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State Board of Emergency Medical, Fire,
and Transportation Services
Daryl McNutt, Chair
Rebecca Baute, Vice-Chair
Dr. Carol Cunningham, State Medical Director

**STATE BOARD OF EMERGENCY MEDICAL, FIRE, AND TRANSPORTATION SERVICES
DIVISION OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
August 20, 2014
~ FINAL ~**

Board Meeting Date and Location: Wednesday, August 20, 2014 (10:00 a.m.) at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 134, Columbus, Ohio.

Board Members Present: Thomas Allenstein, Kent Appelhans, Rebecca Baute, Karen Beavers, Pamela Bradshaw, Geoff Dutton, Deanna Harris, Daryl McNutt, Julie Rose, Dr. Hamilton Schwartz, Diane Simon, Dr. Steven Steinberg, Dr. Thomas Tallman, Thomas Wappner, and Dudley Wright II

Board Members Absent: James Davis, Ernest Hatmaker, and Mark Resanovich

DPS and EMS Staff Members Present: Jean Booze, Dr. Carol Cunningham, Anna Firestone, Ryan Frick, Thomas Gwinn, Sherry Harkness, Melvin House, Linda Mirarchi, David Fiffick, Sue Morris, Doug Orahood, Ellen Owens, Carol Palantekin, Schuyler Schmidt, Andy Spencer, Joe Stack, Dan Swords, Diane Walton, and Connie White

Assistant Attorney General: Brandon Duck

Public Present: Marisa Maxey (Air Evac Lifeteam), Dr. Kevin Miller, Jim Parrish (New Philadelphia Fire), Greg Robbins, Stephanie Rutter (Air Evac EMS), Barry Seth (Lagrange Fire/Rescue), Greg Swope (Krugliak, Wilkins, Giffiths & Dougherty Co., L.P.A.)

EMS Rules Hearing

Mr. McNutt called the public hearing to order of the Ohio State Board of Emergency Medical, Fire, and Transportation Services (hereinafter referred to as “the Board”).

Roll call of the board members who were present.

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Present	Mr. Mark Resanovich	Absent
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Present	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Absent	Dr. Thomas Tallman	Present
Mr. Geoff Dutton	*Present	Mr. Thomas Wappner	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present

**Note: Mr. Dutton stepped out of the room prior to roll call and returned moments later.*

Mr. McNutt noted for the record that a quorum was present to conduct business.

The hearing was held on August 20, 2014 at the Ohio Department of Public Safety, Room 134, 1970 West Broad Street, Columbus, Ohio 43223.

Mr. McNutt recognized ODPS Associate Legal Counsel, Anna Firestone. Ms. Firestone called the hearing to order at 10:02 a.m. Ms. Firestone was acting on behalf of the Board and served as the hearing officer.

The purpose of this hearing was to receive comments and/or testimony regarding proposed actions to Chapters 4766-2, entitled "Medical Transportation/Ambulances," and 4766-5, entitled "Medical Transportation/Air Medical," of the Ohio Administrative Code proposed in response to a completed Revised Code 119.032 five-year rule review. These proposed rules were filed with the Common Sense Initiative Office, the Joint Committee on Agency Rule Review, the Secretary of the State, and the Legislative Service Commission in compliance with the requirements of Chapter 119. of the Revised Code.

Notice of this public hearing was published in the Register of Ohio in accordance with section 119.03 of the Ohio Revised Code, which governs the procedures to be followed at a public hearing of this nature. This agency is required to conduct a hearing to permit any person affected by the proposed action to appear and be heard in person or by an attorney or both. The person may present arguments, positions, and contentions either orally or in writing and may present evidence that the proposed actions will be unreasonable or unlawful if enacted. This agency may administer oaths or affirmations and shall pass on the admissibility of evidence. The person affected may make objections to any of the rulings. The testimony and rulings on the admissibility of evidence were recorded by stenographic means.

O.A.C. Chapter 4766-2 sets forth the conditions under which the State Board of Emergency Medical, Fire, and Transportation Services (Board) may approve, renew, or deny an application to operate a medical transportation organization (MTO). In addition, this chapter sets forth the roadworthiness standards for MTO ambulances, including the communication and medical equipment required on each vehicle. Pursuant to its review, EMS proposed to amend rules 4766-2-11 and 4766-2-17 to update rule and statutory references. EMS proposed to rescind rule 4766-2-14 as it was found to be duplicative of R.C. section 4766.13.

O.A.C Chapter 4766-5 sets forth the conditions under which the Board may approve, renew, or deny an application to operate an air medical service organization (AMSO). Additionally, this chapter sets forth the air worthiness standards for AMSO aircraft and the required state and federal licenses and/or permits, as well as the communication and medical equipment required for each aircraft. Finally, these rules set forth the transportation and maintenance records retention requirements to be followed by an AMSO.

Pursuant to its review, EMS proposed to reorganize Chapter 4766-5 to make its content consistent with Chapter 4766-2. To reorganize, EMS proposed to rescind rules 4766-5-05, 4766-5-09, 4766-5-10, 4766-5-11, 4766-5-12, 4766-5-16, 4766-5-18, 4766-5-19, and 4766-5-22 and relocate the content under new rules 4766-5-08, 4766-5-05, 4766-5-06, 4766-5-07, 4766-5-09, 4766-5-12, 4766-5-15, 4766-5-16 and 4766-5-10 respectively.

Additionally, EMS proposed to amend O.A.C. rules 4766-5-01, 4766-5-03, 4766-5-04, and 4766-5-20 to address materials incorporated by reference in compliance with R.C. sections 121.71 to 121.74. EMS also proposes to amend rules 4766-5-01 and 4766-5-05 to reflect a statutory change set forth in Am. Sub. H.B. 51 (130 General Assembly) that reorganized two agencies into the State Board of Emergency Medical, Fire, and Transportation Services.

Further, EMS proposed to rescind rules 4766-5-02 and 4766-5-13 and simultaneously adopt them under their same rule numbers as reorganization of their content for clarity and addressing materials incorporated by reference changed the rules by more than fifty percent.

EMS proposed to rescind rule 4766-5-21 as it was found to be duplicative of R.C. section 4766.11.

Anyone wishing to offer testimony and/or comments was asked to step forward. No witnesses were present.

ACTION: Motion to accept the proposed rules package for Chapters 4766-2, entitled "Medical Transportation/Ambulances," and 4766-5, entitled "Medical Transportation/Air Medical," of the Ohio Administrative Code for final filing with the Joint Commission on Agency Rule Review. Ms. Harris – First. Ms. Bradshaw - Second. None opposed. None abstained. Motion approved.

All proposed rules will be presented to the Joint Committee on Agency Rule Review for their consideration. This presentation is tentatively scheduled to occur on Tuesday, September 2, 2014 at 1:30 p.m. at the Ohio Statehouse.

As there was nothing further to consider, the hearing was adjourned and was concluded at 10:10 a.m.

EMFTS Board Meeting

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Present	Mr. Mark Resanovich	Absent
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Present	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Absent	Dr. Thomas Tallman	Present
Mr. Geoff Dutton	Present	Mr. Thomas Wappner	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present

Welcome and introduction of new Board member, Dr. Hamilton Schwartz from the Cincinnati Children's Hospital Medical Center who was appointed to the Board on June 4, 2014 replacing Dr. Wendy Pomerantz as the ER Pediatrician (seat #3).

Open Forum ~ None

Consent Agenda

Mr. McNutt requested a motion to approve the Consent Agenda items that were distributed prior to the meeting, including the June 18, 2014 EMFTS meeting minutes, the certifications, accreditations, and CE site requests for period June 18, 2014 through August 19, 2014.

ACTION: Motion to approve the Consent Agenda items including the June 18, 2014 EMFTS meeting minutes, the certifications, accreditations, and CE site requests for period June 18, 2014 through August 19, 2014. Ms. Bradshaw – First. Ms. Beavers – Second. None – Abstained. None opposed. Motion approved.

Report and Recommendation

Mr. McNutt introduced himself as the Chair of the State Board of Emergency Medical, Fire, and Transportation Services. The Board deliberated on two Report and Recommendations in the matters of:

- EMS Case #2012-125-E500, Kevin J. Miller, EMS Applicant #82328
- EMS Case #2011-1033-E100, Patrick M. Clark, EMS Certificate #124027

The respondents did not file objections to the *Report and Recommendation* in either case. Mr. McNutt recognized Assistant Attorney General Brandon Duck for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

AAG Duck presented the cases:

First Case – Dr. Kevin Miller: Dr. Miller and his attorney Greg Swope were present for deliberation.

AAG Duck stated that Dr. Miller is a physician who submitted an initial application for a certificate to teach as an EMS instructor. By rule, there are special requirements necessary for a physician to obtain their instructor certificate. AAG Duck briefly reviewed those requirements. For a physician to be certified as an instructor of EMTs, there are certain requirements that must be met. Some of the physician requirements are the same as those for a practitioner. The instructor rule to certify a physician to be an instructor actually refers to the practitioner rule to obtain their certificate. One of those requirements is that the applicant's EMS certificate may not have been previously revoked as is the case with Dr. Miller's certificate.

AAG Duck referred to:

Ohio Administrative Code 4765-18-09 Qualifications for a physician to be certified as an EMS instructor or an individual holding a certificate of training to be certified as a continuing education instructor. (<http://codes.ohio.gov/oac/4765-18-09>) (A) A physician may be certified by the board as an EMS instructor if the physician meets the following criteria: (4) Is in compliance with the requirements set forth in paragraphs (A)(6) to (A)(12) of rule **4765-8-01** of the Administrative Code. -And-

Ohio Administrative Code 4765-8-01. Qualifications for a certificate to practice. (<http://codes.ohio.gov/oac/4765-8-01>) (A) An applicant for a certificate to practice as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic must meet the following requirements: (12) If the applicant is, or has been, certified or licensed as an EMS provider in this state or another state, the applicant's certificate or license is not currently on probationary status nor has it been suspended or revoked by the board or the EMS certifying or licensing entity in another state.

The language in the rule that is pertinent to this case is that of 4765-8-01(A)(12): "...*the applicant's certificate or license is not currently on probationary status nor has it been suspended or revoked by the board.*"

Dr. Miller was previously certified as an EMT-Basic and, through proceedings before the EMS Board, had his certificate revoked. On that basis, AAG Duck recommends to deny Mr. Miller's application as an EMS instructor.

The Board was provided with a copy of the Report and Recommendation. The case went to hearing and the hearing examiner's recommendation was that the Board has discretion under OAC 4765-8-01(B) to grant Mr. Miller his instructor certificate. AAG Duck, however disagrees. AAG Duck also disagrees with the hypothetical situation in the Report and Recommendation in which the hearing examiner states that Dr. Miller could become a practitioner first then he would be eligible to become an instructor as there would be nothing to prevent Dr. Miller from doing so (as the rules are currently written). AAG Duck does not agree with this analysis. As the rule/language reads, if you want to be an instructor and your certificate has been previously revoked you cannot obtain a certificate to teach, there are no exceptions. AAG Duck does agree with the hearing examiners point as far as the Board's discretion in the practitioner's rules where someone may not meet all requirements yet the language allows for the Board to grant a card.

However, as to granting a physician a certificate to teach, the Board does not have that same provision in the instructor rule.

Although, AAG Duck agrees with the hearing examiner's point that the rules as currently written do not coincide, the rules still apply and the Board does not have the authority to grant Dr. Miller his certificate to teach.

AAG Duck stated that if the Board accepts the hearing examiner's recommendation as they may choose to do, that there will be no objections from Dr. Miller. However, as the Board's counsel, AAG Duck suggest that the Board reject the hearing examiner's recommendation and deny Dr. Miller's application for an EMS instructor as the Board does not have discretion under current rule to issue an EMS instructor certificate after the applicant's EMS provider certificate or license has been revoked by the Board.

Dr. Miller's attorney, Greg Swope presented on Dr. Miller's behalf. Also present in support of Dr. Miller was Chief Jim Parrish of the New Philadelphia Fire Department. Mr. Swope stated that he had nothing to add to the hearing officer's recommendation. The argument was presented exactly as the hearing officer stated in his recommendation. The Board was asked to accept the hearing officer's recommendation to grant Dr. Miller's EMS instructor certificate. Mr. Swope stated that the hearing officer's conclusion that although there is no authority under OAC 4765-18-09 for the Board to exercise discretion in granting/denying Dr. Miller a certificate to teach, that the discretion implicitly does indeed extend to grant/denying the application. And although the rules should coincide, they clearly do not.

Dr. Miller addressed the Board. Dr. Miller thanked the Board for allowing him to speak. Dr. Miller asked the Board to consider granting his certificate to teach. He stated that it is important to him, not for himself, but for the same reason he became a physician; to serve and take care of people. That is also why he became the Medical Director for Tuscarawas County; it was for the fire departments and the people of community. An important role as a medical director is to be able to educate the first responders and paramedics to maintain a high level of care for the people of the community. He would like the opportunity to continue to do just that, especially in the rural community where they are an hour away from the nearest trauma center. The expertise and knowledge is essential in this community, and he would like to facilitate their learning.

Mr. Swope followed up by stating that, since Dr. Miller's certificate was revoked, Dr. Miller has become a doctor, employed by the Union Hospital in Dover, Ohio as the emergency room physician, a volunteer for the Sugarcreek Fire Department, and develops local protocols and makes recommendations for certifications of EMTs for the county. He is very involved in the community. This is another area (as an EMS instructor) which Dr. Miller would like to become more involved. Mr. Swope stated that Dr. Miller's credentials and qualifications have been laid before for the Board and ask that the Board take all of it into consideration.

AAG Duck had no further comments. He stated that the Board was to deliberate in private and then would announce their decision during open session. However, AAG Duck instructed the Board to ask any questions of the respondent before going into a private session.

The Board inquired as to why Dr. Miller's certificate was revoked initially. AAG Duck gave a quick summary of the 2005 case. The Board was previously provided evidence of the previous case by way of copies of the Report and Recommendation and the Adjudication Order. AAG Duck explained that in 2005 Dr. Miller was an EMT-Basic and a medical student during a transport run when he exceeded the scope of practice by performing two internal examinations on a pregnant patient in labor. Further testimony suggests that Dr. Miller wanted to perform the delivery in that situation rather than manage the transport to the hospital.

Dr. Miller then spoke on his behalf by further explaining the situation leading up to his revocation. He stated that the original case was that they were answering a call for a patient in labor in the Amish community who requested transport to a non-licensed birthing center. He had never before gone beyond the scope of practice. He stated that he performed one internal examination to ensure that there was neither a breach nor a cord issue before transferring the patient to a birthing center with no physician. He wanted to ensure that they did not need to redirect her to another more appropriate facility. He admitted it was wrong as far as the rules were concerned. This was however a strong learning point of his career. He learned that there were limitation as to what he could do and that has served him through his residency and career.

No additional questions from the Board regarding Dr. Miller's case.

Second Case – Patrick M. Clark. Mr. Clark was not present.

Although Mr. Clark requested a hearing he did not participate in the hearing. Mr. Clark holds an EMT-Basic certificate. The requested sanction is to revoke Mr. Clark's certificate. Mr. Clark failed to disclose or provide the documentation of his conviction when applying for his renewal EMT certificate. Mr. Clark submitted a renewal application in 2009 in which he failed to disclose his conviction. In 2013, Mr. Clark submitted another renewal application and failed to provide documentation of his conviction. Considering both violations, AAG Duck is requesting the approval of the recommendation to revoke his current certificate and deny his current application.

No questions from the Board.

The Board received material containing more detail for each case to take into consideration prior to the meeting.

Having heard AAG Duck's synopses and recommendations for each case, Mr. McNutt requested a motion to adjourn and go into private session at 10:30 a.m.

ACTION: Motion to adjourn and go into private session for the purpose of quasi-judicial deliberation on these matters pursuant to ORC Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B). Dr. Steinberg – First. Dr. Tallman – Second. None opposed. None abstained. Motion approved.

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Present	Mr. Mark Resanovich	Absent
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Present	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Absent	Dr. Thomas Tallman	Present
Mr. Geoff Dutton	Present	Mr. Thomas Wappner	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present

The Board returned from private session at 11:14 a.m.

ACTION: In the matter of EMS Case Number 2012-125-E500, Kevin J. Miller, EMS Applicant Number 82328, the Board confirms and approves the findings of fact, rejects the conclusions of law, and rejects the recommendation issued by the hearing examiner. The Board denies Mr. Miller's application for an EMS instructor certificate because the Board does not have discretion under current rule. Ms. Harris – First. Dr. Steinberg – Second.

Discussion: Dr. Schwartz thanked Dr. Miller for speaking before the Board. Dr. Schwartz stated that he appreciates and understands the challenges in providing quality continuing education in the rural areas where resources are limited. He stated that he believed that this case has brought to light the peculiarities to how the rules are written and how the Board does not currently have the ability to grant the waiver. Dr. Schwartz stated that perhaps the Board will need to review the current rule and possibly revisit the issue in the future.

None opposed. Mr. Allenstein and Ms. Bradshaw – abstained. Motion approved.

ACTION In the matter of EMS Case Number 2011-1033-E100, Patrick M. Clark, EMS Certificate Number 124027, the Board moves to confirm and approve the findings of fact, conclusions of law, and the recommendation issued by the hearing examiner to refuse to renew Mr. Clark's EMT certificate based on the facts that he committed fraud, misrepresentation or deception in applying for the renewal of his EMT certificate by not disclosing his conviction for Theft of Drugs, a fourth degree felony and he failed to provide documentation of his conviction. Ms. Harris – First. Mr. Wright – Second. None opposed. Mr. Allenstein and Ms. Bradshaw – abstained. Motion approved.

GOLDMAN PROCEEDINGS

Mr. McNutt, Chair of the State Board of Emergency Medical, Fire, and Transportation Services called the proceeding to order at 11:15 a.m. on June 18, 2014 at the Ohio Department of Public Safety, Room 134, 1970 West Broad Street, Columbus, Ohio 43223. Members of the Board present for the proceedings were:

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Present	Mr. Mark Resanovich	Absent
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Present	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Absent	Dr. Thomas Tallman	Present
Mr. Geoff Dutton	Present	Mr. Thomas Wappner	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present

It was noted for the record that a majority of members of the Board were present. There was one adjudication proceedings. The proceeding was in the matter of:

- *EMS Case #2012-330-E300, Andrew E. Thrasher, EMS Certificate #11134*

The proceeding shall be an affidavit-based adjudication relative to the Notice of Opportunity for Hearing mailed to the respondent in the aforementioned case and believed to have been properly served according to the Administrative Procedures Act (Chapter 119 of the Ohio Revised Code).

As the respondent did not properly request a hearing in the case, the proceeding was held before the Board pursuant to *Goldman v. State Medical Board of Ohio*. The individual named did not have the ability to present written or oral testimony, but may be present to hear the proceeding and outcome.

All received the sworn affidavit from the EMS investigators and accompanying exhibits for the Goldman Proceeding in the board packet. The affidavit contained the evidence and testimony upon which was deliberated. Although all had the opportunity to review the affidavit and accompanying exhibits time was allowed to review if needed. No additional time was required.

In lieu of a stenographic record being made, the minutes reflect that the original sworn affidavit and exhibits shall be kept as the official record of the proceeding in the aforementioned matter in the Office of the Division of EMS.

Mr. McNutt recognized Assistant Attorney General, Brandon Duck for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

AAG Duck presented the case:

As each Board member received the affidavits for each case to review prior to the meeting, AAG Duck briefly presented a summary of each case:

- EMS Case Number 2012-330-E300, Andrew E. Thrasher, EMS Certificate Number 11134. Mr. Thrasher entered into a consent agreement with the Board in October 2012 which required him to complete the required continuing education hours within 120 days. Mr. Thrasher failed to do so. Mr. Thrasher requested a hearing beyond the thirty days which is permitted under law. He submitted nothing to indicate that the CEs have been completed. The case was brought before the Board in June however, the motion failed due to lack of quorum with abstentions. To date, Mr. Thrasher has not complied with the consent agreement. The recommendation is for revocation of his certificate to practice.

Having heard AAG Duck's synopses and recommended disciplinary actions for the cases, Mr. McNutt requested a motion to admit the sworn affidavit and the accompanying exhibits in the aforementioned cases into evidence.

ACTION: Motion to admit the sworn affidavit and accompanying exhibits in the aforementioned cases into evidence. Ms. Harris – First. Dr. Schwartz – Second. None opposed. Mr. Allenstein - abstained. Motion approved.

There being no further evidence to come before the board, the proceeding closed at 11:20 a.m.

The procedural and jurisdictional matters having been satisfied, the proceeding will continue by deliberation on the sworn affidavit and exhibits. A written copy of the Board's decision will be mailed to the respondent.

Mr. McNutt requested a motion to recess the meeting for the purpose of entering into quasi-judicial deliberations on the following matters pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B). The Board will reconvene following deliberations.

ACTION: Motion to recess and go into Private Session for the purpose of quasi-judicial deliberation on these matters. Ms. Harris – First. Mr. Wappner – Second. None opposed. None - abstained. Motion approved.

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Present	Mr. Mark Resanovich	Absent
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Present	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Absent	Dr. Thomas Tallman	Present
Mr. Geoff Dutton	Present	Mr. Thomas Wappner	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present

The Board returned from private session at 11:28 a.m.

ACTION: *In the matter of EMS Case Number 2012-330-E300, Andrew E. Thrasher, EMS Certificate Number 11134, the Board finds that Mr. Thrasher violated the conditions of a consent agreement issued by the Board, in violation of Ohio Administrative Code Section 4765-10-03(B)(6); therefore the Board moves to revoke Mr. Thrasher’s certificate to practice.* Ms. Harris – First. Dr. Steinberg – Second. None opposed. Mr. Allenstein, Ms. Allenstein, and Mr. Wright – abstained. Motion approved

EMS Investigations, Melissa Vermillion and Staff

ACTION: *Motion to adjourn and enter executive session for the purpose of discussing proposed disciplinary action against certificate holders pursuant to O.R.C. Section 121.22(G)(1) and pursuant to 121.22(G)(5) that involve matters required to be kept confidential under O.R.C. Sections 149.43(A)(2) and 4765.102(B) at 11:30 AM.* None Abstain. None opposed. Motion approved.

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Present	Mr. Mark Resanovich	Absent
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Present	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Absent	Dr. Thomas Tallman	Present
Mr. Geoff Dutton	Present	Mr. Thomas Wappner	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present

The Board returned from private session at 11:54 a.m.

ACTION: *Motion to accept the following Consent Agreements:* Ms. Harris – First. Mr. Appelhans – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2012-815-E100	2013-663-E300	2013-698-BE300	2014-103-BE100	2014-262-E300
2013-217-E100	2013-687-E300	2013-699-BE300	2014-177-BE100	
2013-639-BE100	2013-691-E300	2014-53-E300	2014-187-E300	

ACTION: *Motion to accept the following proposed Consent Agreements:* Ms. Harris – First. Ms. Simon – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2013-397-E400	2014-184-E300	2014-231-E300
2013-700-BE300	2014-202-E300	2014-391-E500

ACTION: Motion to close the following case: Ms. Harris – First. Ms. Beavers – Second.
2014-195-ET500 and 2014-206-ET400

Dr. Steinberg requested the Motion to be amended as follows:

ACTION: Motion to close case #2014-105-ET500 and remove case #2014-206-ET400 and refer the case back to the Division of EMS for further investigation. Dr. Steinberg – First. Dr. Schwartz – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

ACTION: Motion to close the following case: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.
2014-305-E300 *Refer to school grievance procedure

ACTION: Motion to close the following case due to lack of jurisdiction, referral to local medical director, deferral to department discipline, certifications have expired, or non-violation of ORC and/or OAC: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2013-562-F400	2014-99-BE500	2014-203-E400	2014-243-E400	2014-306-BE200
2013-675-E300	2014-125-E300	2014-204-E400	2014-251-E100	2014-318-BE500
2013-701-BE300	2014-157-E500	2014-233-E100	2014-280-E500	2014-328-E400
2014-18-E100	2014-197-BE100	2014-240-E400	2014-287-E400	2014-330-E400
2014-23-E200				

ACTION: Motion to close the following case; re-open if contact made, or audit at renewal: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2009-633-304	2010-61-E300 *Rescind NOH	2014-56-E300	2014-186-E300
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ACTION: Motion to close the following cases; re-open if re-applies. The following individuals opted to surrender their certificate or withdraw their application: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2013-601-E300 *Rescind NOH	2014-120-E300 *Rescind NOH	2014-368-E100
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ACTION: Motion to close the following cases. Individuals did not supply required documentation; therefore, their applications were rendered incomplete: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2014-97-E100

ACTION: Motion to close the following cases; re-open if re-applies. Individuals have criminal convictions or charges pending. Their respective certificates to practice have expired: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2014-301-BE100

ACTION: Motion to close the following cases; re-open if re-applies. Individuals entered into consent agreements with the Board. They have not met the requirements of the consent agreement. Their respective certificates to practice have expired: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2010-607-E100

ACTION: Motion to close the following cases, individuals have met the stipulations of their Consent Agreements. Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2011-1207-E300	2011-1210-E300	2011-1252-E300	2011-1280-E300	2012-239-E300
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ACTION: Motion to close the following cases; re-open if contact made. Individuals were issued Notices of Opportunity for Hearing. Unable to obtain service of the Notice: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2010-174-BE100 2012-393-E100	2012-598-E300 2012-915-E300	2013-19-E300 2014-46-E300
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ACTION: Motion to Close the following cases; re-open if re-applies. Individuals were audited at their respective levels. They have opted to surrender their certificate to practice or certificate to teach: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2013-406-E300 2013-579-E300 2014-48-E300 2014-51-E300 2014-54-E300	2014-134-E300 2014-135-E300 2014-136-E300 2014-172-E300 2014-185-E300	2014-188-E300 2014-261-E300 2014-264-E300 2014-319-E300 2014-322-E300
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ACTION: Motion to close the following cases. Individuals were issued Notices of Opportunity for Hearing. Subjects' cards have expired. Rescind Notices: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Ms. Bradshaw. None opposed. Motion approved.

2010-418-E300	2012-145-BE100
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ACTION: Motion to issue Notices of Opportunity for Hearings for the following cases: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Mr. Resanovich. None opposed. Motion approved.

2012-270-E500 *Propose consent agreement 2013-450-BE100 2013-661-E300 2013-684-E300	2013-689-E300 2013-696-E300 2014-50-E300 2014-58-E300	2014-98-E300 2014-126-E300 2014-146-E300 2014-189-E300	2014-190-E300 2014-191-E300 2014-208-E100 2014-212-E300
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ACTION: Motion to rescind Notices of Opportunity for Hearings and continue with consent agreement: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Mr. Resanovich. None opposed. Motion approved.

2013-7-E300 *Rescind NOH and continue with consent agreement
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ACTION: Motion to close the following cases due to one of the following reasons: inadvertently marked yes to conviction question, misdemeanor convictions which the Board has previously deemed "not involving moral turpitude," continuing education cases which now meet the requirements, local non-patient care issues, and grandfathering issues of certification/conviction. Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein and Mr. Resanovich. None opposed. Motion approved.

2014-142-E100 2014-183-E300 2014-255-E100 2014-268-E100 2014-276-BE100 2014-277-BE100	2014-297-E100 2014-299-E100 2014-300-E100 2014-304-E100 2014-307-BE100 2014-308-BE100	2014-314-BE100 2014-336-BE100 2014-358-E100 2014-364-E100 2014-378-BE100 2014-380-BE100	2014-386-BE100 2014-392-BE100 2014-408-E100 2014-410-E100 2014-411-E100 2014-412-E100
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REPORTS:

EMS Board Chair Report, Daryl McNutt (Chair)

Mr. McNutt thanked all the committee chairs for their effort and hard work. A lot of things are happening within the committee. All are asked to continue their good work and pass along the Board's appreciation to all the committee members.

State EMS Medical Director Report, Dr. Carol Cunningham

RPAB

- Dr. Cunningham presented an application for the appointment from Dr. Dustin Calhoun (Region I) for the Regional Physician Advisory Board membership for the EMFTS Board approval.

ACTION: Motion to approve the RPAB appointment from Dr. Dustin J. Calhoun (Region I). Ms. Harris - First. Mr. Appelhans – Second. Dr. Swartz – Abstained. None Opposed. Motion approved.

- There is still a need for RPAB chairs in Regions III, IV, V, VI, and IX. As the regions are transitioned to correspond with the Homeland Security regions, the need will change.
- Due to a conflict with the NEMSAC meeting scheduled to be held on Wednesday, September 10, 2014, the RPAB Chair meeting was rescheduled for Thursday, September 11, 2014 at 1:00 p.m.

Ebola and Ohio EMS

- Due to the need to, not only educate, but to perhaps alleviate the recent media scare in regards to Ebola in Ohio, an Ebola fact sheet for Ohio EMS has been posted on the EMS website.

Naloxone

- Then naloxone training module will be posted to the ODPS training campus as soon as some technical issues are resolved. Until it is posted to the training campus, neither the exams nor CEs will be available. However, the PowerPoint presentation is still available.
- The National Association of State EMS issued a brief “The Use of Naloxone in Out-of-Hospital Settings”. A copy was provided to the Board. (Attachment 1) It was prompted due to other states currently going through this process. Ohio was one of the few states that included legislation to prioritize their naloxone stores for EMS, and this action was applauded by NASEMSO and included in their brief. Ohio legislation language has been shared with other state medical directors. There are some advocacy groups that support naloxone administration that are encouraging agencies and legislators to eliminate mandatory training and education as an “unnecessary barrier” to accessing naloxone. However, NASEMSO’s recommendation is to require training.

CoAEMSP

- Additional requirements have been added by the Committee on the Accreditation of Educational Programs for the EMS Professions (CoAEMSP) for medical directors of paramedic education programs going through national accreditation that need to be conveyed to the EMS educational institutions.
 - At the conclusion of a program, a document must be physically signed by the medical director attesting to the competence of each graduate. The signature must be an actual signature or a secure electronic signature. It cannot be a stamped signature.
 - If the program chooses to use the secure electronic signature, an agreement must exist of all parties allowing for electronic signatures. It cannot be an image or JPEG.

National EMS Advisory Council (NEMSAC)

- The Board received two documents from NEMSAC for public comment. 1) *EMS Education Agenda for the Future* and 2) Federal Interagency Committee on EMS (FICEMS) Strategic Plan. The Board is asked to review the documents, share with the stakeholders, and respond by September 5, 2014.
- NEMSAC and FICEMS will be pairing their December meetings due to priority items, i.e., CMS reimbursement for community paramedicine.
- Next NEMSAC meeting is September 10-11, 2014 in Washington, D.C.

National Association of State EMS officials (NASEMSO)

- Annual meeting is October 6 – 10, 2014 in Cleveland, Ohio. (www.nasemso.org)
- Partial day registration is \$175 per day
- Ohio EMS exhibit hall registration is \$25 per person – October 8th. This new registration will hopefully increase the attendance of EMS providers. Due to the cost of the conference,

many EMS providers have been unable to attend in previous years. Flyers with registration information will be added to the Listserv.

The NASEMSO National Model EMS Clinical Guidelines will be released in September 2014.

Assistant Attorney General, Brandon Duck

Per AAG Duck's request, Mr. McNutt requested a motion to adjourn and enter executive session for the purpose of discussing pending litigation with invited guest, AAG Duck, Executive Director Melvin House, Legal Counsel Anna Firestone, EMS Investigation Chief Melissa Vermillion, and Investigator Supervisor Robert Ruetenik.

ACTION: Motion to enter into executive session for the purpose of discussing pending litigation with invited guest, AAG Duck, Executive Director Melvin House, Legal Counsel Anna Firestone, EMS Investigation Chief Melissa Vermillion, and Investigator Supervisor Robert Ruetenik. Ms. Harris – First. Mr. Wright – Second. None Abstain. None opposed. Motion approved.

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Absent	Mr. Mark Resanovich	Absent
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Present	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Absent	Dr. Thomas Tallman	Present
Mr. Geoff Dutton	Present	Mr. Thomas Wappner	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present

The Board returned from private session at 12:24 p.m.

ACTION: Motion in the case of Andrew Seal, court case #2013-CV-08-3956 (original EMS case #2014-480-E300) that the Board enter a consent order on the terms discussed in executive session. The consent order shall be prepared by the AG and EMS staff, shall include the approved terms discussed in executive session, and shall be finalized by signature of the chairperson on behalf of the Board. Ms. Harris – First. Dr. Steinberg – Second. Dr. Schwartz and Ms. Bradshaw – Abstain. None opposed. Motion approved.

EMS Staff Legal Counsel, Anna Firestone ~ No Report.

EMS Certification, Extensions & Exemption Requests, Jean Booze

Jean Booze reported that from June 12, 2014 through August 12, 2014, there were 107 EMS extension requests. The staff recommends approval and requests a motion to ratify the extensions:

ACTION: Motion to approve EMS extension requests. Ms. Harris – First. Ms. Bradshaw – Second. None opposed. None abstained. Motion approved.

Jean Booze presented two extension requests exceeding 90-days; 1) Certification #143703 for 180 days and 2) Certification #118677 for 207 days. The staff recommends approval and requests a motion to approve the extension:

ACTION: Motion to approve the requests for EMS extension request exceeding 90 days for Certification #143703 (180 days) and Certification #118677 (207 days). Ms. Harris – First. Ms. Beavers – Second. None opposed. None abstained. Motion approved.

Jean Booze presented a voluntary surrender request from James Studer. Mr. Studer would like to surrender his Paramedic and EMS instructor certifications as he is no longer working in the EMS field or resides in Ohio. The staff recommends approval and requests a motion to approve the voluntary surrender:

ACTION: Motion to approve voluntary surrender request from James Studer. Ms. Harris – First. Ms. Beavers – Second. None opposed. None abstained. Motion approved.

Jean Booze reported that during June 12, 2014 through August 12, 2014, there were 2,645 new EMS certifications and 2,622 new Fire certifications. The staff recommends approval and requests a motion to ratify new certifications:

ACTION: Motion to approve new certifications. Ms. Bradshaw – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

Jean Booze reported on the CE exemptions requests for the period of June 12, 2014 through August 12, 2014 there were a total of six exemption requests; two dual-certified due to military deployment (#2014-8-6 & #2014-8-11), two dual-certified (#2014-8-10 & 2014-8-12), and two EMT-only certified (#2014-8-8 and 2014-8-3) due to medical hardship. The staff recommends approval and requests a motion to ratify the exemptions requests:

ACTION: Motion to approve exemptions. Mr. Dutton – First. Ms. Beavers – Second. None opposed. None abstained. Motion approved.

Jean Booze reported on a CE exemptions request for the period of June 12, 2014 through August 12, 2014 due to military deployment (#2014-8-4). The request was for three certification cycles which would result in nine years without any EMS training. Staff does not recommend approval of the request. Instead staff is requesting approval for only one cycle. EMS staff will be able to assist him in completing his continuing education requirements for the other two cycles through the requirements of HB 98 and 488. This is new veteran's legislation which requires EMS to provide extensions equal to the amount of time of military deployment. This allows for granting an extension request for long as he is in active status.

The staff recommends approval of an exemption for one certification cycle only (2005-2008) and extension for the remainder two cycles and requests a motion to ratify the exemptions requests.

ACTION: Motion to approve exemptions. Ms. Harris – First. Ms. Bradshaw – Second. None opposed. None abstained. Motion approved.

Note: Rules are currently being revised to reflect the mandated changes due to HB 98 (http://www.legislature.state.oh.us/BillText130/130_HB_98_EN_N.pdf) and HB 488 (http://www.legislature.state.oh.us/BillText130/130_HB_488_EN_N.pdf). Once the revisions are complete the rules will be brought to the Board for approval.

Education, John Sands

Mr. Sands requested to extend the expiration dates for the following certificates of accreditation. The request is an effort to simultaneously conduct the Division of EMS accreditation site visit with that of the Committee on Accreditation of Educational Programs for the EMS Professions (CoAEMSP) site visit. Each accredited institution operates a paramedic training program and is not under disciplinary action. The renewed certificate of accreditation will expire two years from the institution's current expiration date. (Pursuant to ORC 4765-17 and 4765.11)

Auburn Career Center (8/31/14 to 8/31/16)
Cincinnati Fire Department (12/19/14 to 12/19/16)
Lakeland Community College (12/31/14 to 12/31/16)

Shawnee State University (10/31/14 to 10/31/16)
UH Geauga Medical Center (12/31/15 to 12/31/17)

ACTION: Motion to approve the extended expiration dates. Ms. Bradshaw – First. Ms. Beavers – Second. None opposed. Dr. Schwartz and Ms. Baute abstained (Cincinnati Fire Department). Motion approved.

Medical Transportation – Dave Fiffick

Dave Fiffick presented the list of Medical Transportation renewal applications for May-June-July-August 2014. Staff is requesting a motion and approval pending a satisfactory inspection.

ACTION: Motion to approve the Medical Transportation renewals for May-June-July, 2014. Ms. Harris – First. Ms. Simon – Second. Dr. Schwartz (University Air Care.) - Abstain. None opposed. Motion approved.

Dave Fiffick presented the list of Medical Transportation new service applications (8 Ambulettes/ 1 Ambulance/1 Air Medical). Staff is requesting a motion and approval.

ACTION: Motion to approve the Medical Transportation new service. Ms. Harris – First. Ms. Bradshaw – Second. None opposed. None abstain. Motion approved.

Dave Fiffick presented the list of Medical Transportation for new headquarters (1 Ambulette) and satellite location applications (6 Ambulettes/8 Ambulances/1 Air Medical). Staff is requesting a motion and approval.

ACTION: Motion to approve the Medical Transportation new headquarters applications. Ms. Harris – First. Ms. Bradshaw – Second. Mr. Allenstein (Ohio Medical Transportation), Ms. Rose (Community Care Ambulance Network, Inc.) and Mr. Appelhans (LifeStar Ambulance) abstain. None opposed. Motion approved.

Executive Director, Melvin House

EMFTS Board Seats Status – two vacant seats:

- Seat 4: Hospital Administrator – A potential candidate has been identified and the name forwarded to the nominating organizations for consideration.
- Seat 10: EMS Provider – Nominations were received from the Northern Ohio Fire Fighters and from the Ohio Association of Professional Firefighters and forwarded to the Director's office on March 3, 2014.

Staff Vacancies – all new staff members were introduced:

- Administrative Professional 2 – Education Section—Fire Testing. Position posted; applications received. Candidate testing underway.
- Business Operations Coordinator. New position to coordinate Ohio Administrative Code review process, public records requests, forms management, and records retention. Beverly Cooper began July 28, 2014.
- Program Administrator 1 – Trauma/Research. Rhonda Evans accepted a promotion with ODRC in Mansfield. Position reclassified as a Researcher 2. Job qualifications being revised.
- Grants Administrator – Julie McQuade announced retirement effective in November.
- Medical Transportation Inspectors – Part-time contractor positions. Vacancies in Toledo, Chillicothe, and Ashtabula. Application period closes on August 30th.
- Education Site Visit Contractor – Part-time contractor position. Southwest Ohio vacancy. Currently in backgrounds.

IT Project: Continue to work with IT to upgrade the Division of EMS testing and database systems. Fire testing is nearly complete. Certification section is next to be updated. This will include the online applications.

EMS System Improvements: Fire Audits, EMS Audits, Firefighter and EMS Reciprocity processes and forms.

Website Update: Intern will begin on August 25, 2014 to redesign the DEMS webpage. The Board is asked to forward any ideas.

EMFTS Board Terms Expiration (November 12, 2014):

- Seats #3 ER Pediatrician ~ Dr. Schwartz
- Seat #4 Hospital Administrator ~ Vacant
- Seat #9 EMS Provider ~ Mr. Davis
- Seat #13 EMS Provider ~ Karen Beavers
- Seat #16 Owner/Operator of Private EMS Service ~ Mr. Appelhans

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- Seat #19 Ambulette ~ Ms. Rose

Election of Board Chair and Vice Chair: Nominations at October meeting; election at December meeting.

Upcoming Meetings/Conferences that DEMS staff will be participating:

- *June 19, 2014.* Pike County EMS 40th Anniversary Ceremony at the Government Center. Proclamation and Certificates of Appreciation from ODPS were presented.
- *June 28, 2014.* Ohio Association of Emergency Medical Services. DEMS provided an EMS Update.
- *August 5, 2014.* Priority 2 Grant - Check presentation at TriHealth Bethesda North with ODPS Director Born and the Ohio Department of Aging. Tour of simulation center.
- *October 8, 2014.* Delegation from Thailand to learn more of Ohio EMS.
- *October 6-10, 2014.* NASEMSO 2014 Annual Meeting & Tradeshow at the Westin/Cleveland Public Auditorium in Cleveland, Ohio. Opening ceremonies scheduled for October 8, 2014 at 10:45 a.m.

EMS Legislative Liaison, Andy Spencer (Mel House)

Mr. Spencer was called to the Statehouse. Executive Director presented the Legislative Liaison.

The Legislation is out until after the election, November 2014.

Senate Bill 347 Medical Order for Life-Sustaining Treatment

(http://www.legislature.state.oh.us/BillText130/130_SB_347_I_Y.pdf) was introduced on June 19, 2014.

There are some EMS issues involved. Mr. Spencer is working with Senator Lehner's office to discuss the EMS concerns.

EMFTS BOARD COMMITTEE REPORTS

**Mobil Integrated Healthcare (MIHC), (aka Community Paramedicine) Ad-Hoc Committee
Deanna Harris**

The MIHC met on August 18, 2014 without a quorum.

The Executive Summary and the white paper "Mobile Integrated Healthcare: A Viable Model for the Partnership of Ohio's Healthcare System with the Ohio EMS have been placed on the EMS webpage. The Board is asked to use both as a reference when speaking in regards to Community Paramedicine/Mobile Integrated Healthcare. This will ensure the same message is conveyed from the Board.

The Fire Alliance which includes the Ohio State Firefighters Association, Ohio Association of Professional Firefighters, and the Ohio Fire Chiefs' Association has taken the lead, are working with lobbyist to attempt to move forward and possibly introduce something during the lame duck session.

The California Nurses Association has released an article in EMS World in opposition of Mobile Integrated Healthcare (<http://www.emsworld.com/news/11622579/nurses-balking-about-proposed-calif-paramedicine-program>).

The October MIHC Committee meeting has been cancelled, the next meeting is scheduled for December 16, 2014 at ODPS in conference room 134 (Motorcycle Room).

EMS-Children Committee (EMSC), Joe Stack

The EMSC met on August 19, 2014.

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EMSC requests that the Medical Oversight, Medical Transportation, and Resource Management Committees review the Equipment for Ground Ambulances list and forward their comments to Mr. Stack by October 14, 2014.

The Trauma Acute Care Registry Pediatric Annual Data Report is expected to be completed by October 14, 2014.

Ohio EMS for Children is hosting a joint meeting with the Ohio Pediatric Disaster Preparedness Coalition in place of the regular Committee meeting on October 14, 2014. Topics will include hospital evacuation procedures, including children in regional disaster drills.

Ohio EMS for Children and the Goal 4 Trauma Workgroup are working together to provide quality improvement training in November for EMS coordinators. The National EMS for Children Data Analysis Resource Center will provide training staff and materials for the sessions. There will be two one-day workshops with a maximum class size of 20 for each session.

EMS System Development ~ No Report.

Homeland Security Subcommittee ~ No Report.

Education, Pam Bradshaw

The Education Committee did not meet.

ACTION ITEM: The Board requested that the Education Committee and the RPAB Chairs to review OAC 4765-18-09 “Qualifications for a physician to be certified as an EMS instructor or an individual holding a certificate of training to be certified as a continuing education instructor” and OAC 4765-8-01 “Qualifications for a certificate to practice”, and report back to the Board with recommendations for revisions if applicable.

Next meeting is scheduled for September 17, 2014.

Medical Oversight Committee (MOC), Geoff Dutton

MOC met on June 17, 2014.

In June, the MOC recommended and requested a motion to approve the requirement of capnography for intubated patients within five years and to task the Resource Management Committee to offer grants incentives in the first three years of the five year period for waveform as the preferred method. The motion failed. The Board requested that that MOC revisit the issue, provide additional information, a more detailed recommendation, and modify the motion.

MOC discussed the Board's concern and drafted a handout “Mandatory capnography for monitoring patients with invasive airway adjuncts” which was provided to the Board for review and discussion (Attachment 2). MOC reiterated their desire for the Board to require capnography.

MOC, in addition to recommending a motion to the Board to require the use of capnography within the next five years, is also seeking the assistance of the Resource Management and Education Committees with providing additional information if the Board chooses to move forward.

During their meeting, MOC discussed what type of training is currently being offered in the curriculum in regards to intubating patients and capnography. The Paramedic curriculum includes capnography while the EMT curriculum does not. If the Board chooses to move forward, MOC suggests that an on-line capnography education and training module be

developed for agencies and medical directors. This would be another avenue in which to support the education institutions and EMS instructors as they transition into using capnography.

MOC also recommends that if capnography is to be a requirement that, although waveform is the preferred method, the digital modality is also acceptable.

The Board inquired as to what other states were doing in regards to capnography. Dr. Cunningham stated that a survey was sent via the state medical directors through the NASEMSO listserv; 18 replied and 11 reported that they require capnography. Many of the medical directors of states where it was not required stated that it should be and they considered it to be the standard of care. Of the 11 states that require capnography, 8 mandated the waveform modality. Most states that have mandated the use of capnography have not offered any grace period.

Mr. Dutton requested a motion on behalf of the MOC Committee:

ACTION: Motion that Ohio requires EMS providers to use digital or waveform capnography for patients requiring invasive airway adjuncts, with a mandatory requirement for its use in five years. Mr. Dutton – First. Ms. Harris – Second. Dr. Steinberg – opposed. None abstained. Motion approved.

Discussion: Dr. Steinberg stated that the time requirement of 5 years is concerning due to the cost and education requirements. MOC addressed that concern in the handout (Agencies and Providers Impacted). Although the EMS Priority 1 grants have provided several agencies funding to purchase capnography, MOC would like the Resource Committee to perhaps create an initiative to offset those costs.

Ms. Harris stated that she has had conversations with the Fire Alliance and as they understood it that many agencies are currently using capnography.

Although the Board may mandate the use of capnography, it is not the only driving force. With airway mismanagement being among the top lawsuits, EMS agency leadership are taking notice and acknowledge that the use of capnography may save agencies from costly lawsuit.

The Board discussed the concern that if capnography equipment is mandated, it will have to be adjusted for all medical transportation. The minimum equipment list will have to be revised accordingly.

Additional concerns that were discussed included:

1. Concerns with the need for all agencies to, not only require the skill base, but the equipment base education/training (volunteer services, rural services, public, private, etc.)
2. Concerns regarding, if mandated, how the use will be actually tracked, how it will be known that capnography is actually being utilized. Currently if/when a patient is intubated; this action is required to be recorded in the database.

Dr. Steinberg strongly recommended stepping back from the motion to take the time to reevaluate the mandated time frame and develop a detailed implementation plan with the goal to implement the required time frame.

The Board generally agrees that the use of capnography should be mandated as it is the best practice and waveform is the “gold” standard. However, implementation and cost are issues that will need to be addressed moving forward.

Medical Transportation Committee (MTC) – Tom Allenstein

The MTC met on August 19, 2014

The MTC meeting began with a conference call with national leaders to discuss the specifications regarding the KKK-A-1822 Ambulance Purchasing Guide (Triple K standards) and the National Fire Protection Agency (NFPA) 1917 Standard for Automotive Ambulances. Originally it was believed that as of January 2014, the Federal standards would replace the Triple K standards. That date has been changed to September 30, 2015. However, several

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national groups are working together to develop another set of national standards that are close but not as strict as the NFPA standards. With this change, the current Medical Transportation rules will have to be revised to reflect the new standards because Ohio Revised Code and Ohio Administrative Code still require vehicles to be built according to the KKK standards. MTC will begin to review the current rules in order to identify the revision necessary to meet the revised federal standards. A draft version of the new NFPA standards is to be released soon. Executive Director House will work with ODPS Legislative Affairs and ODPS Legal Services to discuss what needs to be done in order to make changes to the Ohio Revised Code due to the amount of time it may take to make those changes.

MTC is looking to develop a group of volunteers to form workgroups that will begin reviewing the ambulance specification rules which are due for the 5-year review in 2016.

MTC begin reviewing the strategic plan as it pertains to medical transportation.

- 1) Ambulette Standards – Ensure the standards are being followed by all. Review the current standards and revise if necessary.
- 2) Air Medical Coordination and Triage issue. The Ohio Association of Critical Transport (OACT) is also working on their development. MTC will follow OACT progress, review what they develop, and in turn adopt their recommendations.
- 3) Develop Standards that are clearly defined and easily followed by all agencies. Patients should expect the same level of care regardless of where they live and who may be providing the service.

MTC is aware as the standards are being developed that there are several different levels of the agencies providing services and the difficulties that some agencies may have in complying with the standards due to cost, training, etc. The standards/rules must be written in a way that the agencies/organizations can comply and still provide high quality care to patients.

MTC will continue working towards formalizing the above goals and developing the action steps.

Critical Care Subcommittee, Julie Rose:

The Subcommittee met on August 19, 2014.

The Subcommittee is working on several of the same issues as the MT Committee.

The Subcommittee discussed three items:

- 1) Scope of practice. The Subcommittee discussed the scope of practice as it pertains to certain interfacility critical transports. They discussed the types of transports currently being performed by paramedics. Including those transports using FiO₂ ventilators or medication infused in pumps. Most but not all agencies offer additional training. The Subcommittee reviewed and noted the areas throughout the scope of practice that would need additional training in regards to critical care transport. The Subcommittee will continue to explore ways for clarification in the scope of practice that would define those sorts of transportation that would require additional training and offer guidance and curriculum items to the medical directors responsible for providing that additional training. Once complete, the Subcommittee will forward to the Ohio Association of Critical Care Transport (OACCT), Ohio Ambulance and Medical Transportation Association (OAMTA), and the Fire Alliance for their input. They plan to share the draft with the MOC for their input as well.
- 2) Triple K specifications. The Subcommittee also participated in the conference call as it pertains to critical care. MT Committee report covered this item. One additional item that is considered a “hot topic” is cots, the cot mounts, and how they perform under certain conditions. This issue should be addressed with the revised standards.

- 3) Appropriate use of air transportation. The Subcommittee collected information pertaining to the appropriate use of air (white papers, reports, air transport literature). The documents will be shared once a SharePoint or a depository is established.

Resource Management Committee, Julie McQuade

Julie McQuade presented a request from the University of Cincinnati to make minor amendments in the inclusion and exclusion criteria for the study subjects to their 2014-15 research grant "Pragmatic Deficits after Childhood Traumatic Brain Injury: Parents' Perspectives". The Board was provided with a copy of the request and grant application prior to the meeting for review. Staff is requesting a motion and approval pending a satisfactory inspection.

ACTION: Motion to approve the University of Cincinnati amendments to their 2014-15 research grant titled "Pragmatic Deficits after Childhood Traumatic Brain Injury: Parents' Perspectives".
Mr. Dutton – First. Ms. Beavers – Second. Ms. Baute and Dr. Schwartz – Abstain. None opposed.
Motion approved.

Time-Critical Diagnosis Ad Hoc Committee, Geoff Dutton

The TCD Committee did not meet. ~ No Report

Trauma Committee, Dr. Steinberg/Tim Erskine

Trauma Committee met last month.

The Board was provided with a copy of the "Elderly Fall Prevention Resource Guide." It is also available electronically on the EMS website. (<http://www.publicsafety.ohio.gov/links/EMS5934.pdf>).

The Trauma Committee discussed the Ohio's Return to Play Law (http://www.legislature.state.oh.us/bills.cfm?ID=129_HB_143). The law went into effect on April 26, 2013. The law states that an athlete is not permitted to return to play until they have been assessed and receive written clearance by a physician or by any other licensed health care provider approved by the school district. In addition to that bill, there was a standalone bill introduced that would allow chiropractors to independently clear athletes to resume play after they have suffered a concussion. That bill was quickly withdrawn. However, this provision was placed into an education bill that was not opened to line-item veto by the governor. On June 4, 2014, a House/Senate conference committee on House Bill 487 (http://www.legislature.state.oh.us/BillText130/130_HB_487_EN_N.pdf) met and adopted new language that created a committee within the Ohio Department of Health (ODH) to develop and publish guidelines for (a) the diagnosis, treatment and clearance of concussions and head injuries sustained by athletes in interscholastic and youth sports activities and (b) the minimum education requirements necessary to qualify a physician or other licensed health care professionals to assess and clear those athletes for return to practice or competition. The ODH committee will consist of 7 members, including: two physicians, two chiropractors, a representative from the State Medical Board, a representative from the State Chiropractic Board, and the Director of the Department of Health. The Trauma Committee is concerned that there is not a neurologist or a sports medicine physician appointed to the committee. However, the Director of ODH as the Committee Chair must solicit input from eleven specific individuals and of those there are four currently on the Trauma Committee (emergency medicine physician, pediatric emergency medicine physician, neurosurgeon, emergency nurse). The Trauma Committee is working with ODH to assist with providing those particular individuals for consultations. The ODH Committee must develop and publish the guideline within 180 days for the effective date of the law (July 2014). Given the time constraint, the ODH Director may be willing to utilize the Trauma Committee members to fill those roles. However, there is now a new Director of ODH that needs be consulted. At this point, there is no action needed from the

Board, but the Trauma Committee wanted the Board to be aware. The Trauma Committee will continue to work with ODH through their liaison.

Trauma Bill Update:

The Trauma Bill is in its third version. There have been three interested party meetings that included the hospitals, providers, and pre-hospital providers. Several revisions recommendations have been made and will be incorporated into the fourth version. The fourth version will be introduced to a larger group of stakeholders. EMS and Fire issue/concern is that there is not enough clarity as to which Board they will report (EMFITS or Trauma). Although many recognize that there will be some overlap between the two Boards which will need to be worked through, the Boards may have to work together. There are still many details still to be worked out. Current goal is to present to the legislature by next spring.

OLD BUSINESS ~ None

NEW BUSINESS

Star of Life Awards.

Deanna Harris stated that she would like to see the Board and Executive Director House work towards reestablishing the Ohio ACEP EMS Star of Life Award. It is important to recognize those EMS providers that have gone over and beyond. Executive Director House spoke with the Ohio chapter of the American College of Emergency Physicians (OACEP) executive director, was told that the hiatus was only for one year and the plans are to host the event in 2015.

ACTION ITEM: Executive House House will follow up with OACEP and report back to the Board on the status of the Ohio ACEP EMS Star of Life Award.

If the ACEP does not wish to continue with the Star of Life Awards, the Board, as in the past, would like to perhaps reestablish its own awards.

Dr. Tallman stated that he is currently sitting on OACEP Board. Initially the plan was to take one year hiatus to step back and reevaluate the awards. One concern was, although regions are aware of the awards, they chose not to participate. Some regions have not submitted nominations. The OACEP is continuing to reevaluate.

ITLS Conference.

The International Trauma Life Support (ITLS) conference will be November 4-7, 2014 in Cleveland, Ohio (<https://www.itrauma.org/education/international-trauma-conference>)

ADJOURNMENT

ACTION: Motion to adjourn. Dr. Steinberg - First. Ms. Harris – second. None Abstained. None Opposed. Motion approved.

The meeting adjourned at 2:13 p.m.

NEXT MEETING

Wednesday, October 15, 2014 at 10:00 a.m. at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 134, Columbus, Ohio.

Note: Attachments are available upon request.

Attachment 1 – “The Use of Naloxone in Out-of Hospital Settings”

Attachment 2 - “Mandatory capnography for monitoring patients with invasive airway adjuncts”