



Ohio Department of Public Safety
John Born, Director

Division of Emergency Medical Services
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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
October 15, 2014
~ FINAL ~**

Board Meeting Date and Location: Wednesday, October 15, 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, Karen Beavers, Pamela Bradshaw, James Davis, Geoff Dutton, Deanna Harris, Daryl McNutt, Mark Resanovich Julie Rose, Dr. Hamilton Schwartz, Diane Simon, Dr. Steven Steinberg, Dr. Thomas Tallman, Thomas Wappner, and Dudley Wright II

Board Members Absent: Rebecca Baute and Ernest Hatmaker

DPS and EMS Staff Members Present: Jean Booze, Beverly Cooper, Dr. Carol Cunningham, Tim Erskine, Anna Firestone, Dave Fiffick, Ryan Frick, Thomas Gwinn, Sherry Harkness, Melvin House, Julie McQuade, Rick Miller, Linda Mirarchi, Sue Morris, Doug Orahoad, Ellen Owens, Carol Palantekin, Robert Ruetenik, John Sands, Schuyler Schmidt, Andy Spencer, Joe Stack, Dan Swords, Patrick Wilson, and Rachel Zwayer.

Assistant Attorney General: Summer Moses

Public Present: Marisa Maxey (Air Evac Lifeteam), Robert E. Oldham, Jim Pickering (Air Evac EMS), Greg Robbins, Barry Seth (Lagrange Fire/Rescure), Charlie Sulek (JCARR), and Charles W. Slicer

Welcome and Introduction

The meeting began at 10:01 a.m.

Roll Call

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

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 at 10:03 a.m.

Roll Call

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

* Dr. Tallman arrived at 10:04 a.m. after roll call.

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

The hearing was held on October 15, 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 10:03 a.m. Ms. Firestone was acting on behalf of the Board and served as the hearing officer.

The purpose of this hearing is to receive comments and/or testimony regarding proposed actions to Chapter 4766-14, entitled "Trauma Triage" of the Ohio Administrative Code proposed in response to a completed periodic 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 actions 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 public hearing and all testimony shall be recorded by stenographic means.

OAC Chapter 4765-14 specifies the methods to be used by emergency medical services personnel to determine which injured patients they treat are severely injured and require transportation to a trauma center. Pursuant to its review, the Board proposes to amend:

Rule 4765-14-02 (Determination of a trauma victim) to broaden triage indicators and revise EMS personnel titles to reflect statutory changes; and

Rule 4765-14-06 (Amendments affecting regional protocols) to set forth the manner in which changes to regional composition will affect regional triage protocol variants.

Anyone wishing to offer testimony and/or comments was asked to step forward.

Chief Robert Bates at 4765 Firehouse Lane, Groveport, Ohio 43125, representing the Ohio Fire Chiefs' Association presented testimony. Their request was to revise current language in Rule 4765-14-04 by adding the following language to the end of the existing language "*The board shall retain the power to and be the only entity authorized to approve state and regional trauma triage protocols.*"

The Board requested additional clarification as to what issue the added language would solve. The Board believed that the current language clearly states that the EMFTS Board is the approving board and only sought direction and advice from its committees and workgroups but still remained the final authority.

Chief Bates stated that their goal was to simply clarify who has the ultimate authority under the trauma rules. They would like the OAC Chapter 4765-14-04 to better reflect the current language in ORC 4765.11 and 4765.40. They believe the current processes are fine and are only seeking clarification. Many concerns arise in the field pertaining to who is the actual authority (i.e., medical director, Trauma Surgeon, EMFTS Board, etc.) The added language will alleviate this issue by specifically giving the EMFTS Board the final authority.

The Board tabled the request as additional information was needed. The EMS staff will meet with the Ohio Fire Chiefs' Association and bring back to the Board for final approval.

There were no other witnesses present.

ACTION: Motion to make changes to Chapter 4765-14 "Trauma Triage" of the Ohio Administrative Code based on the witness testimony, then final file with the Joint Commission on Agency Rule Review. Mr. Davis – First. Ms. Beavers - Second. None opposed. None abstained. Motion approved.

ACTION: Motion to table changes to Chapter 4765-14-04 "Education of state and regional trauma triage protocols" pending further legal review and accept remaining 4765-14 "Trauma Triage" rules of the Ohio Administrative Code for final filing with the Joint Commission on Agency Rule Review. Mr. Davis – First. Dr. Schwartz - Second. None opposed. None abstained. Motion approved.

The approved rules will be presented to the Joint Committee on Agency Rule Review for its consideration. This presentation is tentatively scheduled to occur on Monday, October 27, 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 10:24 a.m.

EMFTS Board Meeting

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 August 20, 2014 EMFTS meeting minutes, the certifications, and CE site requests for period August 20, 2014 through October 14, 2014 with the removal of the initial accreditations. The initial accreditations have been amended and will be presented during the Executive Director's report.

ACTION: Motion to approve the Consent Agenda items including the August 20, 2014 EMFTS meeting minutes, the certifications, and CE site requests for period August 20, 2014 through October 14, 2014, excluding the initial accreditations. Ms. Bradshaw – First. Ms. Harris – 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 one Report and Recommendations in the matters of:

- EMS Case Number 2012-454-BE100, Robert E. Oldham, EMS Certificate Number 119331.

FINAL

PUBLIC RECORD

The respondent did not file objections to the *Report and Recommendation*. Mr. McNutt recognized Assistant Attorney General Summer Moses for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

AAG Moses presented the case. AAG Moses is requesting that the Board reject the conclusion that Mr. Oldham's convictions were not crimes involving moral turpitude based on consideration of the circumstances beyond the convictions, including the victim's statement, witness statement, and testimony by Detective Shilito. Although the hearing officer found that the offenses were not of moral turpitude. AAG Moses stated that according to the hearing officer's Report and Recommendation that the evidence outside the conviction of unlawful restraint was not taken into consideration when making the recommendation. Evidence surrounding the conviction is allowed and should also be considered (i.e., victim's statements, Detective testimony, etc.). AAG Moses requested that the Board affirm the conclusion that Mr. Oldham committed misrepresentation in applying for renewal of his certificate by checking that he did not have charges pending for a felony or misdemeanor, when in fact charges were pending at the time his renewal application was submitted. In addition, AAG Moses requested that the Board rejects the recommendation of a proposed fine as the Board does not have authority to impose a fine. Instead recommended that the Board imposes a penalty that is line with the misrepresentation and a finding of moral turpitude.

Mr. Oldham's attorney, Charles Slicer, Esq. was present and addressed the Board on Mr. Oldham's behalf. Mr. Slicer requested that the Board adopt the hearing officer's recommendation as the hearing officer heard all the evidence from the officer and testimony as presented. He stated that the hearing officer made the proper recommendation to the Board.

Mr. Oldham was also present and addressed the Board. Mr. Oldham stated that he simply misinterpreted how to file his application. His intent was not to deceive the Board. Once he was notified he worked with the EMS Investigations. He requested that the Board accept the hearing officer's recommendation.

No questions from the Board.

The Board received detailed information pertaining to the case in which to take into consideration prior to the meeting.

Having heard AAG Moses' synopses and recommendations for the case and Mr. Oldham's statement, Mr. McNutt requested a motion to adjourn and go into private session.

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).

Roll Call

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

* Note: Dr. Steinberg stepped out during roll call, however was present during deliberation.

The Board returned from private session at 10:58 a.m.

FINAL

PUBLIC RECORD

ACTION In the matter of EMS Case Number 2012-454-BE100, Robert E. Oldham, EMS Certificate Number 119331, the Board confirms and approves the findings of fact, rejects the conclusions (#1) that the convictions were not crimes involving moral turpitude based on consideration of the circumstances beyond the convictions, including the victim statement, witness statement, and testimony from Detective Shilito. The committee finds Mr. Oldham's convictions, Offenses Involving Underage Persons, a first-degree misdemeanor, in violation of Ohio Revised Code Section 4301.69(A) and Unlawful Restraint, a third-degree misdemeanor, in violation of Ohio Revised Code Section 2905.03(A) are in fact misdemeanors involving moral turpitude. Affirm the conclusion (#2) that the respondent committed misrepresentation in applying for renewal of his certification and rejects the recommendation to include the proposed fine because the Board does not have statutory authority to impose a fine. Furthermore the Board imposes the following sanction: ***Revocation***: Based on these facts, the Board moves to revoke Mr. Oldham's EMT certificate to practice. Mr. Davis – First. Ms. Beavers – Second. None opposed. Mr. Allenstein, Ms. Bradshaw, Ms. Harris, Mr. Resanovich, Ms. Rose, and Mr. Wappner – 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 11:03 a.m. on October 15, 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	Present
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Absent	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Present	* Dr. Thomas Tallman	Absent
Mr. Geoff Dutton	Present	Mr. Thomas Wappner	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present

* Note: Dr. Tallman stepped out during roll call, however returned shortly after.

The Goldman Proceedings were paused.

The votes for the motion in the matter of EMS Case Number 2012-454-BE100, Robert E. Oldham, EMS Certificate Number 119331 (above) were unclear due to a Board member whom was present during deliberation yet was out of the room during the motion and vote. To ensure that all Board members' positions were clear the motion was re-presented and a Roll Call vote was called:

ACTION: In the matter of EMS Case Number 2012-454-BE100, Robert E. Oldham, EMS Certificate Number 119331, the Board confirms and approves the findings of fact, rejects the conclusions (#1) that the convictions were not crimes involving moral turpitude based on consideration of the circumstances beyond the convictions, including the victim statement, witness statement, and testimony from Detective Shilito. The committee finds Mr. Oldham's convictions, Offenses Involving Underage Persons, a first-degree misdemeanor, in violation of Ohio Revised Code Section 4301.69(A) and Unlawful Restraint, a third-degree misdemeanor, in violation of Ohio Revised Code Section 2905.03(A) are in fact misdemeanors involving moral turpitude. Affirm the conclusion (#2) that the respondent committed misrepresentation in applying for renewal of his certification and rejects the recommendation to include the proposed fine because the Board does not have statutory authority to impose a fine. Furthermore the Board imposes the following sanction: ***Revocation***: Based on these facts, the Board moves to revoke Mr. Oldham's EMT certificate to practice. Mr. Davis – First. Ms. Beavers – Second. None opposed. Mr. Allenstein, Ms. Bradshaw, Ms. Harris, Mr. Resanovich, Ms. Rose, and Mr. Wappner – abstained. Motion approved.

Roll Call Vote:

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

* Note: Chair McNutt voted due to a tie.

GOLDMAN PROCEEDINGS RESUMED

Mr. McNutt, Chair of the State Board of Emergency Medical, Fire, and Transportation Services called the proceeding to order at 11:14 a.m. on October 15, 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	Present
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Absent	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Present	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 eight adjudication proceedings. The proceeding was in the matter of:

- *EMS Case Number 2014-272-ET500, American Trans, LLC, Service Code 258355*
- *EMS Case Number 2014-144-E300, John S. Fiediga, EMS Certificate Number 78718*
- *EMS Case Number 2014-137-E300, Deema R. Welch, EMS Certificate Number 127015*
- *EMS Case Number 2014-132-E300, Jason S. Shaffer, EMS Certificate Number 152303*
- *EMS Case Number 2014-49-E300, Barbara A. Crocker, EMS Certificate Number 79152*
- *EMS Case Number 2014-44-E300, Shannon G. Campbell, EMS Certificate Number 123233*
- *EMS Case Number 2013-619-E300, Sandra L. Coakley, EMS Certificate Number 16847*
- *EMS Case Number 2014-42-E300, Jonathan S. Eveatt, EMS Certificate Number 137317*

The proceeding shall be an affidavit-based adjudication relative to the Notice of Opportunity for Hearing mailed to the respondents 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 respondents 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 individuals 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.

FINAL

PUBLIC RECORD

In lieu of a stenographic record being made, the minutes reflect that the original sworn affidavits and exhibits will 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, Summer Moses for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

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

EMS Case Number 2014-272-ET500, American Trans, LLC, Service Code 258355. On January 14, 2014 during an inspection eight violations were found. EMS notified American Trans and the EMS inspector attempted to conduct a re-inspection. However, American Trans was uncooperative and would not allow the inspector to conduct the re-inspection. On December 13, 2013, American Trans submitted a renewal application. AAG Moses recommended that their renewal application be denied and their license to operate an ambulance service be revoked.

EMS Case Number 2014-144-E300, John S. Fiediga; EMS Case Number 2014-137-E300, Deema R. Welch; EMS Case Number 2014-132-E300, Jason S. Shaffer; EMS Case Number 2014-49-E300, Barbara A. Crocker; EMS Case Number 2014-44-E300, Shannon G. Campbell; EMS Case Number 2013-619-E300, Sandra L. Coakley; and EMS Case Number 2014-42-E300, Jonathan S. Eveatt. All submitted their EMS renewal application and attested to the fact that all continuing education requirements had been satisfied. During an EMS audit numerous attempts were made to contact and confirm that the education had been completed. The requested documentation was not provided. AAG Moses recommended that all the aforementioned certificates to practice be revoked.

Having heard AAG Moses' 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. Ms. Simon – Second. None opposed. Mr. Allenstein, Ms. Beavers, and Mr. Reasanovich - abstained. Motion approved.

There being no further evidence to come before the board, the proceeding closed at 10:23 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 pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B).

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Present	Mr. Mark Resanovich	Present
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Absent	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Present	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 2014-272-ET500, American Trans, LLC, Service Code 258355, the Board finds that American Trans, LLC failed to meet the requirements for the renewal of a license to operate an ambulance service, failed to correct the identified licensure requirement violations of both the Ohio Revised Code and Ohio Administrative Code for both the headquarters and vehicles, and failure to permit the Division of EMS to conduct another inspection of the headquarters and its vehicles. Accordingly, American Trans, LLC violated Ohio Revised Code Sections 4766.08(A)(1), 4766.08(A)(2), 4766.08(A)(3), and 4766.08(D). Additionally, American Trans, LLC violated Ohio Administrative Code Sections 4766-3-08(C)(1), 4766-0-08(C)(4)(e), 4766-3-08(H), 4766-3-09, 4766-3-10(A)(1), 4766-3-10(A)(2), 4766-3-10(A)(5) 4766-3-10(A)(6) and 4766-3-10(A)(8); therefore the Board moves to deny American Trans, LLC's renewal application and revoke their license to operate an ambulance service. Ms. Harris – First. Mr. Davis – Second. None opposed. Mr. Allenstein, Ms. Beavers, and Mr. Resanovich – abstained. Motion approved

ACTION: In the matter of EMS Case Number 2013-619-E300, Sandra L. Coakley, EMS Certificate Number 16847, the Board finds that Ms. Coakley failed to accurately document all continuing education requirements after attesting to the fact that she had satisfied the requirements to renew her certificate to practice, in violation of Ohio Administrative Code Sections 4765-10-03(B)(1), 4765-9-01(I), 4765-8-04(A)(3), and 4765-15-03; therefore, the Board moves to revoke Ms. Coakley's certificate to practice. Ms. Harris – First. Mr. Davis – Second. None opposed. Mr. Allenstein, Ms. Beavers, and Mr. Resanovich – abstained. Motion approved

ACTION: In the matter of EMS Case Number 2014-42-E300, Jonathan S. Eveatt, EMS Certificate Number 137317, the Board finds that Mr. Eveatt failed to accurately document all continuing education requirements after attesting to the fact that he had satisfied the requirements to renew his certificate to practice, in violation of Ohio Administrative Code Sections 4765-10-03(B)(1), 4765-9-01(I), 4765-8-04(A)(2), and 4765-15-03; therefore, the Board moves to revoke Mr. Eveatt's certificate to practice. Ms. Harris – First. Mr. Davis – Second. None opposed. Mr. Allenstein, Ms. Beavers, and Mr. Resanovich – abstained. Motion approved

ACTION: In the matter of EMS Case Number 2014-44-E300, Shannon G. Campbell, EMS Certificate Number 123233, the Board finds that Ms. Campbell failed to accurately document all continuing education requirements after attesting to the fact that she had satisfied the requirements to renew her certificate to practice, in violation of Ohio Administrative Code Sections 4765-10-03(B)(1), 4765-9-01(I), 4765-8-04(A)(2), and 4765-15-03; therefore, the Board moves to revoke Ms. Campbell's certificate to practice. Ms. Harris – First. Mr. Davis – Second. None opposed. Mr. Allenstein, Ms. Beavers, and Mr. Resanovich – abstained. Motion approved

ACTION: In the matter of EMS Case Number 2014-49-E300, Barbara A. Crocker, EMS Certificate Number 79152, the Board finds that Ms. Crocker failed to accurately document all continuing education requirements after attesting to the fact that she had satisfied the requirements to renew her certificate to practice, in violation of Ohio Administrative Code Sections 4765-10-

03(B)(1), 4765-9-01(I), 4765-8-04(A)(2), and 4765-15-03; therefore, the Board moves to revoke Ms. Crocker's certificate to practice. Ms. Harris – First. Mr. Davis – Second. None opposed. Mr. Allenstein, Ms. Beavers, and Mr. Resanovich – abstained. Motion approved

ACTION: In the matter of EMS Case Number 2014-132-E300, Jason S. Shaffer, EMS Certificate Number 152303, the Board finds that Mr. Shaffer failed to accurately document all continuing education requirements after attesting to the fact that he had satisfied the requirements to renew his certificate to practice, in violation of Ohio Administrative Code Sections 4765-10-03(B)(1), 4765-9-01(I), 4765-8-04(A)(3), and 4765-17-02; therefore, the Board moves to revoke Mr. Shaffer's certificate to practice. Ms. Harris – First. Dr. Schwartz – Second. None opposed. Mr. Allenstein, Ms. Beavers, and Mr. Resanovich – abstained. Motion approved

ACTION: In the matter of EMS Case Number 2014-137-E300, Deema R. Welch, EMS Certificate Number 127015, the Board finds that Ms. Welch failed to accurately document all continuing education requirements after attesting to the fact that she had satisfied the requirements to renew her certificate to practice, in violation of Ohio Administrative Code Sections 4765-10-03(B)(1), 4765-9-01(I), 4765-8-04(A)(3), and 4765-15-03; therefore, the Board moves to revoke Ms. Welch's certificate to practice. Ms. Harris – First. Mr. Davis – Second. None opposed. Mr. Allenstein, Ms. Beavers, and Mr. Resanovich – abstained. Motion approved

ACTION: In the matter of EMS Case Number 2014-144-E300, John S. Fiediga, EMS Certificate Number 78718, the Board finds that Mr. Fiediga failed to accurately document all continuing education requirements after attesting to the fact that he had satisfied the requirements to renew his certificate to practice, in violation of Ohio Administrative Code Sections 4765-10-03(B)(1), 4765-9-01(I), 4765-8-04(A)(3), and 4765-15-03; therefore, the Board moves to revoke Mr. Fiediga's certificate to practice. Ms. Harris – First. Ms. Beavers – Second. None opposed. Mr. Allenstein, Ms. Beavers, and Mr. Resanovich – abstained. Motion approved

ACTION: Motion to adjourn for a lunch break. Mr. Davis – First. Mr. Dutton – Second. None Abstain. None opposed. Motion approved.

~ Adjourn for lunch at 11:40 a.m. ~

~ Returned at 12:22 p.m. ~

Roll Call

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

* Note: Ms. Beavers stepped out during roll call and returned shortly after.

EMS Legislative Liaison, Andy Spencer

The agenda was rearranged to accommodate a change in schedule. Andy Spencer, EMS Legislative Liaison presented his report:

The Legislative Tracker provided in the board packet has not changed; little to no movement.

FINAL

PUBLIC RECORD

The legislation is out until after the election, November 4, 2014.

Senate Bill 347 – Medical Order for Life-Sustaining Treatment (MOLST) (http://www.legislature.state.oh.us/BillText130/130_SB_347_I_Y.pdf) (Senator Lehner) - Executive Director House, Ellen Owens, and Andy Spencer met with Senator Lehner to discuss EMS issues with SB 347. Changes will be submitted regarding those EMS issues.

In addition, H.B. 588 – Medical orders-life-sustaining treatment/do not resuscitate-identification & orders (http://www.legislature.state.oh.us/BillText130/130_HB_588_I_Y.pdf) (Representatives Wachtmann & Huffman) a companion document to SB 347, Andy Spencer spoke Senator Huffman's office. Plan to meet with Representatives Huffman and Wachtman to discuss the same changes

H.R.809 - Field EMS Quality, Innovation, and Cost Effectiveness Improvements Act of 2013 (<https://www.congress.gov/bill/113th-congress/house-bill/809/text>) – there has been no movement.

Report and Recommendation

The Board returned to the Report and Recommendation (R&R) in the matter of EMS Case Number 2012-454-BE100, Robert E. Oldham, EMS Certificate Number 119331. AGG Moses stated that the reason the R&R was being re-presented was due to the confusion in counting the votes. With the number of Board members abstaining from voting along with the absent Board members, this left the Board short of a quorum. (18 members seated/2 absent members/6 members abstained/9 voted to revoke). There would have to be a total of 10 votes to equal a quorum. In order for a Board member that was absent during the first R&R deliberations, who had arrived after will be allowed to vote instead of abstaining after hearing all testimony. Therefor all testimony from AAG Moses, Mr. Oldham's attorney, Charles Slicer, Esq., and Robert Oldham will be re-presented. Afterward, present Board members vote once again.

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

- EMS Case Number 2012-454-BE100, Robert E. Oldham, EMS Certificate Number 119331.

The respondent did not file objections to the Report and Recommendation. Mr. McNutt recognized Assistant Attorney General Summer Moses for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

AAG Moses presented EMS Case Number 2012-454-BE100, Robert E. Oldham, EMS Certificate Number 119331. AAG Moses requested that the Board reject the conclusion that the convictions were not crimes involving moral turpitude based on consideration of the circumstances beyond the convictions, including the victim's statement stating that she was raped, tied up, restrained before and after the assault; evidence presented by Detective Shilito showing the victim's injuries, along with addition evidence including the hearing transcript provided to the Board prior to the meeting. AAG Moses stated that the Courts allow hearing officers and Boards to consider evidence that is presented outside the conviction when making the recommendation. AAG Moses stated that the hearing officer focused on the conviction of unlawful restraint and not all the testimony and evidence presented. Therefore the evidence surrounding the conviction is allowed and should also be considered. Mr. Oldham's conviction is a crime of moral turpitude. AAG Moses also requested that the Board affirm the conclusion that Mr. Oldham committed misrepresentation in applying for renewal of his certificate by checking that he did not have charges pending for a felony or misdemeanor, when in fact charges were

pending at the time that his renewal application was submitted. In addition, AAG Moses requested that the Board reject the recommendation of a proposed fine as the Board does not have authority to impose a fine.

Mr. Oldham's attorney, Charles Slicer, Esq. again addressed the Board on Mr. Oldham's behalf. Mr. Slicer stated that Mr. Oldham was not convicted of rape or illegal restraint as stated by AAG Moses. His conviction was a misdemeanor, not a felony, which does not amount to a crime of moral turpitude. Mr. Slicer referred to the letters of support received from many friends, co-workers, employers, etc. Mr. Slicer requested the Board to consider other options of discipline besides revocation.

Mr. Oldham addressed the Board. Mr. Oldham stated that he is reliable and has a lot of community support. He is currently with Madison Township Fire & EMS and is called upon to assist with many different projects. He did not intend to misrepresent on his application, it was a miscommunication/misinterpretation on the renewal application.

The Board asked how Mr. Oldham misunderstood the renewal application. Mr. Oldham stated that the time of his first submission on August 4th, although he did have pending charges due to an error on his first application, Mr. Oldham thought that he had to complete and submit a second application. When doing so for the second time on August 7th, all charges had been dropped and that is why he checked "NO" to pending charges.

Mr. Davis offered his apology to Mr. Oldham and his attorney for the confusion surrounding the Report and Recommendation presentation. He also asked Mr. Oldham why the Board should not revoke his certificate. Mr. Oldham stated that he is a caring person in his community, learned a lot from the ordeal, has since educated others regarding his ordeal, his Fire Chief and Township trustee count on him, and he is a great asset to the fire and EMS community.

AAG Moses reiterated, although Mr. Oldham was not convicted of rape, he was indeed charged with those crimes. She again asked the Board to look at all the evidence presented and not only the crime in which Mr. Oldham was convicted.

The Board received detailed information pertaining to the case in which to take into consideration prior to the meeting.

Having heard AAG Moses' synopses and recommendations for the case, Mr. McNutt requested a motion to adjourn and go into private session.

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).

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Present	Mr. Mark Resanovich	Present
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Absent	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Present	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 12:58 p.m.

A question was asked during private session that was addressed during open session as to why the Board needed to re-present the R&R. AAG Moses stated the following reasons to begin the R&R again: Votes were calculated incorrectly; the amount of abstentions created a quorum issue; a Board member was tardy, therefore not present during all the testimony; the R&R could have been tabled until the next board meeting in December, however, the Board felt it was important to address now; Chair McNutt's vote was declared as valid, which was incorrect and made the vote improper. With all the above the decision was to start the R&R from the beginning, re-present all testimony to ensure all procedures were proper and votes correctly calculated

ACTION *In the matter of EMS Case Number 2012-454-BE100, Robert E. Oldham, EMS Certificate Number 119331, the Board confirms and approves the findings of fact, rejects the conclusions (#1) that the convictions were not crimes involving moral turpitude based on consideration of the circumstances beyond the convictions, including the victim statement, witness statement, and testimony from Detective Shilito. The committee finds Mr. Oldham's convictions, Offenses Involving Underage Persons, a first-degree misdemeanor, in violation of Ohio Revised Code Section 4301.69(A) and Unlawful Restraint, a third-degree misdemeanor, in violation of Ohio Revised Code Section 2905.03(A) are in fact misdemeanors involving moral turpitude. Affirms the conclusion (#2) that the respondent committed misrepresentation in applying for renewal of his certification and rejects the recommendation to include the proposed fine because the Board does not have statutory authority to impose a fine. Furthermore the Board imposes the following sanction: **Revocation:** Based on these facts, the Board moves to revoke Mr. Oldham's EMT certificate to practice. Mr. Davis – First. Ms. Beavers – Second. None opposed. Mr. Allenstein, Ms. Bradshaw, Ms. Harris, Mr. Resanovich, Ms. Rose, and Mr. Wappner – abstained. Motion approved.*

Roll Call Vote:

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

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. Mr. Resanovich – First. Mr. Wright – Second. None Abstain. None opposed. Motion approved.*

Roll Call

Mr. Daryl McNutt (Chair)	Present	Mr. Ernest Hatmaker	Absent
Mr. Thomas Allenstein	Present	Mr. Mark Resanovich	Present
Mr. Kent Appelhans	Present	Ms. Julie Rose	Present
Ms. Rebecca Baute (Vice Chair)	Absent	Dr. Hamilton Schwartz	Present
Ms. Karen Beavers	Present	Ms. Diane Simon	Present
Ms. Pamela Bradshaw	Present	Dr. Steven Steinberg	Present
Mr. James Davis	Present	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 1:16 p.m.

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

2014-167-BE100	2014-310-E300	2014-375-E100	2014-430-E300
2014-191-E300	2014-360-E300	2014-397-BE100	2014-442-E300

ACTION: Motion to issue Notice of Opportunity for Hearing for the following case: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, and Mr. Resanovich. None opposed. Motion approved

2013-608-ET500

ACTION: Motion to close the following case: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, Mr. Resanovich, and *Ms. Rose. None opposed. Motion approved

* 2014-25-ET500	2014-206-ET400
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ACTION: Motion to close the following cases: Ms. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, and Mr. Resanovich. None opposed. Motion approved.

2009-506-101 - *Rescind NOH	2014-198-E100	2014-329-E500
2014-8-E100 - *Rescind NOH	2014-263-E500	2014-337-E100
2014-76-E500	2014-327-E400	2014-422-E400

ACTION: Motion to close the following cases 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: Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, and Mr. Resanovich. None opposed. Motion approved.

2013-232-E400 *Defer to department discipline; Rescind NOH	2013-249-BE100	2014-377-E400	2014-381-E500
	2013-575-E100 *Rescind NOH	2014-379-BE100	2014-414-E400

ACTION: Motion to close the following cases. Individuals did not supply required documentation; therefore, their applications were rendered incomplete: Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, and Mr. Resanovich. None opposed. Motion approved.

2014-116-E100	2014-174-E100
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ACTION: Motion to close the following cases, individuals have met the stipulations of their Consent Agreements. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, and Mr. Resanovich. None opposed. Motion approved.

2010-277-BE100	2011-1284-E300	2013-672-E300	2014-107-BE100
2011-1251-E300	2013-662-E300	2013-679-E300	2014-129-BE100

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: Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, and Mr. Resanovich. None opposed. Motion approved.

2013-399-E300 - *Rescind NOH	2014-146-E300 - *Rescind NOH	2014-372-E300	2014-491-E300
		2014-468-E300	

ACTION: Motion to issue Notices of Opportunity for Hearings for the following cases. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, and Mr. Resanovich. None opposed. Motion approved.

2012-413-BE500	2013-277-BE100	2013-283-BE100	2014-193-E300
2012-414-BE500	2013-278-BE100	2013-500-BE100	2014-284-E500
2012-415-BE500	2013-279-BE100	2013-710-E300	2014-312-BE100
2012-416-BE500	2013-280-BE100	2014-2-E100	2014-373-E300
2013-275-BE100	2013-281-BE100	2014-192-E300	2014-385-E300
2013-276-BE100	2013-282-BE100		

ACTION: Motion to rescind Notices of Opportunity for Hearings and continue with consent agreement: Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, and Mr. Resanovich. None opposed. Motion approved.

2012-393-E100

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. Harris – First. Mr. Wright – Second. Abstain – Mr. Allenstein, Ms. Bradshaw, and Mr. Resanovich. None opposed. Motion approved.

2013-295-E100 - *Rescind NOH	2014-424-E100	2014-446-E100	2014-520-E100
2014-118-E100	2014-425-BE100	2014-453-BE100	2014-455-E100
2014-234-BE100	2014-428-BE100	2014-459-E100	2014-510-BE100
2014-396-BE100	2014-429-BE100	2014-460-E100	2014-532-E300
2014-405-E300	2014-432-BE100	2014-476-E300	2014-541-E100
2014-421-E100	2014-438-BE100	2014-507-BE100	2014-544-E100
	2014-439-BE100	2014-519-E100	2014-547-E100

REPORTS:

EMS Board Chair Report, Daryl McNutt (Chair)

Mr. McNutt reminded the Board that nominations for the 2015 Board Chair and Vice-Chair will be taken later in the meeting.

State EMS Medical Director Report, Dr. Carol Cunningham

RPAB

- All-Member RPAB meeting is scheduled on November 13, 2014 at 10:00 a.m. with the RPAB Chair meeting immediately following.

Ebola

- ODPS Director Born & ODH Director Hodges facilitated a multi-agency leadership discussion on October 14, 2014 at State EOC. Dr. Cunningham and Executive Director were both in attendance. Many initiatives as well as the challenges were discussed.
- An updated communique on the Ohio EMS webpage regarding Ebola will be available soon.
- A second case has been reported. A nurse who was on flights between Dallas and Cleveland later tested positive for Ebola. The other 32 passengers are being tested.

NAEMSO

- The NAEMSO Annual Meeting was held October 6-10, 2014 in Cleveland. It was very well received. Dr. Cunningham thanked all who participated and assisted with making the meeting such a success.
- The ODPS Division of EMS hosted a national EMS delegation from Thailand during the NAEMSO annual meeting. They were interested in discussing how EMS is managed throughout Ohio.
- The NAEMSO National Model EMS Clinical Guidelines were submitted on September 19, 2014 and posted to the NAEMSO website at www.nasemso.org under the projects link. The document will be forwarded to several EMFTS Board Committees for review to identify any measures that should be included in Ohio's guidelines.
- NAEMSO issued a naloxone brief which is posted on their website. Several initiatives from Ohio were cited including the legislation amendment to prioritize naloxone for EMS and the Ohio EMS naloxone administration training module. The training module has been shared with other states and law enforcement agencies.

Assistant Attorney General, Summer Moses ~ No Report.

EMS Staff Legal Counsel, Anna Firestone ~ No Report.

EMFTS Seats:

- Seats #4 Hospital Administrator and #10 EMS Provider remain vacant.
- The following Board seats expire November 12, 2014: Seat 3. ER Pediatrician, Seat 4: Hospital Administrator, Seat 9: EMS provider (EMT, Advanced EMT or Paramedic), Seat 13. EMS provider (EMT, Advanced EMT or Paramedic), Seat 16. Owner/Operator of Private Emergency Medical Service Organization, and Seat 19. Owner/Operator Nonemergency Medical Service Organization-Ambulette. Nominations were received from the appropriate organizations and will be forwarded to the Governor's office for reappointment.

DEMS Staff Vacancies:

- Administrative Professional 2 – Education Section/Fire Testing. Skills assessment underway.
- Program Administrator 1 – Trauma/Research. Position reclassified by DAS as Human Service Consultant. Posting underway.
- Administrative Professional 1 – Certifications. Vacant due to Robby Stephens accepting a promotion at BMV.
- Customer Service Assistant 1 – Vacant due to Sean Crowley accepting promotion at BMV.
- Grants Administrator – Julie McQuade announced retirement effective November 28th. Working to fill position.
- Medical Transportation Inspectors – Part-time contractor positions. Vacancies in Toledo, Chillicothe, and Ashtabula. Interviews have been completed, contractors have been selected, and contracts have been sent. Full capacity of inspectors complete.
- Education Site Visit Contractor – Craig Brunner filled the part-time contractor position in Southwest Ohio.

DEMS Reorganization Continues

- Working to reorganize the EMS office to increase productivity and distribute the work equitably. There has been a significant shortage in clerical support. As position become vacant, will reclassify accordingly.

HB98 & HB488 Compliance

- Revisions to occupational licensing law regarding military service members and veterans are on schedule. (EMS & Fire rule revisions)

Website Update:

- Project underway. Link has been provided to a test site sent to DEMS. DEMS to provide feedback and updated information.

Election of Board Chair and Vice Chair:

- Nominations for the Chair and Vice Chair today with election at December meeting.

NAEMSO National Meeting/Conference

- A lot of time has been spent on preparing for the NASEMSO Annual Meeting which was held October 6-10, 2014 in Cleveland. A total of 350 attended the meeting.

Ebola Preparedness:

- *October 14, 2014.* Facilitated discussion a State Emergency Operations Center.
- Concerns were expressed in regards to EMS and ensuring consistent messaging. Looking for clarification as to disinfecting equipment when transporting. Will share as made available.
- The Division has been pushing out CDC and ODH information as it becomes available. We have requested additional information on decontamination of equipment and vehicles as well as current up-to-date PPE information.

EMFTS Board Retreat

- After much discussion, the Board agreed to have the February EMFTS Board meeting/retreat and Committee meetings at ODPS in Conference Room 134.
 - Tuesday, February 17, 2015 – Committee meetings
 - Wednesday, February 18, 2015 – EMFTS Board Retreat
 - Thursday, February 19, 2015 – EMFTS Board meeting
- New Hotel for 2015:
Hampton Inn & Suites OSU
3160 Olentangy River Road
Columbus, Ohio 43202
614-268-8700

EMS Certification, Extensions & Exemption Requests, Jean Booze

Jean Booze reported that from August 13, 2014 through October 10, 2014, there were 110 EMS extension requests. The staff recommends approval and requests a motion to ratify the extensions:

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

Jean Booze presented one extension requests exceeding 90-days; 1) Certification #90707 for 121 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 #90707 (121 days). Ms. Harris – First. Ms. Bradshaw – Second. None opposed. None abstained. Motion approved.

Jean Booze presented a voluntary surrender request from Linda Emery, Certificate #25860. Ms. Emery would like to surrender her Paramedic and EMS Asst. Instructor certifications as she retired. The staff recommends approval and requests a motion to approve the voluntary surrender:

ACTION: Motion to approve voluntary surrender request from Linda Emery, Certificate #25860. Ms. Bradshaw – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

Jean Booze reported that during August 13, 2014 through October 8, 2014, there were 2,225 new EMS certifications and 2,328 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; three were dual-certified due to medical hardship (#2014-10-1, 2014-10-2, 2014-10-3). All three failed to provide proper and/or complete documentation. The staff does not recommend approval and requests a motion to approve or deny the exemptions requests:

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

Jean Booze reported on one additional CE exemption request which was for EMT-only due to medical hardship (#2014-10-4). All proper documentation was received. The staff recommends approval and requests a motion to approve the exemptions requests:

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

Education, Linda Mirarchi

Linda Mirarchi presented the Mahoning County Career & Technology Center and the Lorain County Community College accreditation renewals requests for a 3-year renewal. Staff is requesting motion and approval.

ACTION: Motion to approve Mahoning County Career & Technology Center and the Lorain County Community College accreditation renewal requests. Ms. Bradshaw – First. Ms. Beavers – Second. None opposed. None abstained. Motion approved.

National Accreditation Update:

- 87 Accredited
 - 47 accredited to provide initial paramedic training
 - 13 CAAHEP Accreditation
 - 24 – Hold a letters of review from CoA
 - 2 – submitted limited self-study report application
 - 2 – request for application services
 - 6 – no action
- Cleveland Clinic EMS Academy – have shut down and voluntarily surrendered the letter of review.
- Of the 47 Accredited – 42 are eligible to receive EMS Priority 6 grant funding, 19 applied, 9 received their funding, and 3 received a letter of review, however did not respond (not apply for funding)

Medical Transportation – Dave Fiffick

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

ACTION: Motion to approve the Medical Transportation renewals for August-September-October 2014. Mr. Allenstein – First. Mr. Davis – Second. Ms. Harris (Metro Life Flight) Abstain. None opposed. Motion approved.

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

ACTION: Motion to approve the Medical Transportation new service. Mr. Allenstein – First. Ms. Beavers – Second. None opposed. None abstain. Motion approved.

Dave Fiffick presented the list of Medical Transportation for new headquarters (3 Ambulette) and satellite location applications (3 Ambulettes/2 Ambulances/1 Air Medical). Staff is requesting a motion and approval.

ACTION: Motion to approve the Medical Transportation new headquarters applications. Mr. Allenstein – First. Ms. Rose – Second. None abstain. None opposed. Motion approved.

EMFTS BOARD COMMITTEE REPORTS

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

Community Paramedicine Ad-Hoc committee did not meet since last Board meeting.

Larry Bennett, University of Cincinnati hosted a round table discussion on Community Paramedicine in which Senator Sites was in attendance. Senator Sikes spoke highly of the program. Buck McAlpin, Director of Government Affairs for North Memorial Medical Center in Minnesota was also in attendance to address how they addressed the funding issue. Minnesota passed the Community Paramedics Bill which created a new/separate certification for

emergency medical technicians. Mr. McAlpin suggested that the Ohio Department of Health get involved to help with funding issues. The Ohio Fire Chiefs' Association has taken an active role in Community Paramedicine in Ohio.

Ms. Harris attended the breakout session "Extinction or Evolution for EMS in 2014" during the NASEMSO Annual meeting. The lecture is available on NASEMSO's website at <https://www.nasemso.org/Meetings/Annual/Presentations2014/documents/Extinction-or-Evolution-for-EMS-2014.pdf>.

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 October 14, 2014.

EMSC reviewed and discussed the Equipment for Ground Ambulances list. In 2009, the EMS Board approved the "Equipment for Ambulances" as its recommended equipment list for EMS agencies. In May 2014, "Equipment for Ground Ambulances" was released by the American Academy of Pediatrics, American College of Emergency Physicians, American College of Surgeons Committee on Trauma, Emergency Medical Services for Children, Emergency Nurses Association, National Association of EMS Physicians, and the National Association of State EMS Officials. This list has replaced the 2009 list for the purposes of the EMS for Children Program. The list was provided to the Board for review prior to the meeting.

The EMSC recommends that the EMFTS Board approve the 2014 "Equipment for Ground Ambulances" list as their recommended equipment list for Ohio EMS agencies.

ACTION: Motion to approve the 2014 Equipment for Ground Ambulances list as the Board's recommended equipment list for Ohio EMS agencies. EMSC – First. Dr. Schwartz – Second.

Discussion: The Board discussed the need to allow the Medical Transportation, Medical Oversight Committees, and other appropriate committees review the list prior to approval. The list has not yet been properly vetted through the committees. The list is only a minimum standards equipment list for EMS and will not be a substitution for other more comprehensive lists (i.e., Critical Care Transport). The Board agreed to table the motion until further review.

ACTION: Motion to table the approval of the 2014 Equipment for Ground Ambulances list until the Medical Transportation and Medical Oversight Committees review and approve and/or revise as they deem appropriate. Ms. Harris – First. Dr. Schwartz – Second. None abstain. None opposed. Motion approved.

The Trauma Acute Care Registry Pediatric Annual Data Report was presented to the EMSC committee. The information was well received and suggestions were provided to clarify some charts. The final version should be ready by end of day.

Ohio EMS for Children will host a joint meeting with the Ohio Pediatric Disaster Preparedness Coalition in place of the regular Committee meeting on December 16, 2014. Topics will include hospital evacuation procedures, triage during scarce resource incidents, national disaster report cards, and including children in regional disaster drills.

Ohio EMS for Children and the Goal 4 Trauma Workgroup are working together to provide process improvement training for EMS coordinators from the pre-hospital and hospital services. The National EMS for Children Data Analysis Resource Center (NEDARC) is working to provide training staff and materials for sessions in March 2015 (postponed from November). Two one-day workshops will be offered, with a maximum class size of 20 for each session.

Attendees of the NASEMSO Pediatric Emergency Care Council meeting last week in Cleveland noted their appreciation of the hospitality provided by the EMS for Children Committee and by Rainbow Babies and Children's Hospital during their tour of the facility.

The Committee requests a motion to appoint Dr. Hamilton Schwartz to the EMS-Children Committee.

ACTION: Motion to appoint Dr. Hamilton Schwartz as a member to the EMS-Children Committee:
Ms. Beavers – First. Ms. Bradshaw – Second. None opposed. None abstain. Motion approved.

EMS System Development, Jim Davis

The EMS Systems Development Committee was tasked with researching the feasibility and practicality of requiring background checks for certificate holders. The Committee has met on several occasions and has determined that the intent has merit, although there are several policy issues associated with implementation and management of the program.

Facts. All boards in Ohio related to health care require some type of an initial certification criminal background check. They require an application fee paid by the applicant. The EMFTS Board is however the only board with a non-pay volunteer status component; and few other boards have multiple certification holders (i.e., both fire and EMS)

Challenges. Law change will be required for fees for fire applicants and to require the BCI/FBI check; there is no current funding available for the initiative; the risk of bad publicity if someone falls through the cracks; and notification of applicants' employers in the event the certificate holder is under investigation.

Opportunities. The Committee reviewed several options available and believes that the Retained Applicant Fingerprint Database Information Exchange (RAPBACK) program would be best. If implemented a report would be generated daily through the state BCI and if there is a "hit" the agency is notified. However, there is a \$5.00 fee per card holder a year to generate the report. Possible cost \$250-300,000.

Committee Recommendations to the Board:

- 1) **Action Item:** Executive Director House determines the level of ODPS support. This is not the responsibility of the EMFTS Board's nomination originations. It should be implemented and fully supported by the state;
- 2) **Action Item:** Executive Director House gathers/determines the best practice policies from other states in regards to legislation;
- 3) If ODPS choses to move forward with the background check initiate, the Board:
 - a) supports the concept of BCI/FBI background checks for initial certification,
 - b) supports the use of the RAPBACK to provide continuous monitoring of certificate holders;
 - c) establishes a fee structure associated with initial certification and/or re-certification to cover the cost of the RAPBACK program;
 - d) develop language to cover any additional cost that may be associated with the RAPBACK program future; and
 - e) supports the required law changes to accomplish and enact these recommendations.

Homeland Security Subcommittee, Deanna Harris

Deanna Harris reported for Mark Resanovich as he was not present at the last meeting.

The Committee reviewed the CHEMPACK practices, which are current and up to date.

Discussed the active shooter protocols. The Committee is developing an active shooter position paper which will be presented to the Board when complete.

The Committee would like the Board to consider or forward to the Education Committee for further consideration prior to the Board making any decisions the following in regards to the National Registry Skill Sheets for Trauma:

The wording on the “National Registry of Emergency Medical Technicians Emergency Medical Technician Psychomotor Examination” (Skill Sheet) states “*determines the scene is safe and secure*”. However, when looking at active shooters/training teams/rescue task form teams, the scene may not be safe but is secure. The possible motion the Committee is requesting the Board to consider is:

“The EMFTS Board should make the following recommendation in writing or consider: Given recent efforts on national, state, and local levels to provide more rapid care to victims of active shooter mass casualty incidents using concepts such as the Rescue Task Force pioneered by Arlington, Virginia and now in use in many states including Ohio, The Ohio State Board of Emergency Medical, Fire, and Transportation Services urges the National Registry of Emergency Medical Technicians to modify the Psychomotor Examination” for “PATIENT ASSESSMENT/MANAGEMENT – TRAUMA”. Rather than listing, “Determines the scene is safe” we recommend using language to the effect of, “Assesses scene risks, takes steps to mitigate risks, and applies appropriate risk/benefit judgment to questions such as scene entry.”

The Board discussed the above request/recommendation and made the following motion:

ACTION: Motion for the Ohio Department of Public Safety, the Division of Emergency Medical Services Executive Director to recommend the following to the National Registry of Emergency Medical Technicians: Given recent efforts on national, state, and local levels to provide more rapid care to victims of active shooter mass casualty incidents using concepts such as the Rescue Task Force pioneered by Arlington, Virginia and now in use in many states including Ohio, The Ohio State Board of Emergency Medical, Fire, and Transportation Services urges the National Registry of Emergency Medical Technicians to modify the Psychomotor Examination” for “PATIENT ASSESSMENT/MANAGEMENT – TRAUMA”. Rather than listing, “Determines the scene is safe” we recommend using language to the effect of, “Assesses scene risks, takes steps to mitigate risks, and applies appropriate risk/benefit judgment to questions such as scene entry. Ms. Harris – First. Mr. Allenstein – Second. None opposed. None abstain. Motion approved.

Education, Pam Bradshaw

The Education Committee met on September 17, 2014.

Per the request of the Board, the Committee reviewed for possible changes to OAC 4765-18-09 “Qualifications for a physician to be certified as an EMS instructor and OAC 4765-18-22 “Reinstatement of a revoked Certificate to Teach”. After much discussion the Committee recommends no changes to the current rule.

ACTION: Motion to make no changes to 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” or to OAC 4765-8-01 “Qualifications for a certificate to practice”. Ms. Bradshaw – First. Ms. Beavers – Second. None opposed. None abstain. Motion approved.

The Committee discussed the mandatory capnography for monitoring patients with invasive airway adjuncts. The Committee believes that this will be a two-part approach focusing on the initial certification training and the continuing education training.

Committee member, Lisa Nickels from Rhodes College offered to develop/produce a training video in consultation/coordinate with Dr. Cunningham at no cost. Once completed, it will be placed on the EMS webpage and utilize at major conference/seminars as an education and awareness opportunity. The content will likely differ for EMTs and Advanced EMTs compared to Paramedics, as the education impact to paramedics will be minimal but slightly more challenging to EMTs and Advanced EMTs.

The Committee and the EMS staff will gather information regarding the training programs needed equipment and what they currently are using. The EMS staff will collect the information during their site visits. As to cost to the program, the Committee suggest that the Resource

Committee consider giving grant priority to those agencies that do not currently own the necessary equipment.

The Committee reviewed and discussed the strategic plan. The Committee would like to access additional information from the current database. More discussion and review is needed.

The Committee will review OAC 4765-6-02 at the next meeting, which is scheduled for November 19, 2014.

Medical Oversight Committee (MOC), Geoff Dutton

MOC met on October 14, 2014.

The Committee would like to extend their appreciation to the Education and Resource Management Committee as they work together to support and implement the mandatory capnography initiative as to education and funding.

The Committee resumed the discussion of the electronic transmission of 12-lead EKG results. If the Board would like to offer their feedback, the Committee encourages them to do so. In general the Committee believes that it is allowed. The Committee would like the Board to offer some guidance. The Committee will create a white paper and present to the Board for approval.

Also resumed the discussion on the medical director's contact information and how best to collect/maintain the information. The information would be a great asset/resource for all. In short of establishing a Medical Director certificate, the Committee is working on ways to make the information available, perhaps start with creating an informal contact list. The Board discussed the importance to maintain a current list of medical directors, ways to collect the information and all agrees that it is a good idea. The ultimate goal however should still be creating a Medical Director Certificate.

Medical Transportation Committee (MTC) – Tom Allenstein

The Committee met on October 14, 2014

Pam Watkins (ODPS Legal Services) discussed the rule review/revision process. The Committee created two workgroup to begin review the ambulance rules and the ambulance rules to begin the process as it a timely process.

The Committee began working on reviewing the strategic plan as it pertains to medical transportation. One topic of discussion was as a new committee how can they best work/collaborate with the other committees. They need to be aware of what they do may affect other committees, and if so how best to work with those committees.

The Committee discussed the effectiveness and enforceable rules. Some organizations have been remiss in following the rules and have not been held accountable. The Medical Transportation rules must be communicated clearly to the current services. The Committee discussed how that can be accomplished. Also discussed were ways to improve communication with services in a timely and effective manner on major hot issues, (i.e. Ebola).

The Committee discussed vehicle standards, KKK-A-1822 Ambulance Purchasing Guide (Triple K standards) vs the National Fire Protection Agency (NFPA) 1917 Standard for Automotive Ambulances. With the Triple K standards becoming obsolete (September 2015), there is a need to compare the standards side by side. With this change, the current Medical Transportation rules will have to be revised to reflect the new standards. The Committee formed a workgroup to begin reviewing the current rules in order to identify the revision necessary to meet the revised federal standards.

Critical Care Subcommittee, Julie Rose:

The Subcommittee did not meet.

The Subcommittee continues reviewing the areas in the scope of practice that may require additional training in regards to critical care transport. They continue to explore ways to clarify the types of transportation that would require additional training and offer guidance and curriculum items to the medical directors responsible for providing that additional training.

In addition, a SharePoint has been developed in order to post the air services best practices.

Resource Management Committee, Julie McQuade

The Committee met on October 14, 2014.

Patrick Wilson presented a PowerPoint presentation (Attachment 1) regarding the Priority 1 EMS Grants (Training and Equipment) current process and recommended changes. Due to the recent Ethic issues/challenges, as was done with Priorities 2 through 6, Priority 1 grant process also needs to be revised with approval from the Board.

Some of the issues discussed were:

- All that is required of agencies is to file a one-page application and automatically awarded a grant
 - \$1,500 for non-transporting agencies
 - \$2,500 (at least) for transporting agencies
 - Non-competitive
- Accountability lacking in current program
 - Awarded funds are left unspent at the end of the grant cycle
 - Less funding is available (seat belt fines are decreasing)
 - When funding is not spent, it is lost. EMS does not retain any unspent funds.
- Dwindling Resources
 - Number of awards remained consistent, yet amount available has fallen.
 - Award amounts have decreased (from \$7,611.55 (2003) to \$3,526.92 (2014))
- Disposable Items
 - Excessive expenditures on disposable items (i.e., disposable gloves/defibrillator pads/I.V. supplies)
 - Last minute request
 - Disposable Gloves (Number 1 item requested – total of \$332,413 of grant award)
- No Accountability for Unspent Grants
 - Some recipients spent none of their P1 grant funding during a five-year period
 - 87 grants totaling \$359,00 in which none of the grant award was spent (funding does not “roll-over” to the next grant cycle)
 - Awards continue to be granted to those agencies
 - Hardship waivers granted to any agency that complete the Financial Hardship application. Follow-up needed.
 - Waivers granted to those agencies that spend little to none of their award
 - Agencies failing to provide invoices to EMS as required

Recommendations for change:

- Grants awarded according to targeted Board priorities/initiatives
 - The Board establish minimum priorities for equipment (i.e., capnography or 12-lead EKG)
 - Agencies required to purchase those items that bring them in-line with the minimum priorities set by the Board
- Agencies must specify what items they intend to buy with award
- Scoring Criteria must be reviewed and revise accordingly
 - Granted to those areas in need as identified by the Committee

- Increase award amounts to purchase larger items (will require change in rule)
- Defund those agencies that leave \$300 or more of unspent funds (current rules allow for sanctions) for one year.
- Change invoice submission from 30 days to 60 days. This will lessen the burden to agencies and EMS staff.
- Notify grantees that EMS will begin to enforce the current 5% penalty for late invoice. (Currently not being done.)
- Hardship applications approved by EMS Executive Director.
- Grant cycle shortened to 9 months so the unspent funds can be reallocated.
 - Process and criteria will need to be developed to reallocate those funds rather than simply returning those funds
 - Identify those in need and reallocate those unspent funds to agencies identified as an “Emergency”
 - Waiting list established
- Clarify/Narrow the definition of grant-eligible agencies
- Scoring process utilized as set by the Board

The Board discussed Priority Grant 1 process and the need for change. The Board's priorities must be adjusted accordingly as business practices change. Grants priorities need to be driven by the Board as established by the Board. With dwindling funds, the grant awards cannot continue to be distributed as an entitlement but on an as needed basis determined by the Board. The Board has a responsibility to ensure that the grant funds are used in the best possible way. Grant awards need to be granted to those agencies that need to purchase equipment/training to achieve the priorities set by the Board (i.e. capnography equipment vs disposable gloves). The process needs to change to ensure that thousands of dollars each year are no longer left unspent that can be used to help those agencies needing it the most.

Mark Resanovich on behalf of the Resource Management Committee requests at this time to change the invoice submission date from 30 days to 60 days of the invoice date. The Committee requests a motion for approval.

ACTION: Motion to approve changing the requirement of Priority 1 Grant (Equipment & Training) Invoices to be Submitted within 30 days to within 60 days of the invoice date. Mr. Dutton – First. Ms. Harris – Second. None opposed. None abstain. Motion approved.

The Board was provided copies of the 2014-2015 Priority 1-6 applications for their review and information only. Due to possible ethics concerns, those packets were returned to the EMS Grant's Administrator at the end of the meeting.

Grant cycle for 2014-2015 deadline reminders will be emailed and posted to the EMS website. The hope is to reestablish/remind agencies of the grant rules. Agencies tend to wait until the last minute to submit their reimbursement requests.

The Committee will complete the changes to Priority 1 grant process and bring a motion for approval before the Board at the December meeting. If anyone has questions, contact Mark Resanovich, Executive Director House, or EMS Grants Administrator, Julie McQuade.

Next meeting is scheduled for December 16, 2014.

Time-Critical Diagnosis Ad Hoc Committee, Geoff Dutton

The TCD Committee did not meet.

The Committee has begun to reach out in order broaden the group of stakeholders, particularly the medical community (hospitals and physicians). The Committee has made contact with a few

physician groups interested in participating, however, have not had a chance to meet. Once contact is made, the Committee will resume meeting.

Trauma Committee, Dr. Steinberg/Tim Erskine

Tim Erskine reported that the State of Ohio is up to 50 trauma centers; 15 level 1; 13 level 2; and 22 level 3 with one hospital soon to become a provisional level 3 trauma center.

The Trauma Committee approved creation of a Continuing Education video for EMS Encountering Those with Functional Needs. There were two videos created, with only one being approved from the Trauma Committee for use as a continuing education tool.

Goal 4 Trauma Workgroup working with the EMS for Children to provide process improvement training for EMS coordinators from the pre-hospital and hospital services.

The Ohio's Return to Play Committee that was created within the Ohio Department of Health (ODH) has had no movement. The Return to Plan committee is still under development. The Trauma Committee will continue to work with ODH to assist with assistance as needed.

The Committee has begun to consider focus areas for the next grant cycle for Priorities 2-3-4.

The standards operating procedures (in place since 2001) are reviewed every two years. A concept introduced this year is placing term limits to the Trauma Committee seats. Currently there are no time limits as to how long a member can serve. The Committee is looking into rewriting the rules with regards to terms, policies, and procedures.

EMS Systems Development Committee (con't):

The Committee requests a motion to appoint Vincent Gildone to the EMS Systems Development Committee.

ACTION: Motion to appoint Vincent Gildone as a member to the EMS Systems Development Committee: Ms. Harris – First. Mr. Resanovich – Second. None opposed. None abstain. Motion approved.

OLD BUSINESS ~ None

NEW BUSINESS

Karen Beavers stated that Dr. Cunningham's article regarding Ebola was published in the OAEMS magazine. And the OAEMS conference is scheduled in Zanesville, Ohio, October 18 and 19, 2014.

Nominations for Board Chair and Vice-Chair:

Nominations were called for the EMFTS Board Chair and Vice-Chair for 2015. The Board will vote at the next meeting on December 17, 2014.

- Chair Nominations
 - Geoff Dutton (nominated by Mark Resanovich)
 - Deanna Harris (nominated by Pam Bradshaw)
- Vice Chair Nominations
 - Geoff Dutton (nominated by Diane Simon)
 - Deanna Harris (nominated by Mark Resanovich)

ADJOURNMENT

ACTION: Motion to adjourn. Ms. Bradshaw - First. None Abstained. None Opposed. Motion approved.

The meeting adjourned at 3:05 p.m.

FINAL

PUBLIC RECORD

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 – Priority 1 EMS Grants (Training and Equipment) PowerPoint slides