Service

- 2 violation(s) - 1000 points – Fine: \$2000

Case SV2025-036 - In the Matter of Cherryvale Fire EMS, Service

- 14 violation(s) - 2625 points – Fine: \$2800

Case SV2025-040 - In the Matter of Concordia Fire EMS, Service

- 12 violation(s) - 1565 points – Fine: \$2400

Case SV2025-042 - In the Matter of Hamilton County EMS, Service

- 8 violation(s) - 2122.5 points – Fine: \$2000

Case SV2025-043 - In the Matter of Grant County EMS, Service

- 23 violation(s) - 3985 points – Fine: \$4600

Case SV2025-047 - In the Matter of Stafford County EMS, Service

- 28 violation(s) - 2672.5 points – Fine: \$5600

Case SV2025-050 - In the Matter of Lincoln County Ambulance, Service

- 11 violation(s) - 1390 points – Fine: \$2200

Case SV2025-079 - In the Matter of Edwards County Ambulance, Service

- 1 violation(s) - 500 points – Fine: \$2000

Case SV2025-086 - In the Matter of Pratt County EMS, Service

- 1 violation(s) - 500 points – Fine: \$2000

Case SV2025-092 - In the Matter of Lawrence Douglas County Fire Med, Service

- 46 violation(s) - 4122.5 points – Fine: \$9200

Case SV2025-109 - In the Matter of Healthstar One, Service

- 2 violation(s) - 800 points – Fine: \$2000

Case SV2025-110 - In the Matter of Norwich Ambulance Service, Service

- 2 violation(s) - 530 points – Fine: \$2000

Case SV2025-114 - In the Matter of Flight for Life, Service

- 13 violation(s) - 1700 points – Fine: \$2600

Case SV2025-119 - In the Matter of Wellington Fire EMS, Service

- 34 violation(s) - 3365 points – Fine: \$6800

Case SV2025-120 - In the Matter of Caldwell EMS, Service

- 28 violation(s) - 2257.5 points – Fine: \$5600

Case SV2025-121 - In the Matter of Sedan Area EMS, Service

- 13 violation(s) - 1690 points – Fine: \$2600

Case SV2025-123 - In the Matter of Lifenet, Service

- 2 violation(s) - 600 points – Fine: \$2000

Case SV2025-124 - In the Matter of CHI Health Good Samaritan Aircare, Service

- 10 violation(s) - 1400 points – Fine: \$2000

Case SV2025-125 - In the Matter of Tri City Lifenet, Service

- 2 violation(s) - 600 points – Fine: \$2000

Case SV2025-127 - In the Matter of AMR Lindsborg, Service

- 1 violation(s) - 500 points – Fine: \$2000

Case SV2025-143 - In the Matter of Lifeflight Eagle (A), Service

- 5 violation(s) - 2100 points – Fine: \$2000

Case SV2025-150 - In the Matter of Crawford County EMS, Service

- 47 violation(s) - 4177.5 points – Fine: \$9400

Case SV2025-153 - In the Matter of Allen County EMS, Service

- 2 violation(s) - 560 points – Fine: \$2000

Case SV2025-163 - *In the Matter of Life Star of Kansas - Med Trans Corp, Service*

- 2 violation(s) - 1000 points – Fine: \$2000

SRP Score 5+ – Sanction Level 6 – 7 services

Case SV2025-128 - *In the Matter of Butler County EMS, Service*

- 31 violation(s) - 3582.5 points – Fine: \$7750

Case SV2025-018 - *In the Matter of Rush County EMS, Service*

- 38 violation(s) – 13,740 points – Fine: \$9500

Case SV2025-033 - *In the Matter of Independence Fire EMS, Service*

- 38 violation(s) – 10,437.5 points – Fine: \$9500

Case SV2025-075 - *In the Matter of Critical Care Transport, Service*

- 98 violation(s) – 12,300 points – Fine: \$24,500

Case SV2025-106 - *In the Matter of Medicine Lodge Memorial Hospital, Service*

- 49 violation(s) – 14,807.5 points – Fine: \$12,250

Case SV2025-129 - *In the Matter of Marysville Ambulance Service, Service*

- 45 violation(s) - 9087.5 points – Fine: \$11,250

Case SV2025-140 - *In the Matter of Midwest Medical Transport Co (G), Service*

- 42 violation(s) - 9287.5 points – Fine: \$10,500

**Per the Board Brief on this item, 51 of the 64 services in the Sanction Level 4, 5, and 6 groups would have a hearing prior to application of the tool, this includes all 7 services in the Sanction Level 6 group. 3 of the 71 services in the Sanction Level 1, 2, and 3 groups would have a hearing prior to application of the tool.*

5. CLOSED SESSION – IF NEEDED

6. ADJOURNMENT

Agenda Item: Sanctioning Reference Points (SRP) – Service Inspections

Committee: Investigations

BACKGROUND

The Board desires to provide a fair and consistent method of adjudication through the process of enforcement of its statutes, rules, and regulations.

Sanctioning reference points are a means to determine the severity of the infraction based upon the facts identified in the case. These points can be applied to the already established graduated sanctions and provide the Board with a consistent approach.

In August 2020, the Board approved the use of a sanctioning reference tool to assist with adjudicating violations occurring from continuing education audits. Furthermore, the committee delegated their authority to the Board's Executive Director to apply the tool and to authorize an order be issued based upon the score.

The Board has adopted an Operator Fine Schedule whereby fines increase for repetitive violations and increase for severity. The range is currently \$250 - \$2,500 for each violation.

The Board has also adopted Graduated Sanctions for the Operator. The majority of items seen in these inspections relate to violating a provision/regulation of this act; failure to keep and maintain required records; and inability to provide adequate ambulance service.

In these sections, the Board has broken down sanctions into those events which have no likelihood of harm to a patient, the potential for harm to patient, and harm to the patient.

Finally, K.A.R. 109-16-1, is what incorporates the graduated sanctions. There are 6 levels applicable to the operator:

- Sanction Level 1 – local action taken by the operator is approved/accepted by the committee
- Sanction Level 2 – Modification of permit by the imposition of conditions
- Sanction Level 3 – Limitation of permit
- Sanction Level 4 – Suspension of permit for less than 3 months
- Sanction Level 5 – Suspension of permit for 3 months or more
- Sanction Level 6 – Revocation of permit

It is important to note, if the Board desires to limit, modify, suspend, or revoke the actual permit, a hearing must be conducted first. The imposition/levying of a civil fine does not require a hearing to be conducted, but does afford one in accordance with the Kansas Administrative Procedures Act.

There are items which rise immediately to a "show cause hearing" status and this tool would not be applicable until after the hearing. A "show cause hearing" is a hearing whereby the service is afforded an opportunity to defend why the Board should continue to allow the service to continue without modification, limitation, suspension, or revocation.

Those items:

- Critical patient care equipment/supply found inoperable.
- Critical patient care equipment/supply missing.

- Service not maintaining a log of all requests for service and submitting such to KEMSIS.
- No documentation to support a review of patient care documentation and activities.
- No documentation to support no less than quarterly medical director involvement/oversight.
- Ambulance not equipped in a manner consistent with the approved list of equipment and supplies.
- Failure to demonstrate 24/7 staffing every day of the year.

Applying this criteria indicates 54 of the 135 result in a show cause hearing for 2025.

Methodology

Point values were calculated based upon the potential violations identified and the sanctioning reference point tool. Those results were placed into one of 5 groups and applied an Initial Score based upon average score per violation (total points/total potential violations):

Initial Score	2	3	4	5	6
Score Range	10 – 50	50.1 – 75	75.1 – 100	100.1 – 250	250.1+

These levels were then adjusted based upon two variables: total number of potential violations and total point value

Total Potential Violations	< 10	10-24	25+
Level adjustment	-2	-1	0

Total Point Value	< 100	100.1 – 4199.9	4200+
Level adjustment	-1	0	+1

Based upon this, the following matrix occurs to align with the graduated sanctions and the approved fine schedule for operators:

Score	Sanction Level	Potential fine up to 9 violations
<=0	Sanction Level 1	\$250
1	Sanction Level 2	\$350
2	Sanction Level 3	\$450
3	Sanction Level 4	\$1,000
4	Sanction Level 5	\$2,000
5+	Sanction Level 6	\$2,500

For an entity with 10 or more potential violations found, fine would be adjusted by taking the total number of violations divided by 10 and then multiplying by the amount shown (ex. 28 total violations for a Sanction Level 2 – $2.8 * 350 = \$980$).

Application

Even though those where a show cause hearing was indicated would not typically be applied, for the purposes of testing the method all 135 cases were applied. Those indicating a show cause hearing are also represented in the row below.

SRP Tool Range: 10 – 14,807.5. Average of all is 1,445.04. Median is 650 points.

Initial Scores: 10-500. Average of all is 122.38. Median is 88.89 points.

Initial Score	2	3	4	5	6
Score Range	10 – 50	50.1 – 75	75.1 – 100	100.1 – 250	250.1+
# of Services	42	18	23	35	17
Show Cause	2	3	4	30	15

Final Score	<=0	1	2	3	4	5+
# of Services	24	21	26	30	27	7
Show Cause	0	1	2	22	22	7

DISCUSSION

FINANCING

Usage of this tool will have no fiscal effect upon the Board.

ALTERNATIVES

The Committee has the following alternatives concerning the matter at hand. The Committee may:

1. Proceed with utilization and application of the SRP as provided for Service and Ambulance Inspections.
2. Modify the SRP and proceed with its utilization and application for Service and Ambulance Inspections.
3. Reject the SRP.
4. Table the item.
 - a. Important to note that Alternatives #3 and #4 result in every inspection with a potential violation coming before the Investigations Committee for a determination of action.

Enclosures:

1. SRP – Service Inspections
2. Operator Fine Schedule
3. Graduated Sanctions for Operators (dated: April 10, 2013)

Case Number					
Type of Ambulance Service (Air, Ground)					
Ambulance Deficiencies					
Number of licensed ambulances					
Number of licensed ambulances inspected					
Number of inspected ambulances with a deficiency noted					
Number of inspected ambulances found with external dirt/debris					
Outdated/Expired					SCORE
Number of medications found outdated/expired (100 per item base)				0	<u>0</u>
<3 months	x 0.75	12-24 months	x 3.0		
3-6 months	x 1.0	24-36 months	x 5.0		
6-9 months	x 1.5	36+ months	x 10.0		
9-12 months	x 2				
Number of supply/equipment used for an invasive procedure found outdated/expired (50 per item base)				0	<u>0</u>
<3 months	x 0.75	12-24 months	x 3.0		
3-6 months	x 1.0	24-36 months	x 5.0		
6-9 months	x 1.5	36+ months	x 10.0		
9-12 months	x 2				
Number of supply/equipment used for a non-invasive procedure found outdated/expired (10 per item base)				0	<u>0</u>
<3 months	x 0.75	12-24 months	x 3.0		
3-6 months	x 1.0	24-36 months	x 5.0		
6-9 months	x 1.5	36+ months	x 10.0		
9-12 months	x 2				
Damaged					
Number of units with potential contamination within unit (blood, dirt, debris) (100 per item)					
Number of supply/equipment/medications with damaged, altered, or covered manufacturer markings (50 per item)					
Number of sterile patient use supply/equipment found damaged (50 per item)					
Number of non-sterile patient use supply/equipment found damaged (30 per item)					
Number of non-patient use ambulance equipment items found damaged (10 per item)					
Inoperable					
Number of patient care equipment/supplies found inoperable (100 per item; 500 if critical)					
Number which are critical - advanced airway, cardiac monitor/AED, suction					
Number of crew safety equipment/supplies found inoperable (30 per item)					
Number of ambulance equipment/supplies found inoperable (10 per item)					
Missing					
Number of patient care equipment/supplies missing (100 per item; 500 if critical)					
Number which are critical - advanced airway, cardiac monitor/AED, suction					
Number of crew safety equipment/supplies missing (30 per item)					
Number of ambulance equipment/supplies missing (10 per item)					
Unsecured					
Number of items unsecured with points or non-rounded corners (100 per item)					
Number of items unsecured with rounded corners/edges only estimated at 5 pounds or more (50 per item)					
Number of items unsecured with rounded corners/edges only estimated at less than 5 pounds (30 per item)					
Ambulance SUBTOTAL					<u>0</u>

Service Deficiencies					
Number of buildings utilized to park ambulances					
Annual call volume					
Annual average response time (911 calls)					
Technical Violation					SCORE
Number of missing policies (100 per item)				0	<u>0</u>
Number of missing protocols (100 per item)				0	<u>0</u>
Are the protocols beyond the level of service offered? (No=0; Yes=100)				0	<u>0</u>
Were all protocols reviewed within the last 12 months? (Yes=0; No=100)				0	<u>0</u>
Were all policies reviewed within the last 12 months? (Yes=0; No=100)				0	<u>0</u>
Did the service miss any regulatory deadlines? (No=0; Yes=100)				0	<u>0</u>
If Line 59 is "Yes", how many?				0	<u>0</u>
Did the service fail to notify the Board when required? (No=0; Yes=100)				0	<u>0</u>
If Line 61 is "Yes", how many?				0	<u>0</u>
Were the service's lists and records accurate? (equipment and supplies, providers) (Yes=0; No=100)				0	<u>0</u>
If Line 63 is "No", how many lists were inaccurate? (100 per list)				0	<u>0</u>
Public Expectation					
Can the service demonstrate having 24/7 staffing every day of the year? (Yes=0; No=500)				0	<u>0</u>
If Line 67 is "No", does the service provide 911 response?				0	<u>0</u>

Annual average response time for 911 calls over 5 minutes	(25 per 0.1 hour)		<u>0</u>
Is the service maintaining a log of all requests for service and submitting to KEMSIS?	(Yes=0; No=500)		<u>0</u>
Number of patient care documentation not complete, accurate, and submitted to KEMSIS?	(100 per report)	0	<u>0</u>
Number of buildings utilized to park an ambulance not in regulatory compliance		0	<u>0</u>
Quality Assurance and Quality Improvement			
Number of quarters the service has not performed a review of patient care documentation and activities	(500 per qtr)	0	<u>0</u>
Is the service adhering to their quality assurance plan?	(Yes=0; No=100)		<u>0</u>
Number of ambulances not equipped to match approved list of equipment and supplies	(500 per vehicle)	0	<u>0</u>
Number of quarters the service cannot validate quarterly medical director involvement/oversight	(500 per qtr)	0	<u>0</u>
Service SUBTOTAL			<u>0</u>

v1.4

(created a calculated field for total number of potential violations)

TOTAL POINTS **0**
TOTAL POTENTIAL VIOLATIONS **0**

Operator Fine Schedule

						Level	First Violation	Second Violation	Third Violation
Level	Violation #	Minimum	Maximum	Aggravating	Total	1	\$250.00	\$450.00	\$950.00
						2	\$350.00	\$550.00	\$1,050.00
1-3	1	\$250.00	\$450.00	\$100.00	\$250.00 - \$450.00	3	\$450.00	\$650.00	\$1,150.00
1-4	1	\$250.00	\$1,000.00	\$100.00	\$250.00 - \$1,000.00	4	\$1,000.00	\$1,200.00	\$1,700.00
1-6	1	\$250.00	\$2,500.00	\$100.00	\$250.00 - \$2,500.00	5	\$2,000.00	\$2,200.00	\$2,500.00
2-6	1	\$350.00	\$2,500.00	\$100.00	\$350.00 - \$2,500.00	6	\$2,500.00	\$2,500.00	\$2,500.00
3-6	1	\$450.00	\$2,500.00	\$100.00	\$450.00 - \$2,500.00				
4-6	1	\$1,000.00	\$2,500.00	\$100.00	\$1,000.00 - \$2,500.00				
1-6	2	\$450.00	\$2,500.00	\$250.00	\$450.00 - \$2,500.00				
2-4	2	\$550.00	\$1,200.00	\$250.00	\$550.00 - \$1,200.00				
3-4	2	\$650.00	\$1,200.00	\$250.00	\$650.00 - \$1,200.00				
3-5	2	\$650.00	\$2,200.00	\$250.00	\$650.00 - \$2,200.00				
3-6	2	\$650.00	\$2,500.00	\$250.00	\$650.00 - \$2,500.00				
4-5	2	\$1,200.00	\$2,200.00	\$250.00	\$1,200.00 - \$2,200.00				
4-6	2	\$1,200.00	\$2,500.00	\$250.00	\$1,200.00 - \$2,500.00				
5-6	2	\$2,200.00	\$2,500.00	\$250.00	\$2,200.00 - \$2,500.00				
1-6	3	\$950.00	\$2,500.00	\$500.00	\$950.00 - \$2,500.00				
3-5	3	\$1,150.00	\$2,500.00	\$500.00	\$1,150.00 - \$2,500.00				
4-5	3	\$1,700.00	\$2,500.00	\$500.00	\$1,700.00 - \$2,500.00				
4-6	3	\$1,700.00	\$2,500.00	\$500.00	\$1,700.00 - \$2,500.00				
5-6	3	\$2,500.00	\$2,500.00	\$500.00	\$2,500.00 - \$2,500.00				

Levels 2 and 3 the fines increases \$100.00 at each level. Level four, and with a possible suspension up to 90 days, the fine doubles + \$100.00. Levels five and six, with a possible suspension of not less than 90 days, the fine doubles at each level up to the maximum allowed. Maximum fine per violation is \$2,500.00.

Second violation fine will increase \$200.00 at each level up to maximum fine.

Third violation fine will increase \$500.00 at each level up to maximum fine.

The Aggravating Factor Fine is suggested when circumstances are appropriate.

Graduated Sanctions for Operators Kansas Board of EMS April 10, 2013

Violation pursuant to K.S.A. 65-6132	Number and severity of violation	Sanction level range
(a)(1) misrepresentation in obtaining permit	1 st violation 2 nd violation 3 rd + violation	1 to 6 or deny 1 to 6 or deny 1 to 6 or deny
(a)(1) misrepresentation in operation of ambulance service	1 st violation: no likelihood of harm to patient 1 st violation: potential harm to patient 1 st violation: harm to patient 2 nd violation: no likelihood of harm to patient 2 nd violation: potential harm to patient 2 nd violation: harm to patient 3 rd + violation: no likelihood of harm to patient 3 rd + violation: potential harm to patient 3 rd + violation: harm to patient	1 to 3 1 to 4 1 to 6 2 to 4 3 to 5 5 or 6 3 to 5 4 or 5 5 or 6
(a)(2) engaged in an ambulance service not authorized in permit (a)(2) attempted to engage in ambulance service not authorized in permit (a)(2) represented as entitled to perform ambulance service not authorized in permit	1 st violation: no likelihood of harm to patient 1 st violation: potential harm to patient 1 st violation: harm to patient 2 nd violation: no likelihood of harm to patient 2 nd violation: potential harm to patient 2 nd violation: harm to patient 3 rd + violation: no likelihood of harm to patient 3 rd + violation: potential harm to patient 3 rd + violation: harm to patient	1 to 3 1 to 4 1 to 6 2 to 4 3 to 5 5 or 6 3 to 5 4 or 5 5 or 6
(a)(3) incompetence: inability to provide level of services required for class of permit held as defined in K.A.R. 109-1-1.	1 st violation: no likelihood of harm to patient 1 st violation: potential harm to patient 1 st violation: harm to patient 2 nd violation: no likelihood of harm to patient 2 nd violation: potential harm to patient 2 nd violation: harm to patient 3 rd + violation: no likelihood of harm to patient 3 rd + violation: potential harm to patient 3 rd + violation: harm to patient	1 to 3 1 to 4 1 to 6 3 or 4 4 or 5 5 or 6 3 to 5 4 or 5 5 or 6

(a)(3) unable to provide adequate ambulance service	1 st violation: no likelihood of harm to patient	1 to 3
	1 st violation: potential harm to patient	1 to 4
	1 st violation: harm to patient	1 to 6
	2 nd violation: no likelihood of harm to patient	3 or 4
	2 nd violation: potential harm to patient	4 or 5
	2 nd violation: harm to patient	5 or 6
	3 rd + violation: no likelihood harm to patient	3 to 5
	3 rd + violation: potential harm to patient	4 or 5
	3 rd + violation: harm to patient	5 or 6
(a)(4) failed to keep and maintain required records	1 st violation	1 to 6
	2 nd violation	3 to 5
	3 rd + violation	4 to 6
(a)(4) failed to make required reports	1 st violation	1 to 6
	2 nd violation	3 to 5
	3 rd + violation	4 to 6
(a)(5) knowingly operated faulty equipment	1 st violation: no likelihood of harm to patient	1 to 6
	1 st violation: potential harm to patient	3 to 6
	1 st violation: harm to patient	4 to 6
	2 nd violation: no likelihood of harm to patient	3 to 6
	2 nd violation: potential harm to patient	4 to 6
	2 nd violation: harm to patient	6
	3 rd + violation: no likelihood of harm to patient	4 to 6
	3 rd + violation: potential harm to patient	5 or 6
	3 rd + violation: harm to patient	6
(a)(5) knowingly operated unsafe equipment	1 st violation: no likelihood of harm to patient	1 to 6
	1 st violation: potential harm to patient	2 to 6
	1 st violation: harm to patient	3 to 6
	2 nd violation: no likelihood of harm to patient	3 to 6
	2 nd violation: potential harm to patient	4 to 6
	2 nd violation: harm to patient	6
	3 rd + violation: no likelihood harm to patient	4 to 6
	3 rd + violation: potential harm to patient	5 to 6
	3 rd + violation: harm to patient	6

(a)(6) violated any provision of act	1 st violation: no likelihood of harm to patient 1 st violation: potential harm to patient 1 st violation: harm to patient 2 nd violation: no likelihood of harm to patient 2 nd violation: potential harm to patient 2 nd violation: harm to patient 3 rd + violation: no likelihood of harm to patient 3 rd + violation: potential harm to patient 3 rd + violation: harm to patient	1 to 3 1 to 4 1 to 6 3 or 4 4 or 5 5 or 6 3 to 5 4 or 5 5 or 6
(a)(6) violated any regulation of this act	1 st violation: no likelihood of harm to patient 1 st violation: potential harm to patient 1 st violation: harm to patient 2 nd violation: no likelihood of harm to patient 2 nd violation: potential harm to patient 2 nd violation: harm to patient 3 rd + violation: no likelihood harm to patient 3 rd + violation: potential harm to patient 3 rd + violation: harm to patient	1 to 3 1 to 4 1 to 6 3 or 4 4 or 5 5 or 6 3 to 5 4 or 5 5 or 6
(a)(6) aided and abetted in violation of any provision of act	1 st violation: no likelihood of harm to patient 1 st violation: potential harm to patient 1 st violation: harm to patient 2 nd violation: no likelihood of harm to patient 2 nd violation: potential harm to patient 2 nd violation: harm to patient 3 rd + violation: no likelihood harm to patient 3 rd + violation: potential harm to patient 3 rd + violation: harm to patient	1 to 3 1 to 4 1 to 6 3 or 4 4 or 5 5 or 6 3 to 5 4 or 5 5 or 6