



Ohio Department of Public Safety  
John Born, Director

Division of Emergency Medical Services  
Melvin R. House, Executive Director



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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

**FIREFIGHTER AND FIRE SAFETY INSPECTOR TRAINING COMMITTEE  
STATE BOARD OF EMERGENCY MEDICAL SERVICES  
OHIO DEPARTMENT OF PUBLIC SAFETY  
MEETING MINUTES  
October 15, 2014  
~ FINAL ~**

**Committee Meeting Date and Location:** Wednesday, October 15, 2014 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 134, Columbus, Ohio.

**Committee Members Present:** Deanna Harris, Daryl McNutt, Mark Resanovich, and Dudley Wright II

**Committee Members Absent:** James Davis

**EMS Staff Present:** Jean Booze, Anna Firestone, Sherry Harkness, Melvin House, Doug Orahood, Ellen Owens, Robert Ruetenik, John Sands, Dan Swords, Melissa Vermillion, and Rachel Zwayer

**Assistant Attorney General:** Summer Moses

**Guest and Public Present:** Robert E. Oldham, Greg Robbins, and Barry Seth (Lagrange Fire/Rescue)

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Mr. Resanovich called the meeting to order at 3:12 p.m.

**ROLL CALL**

Mr. James Davis	Absent	Mr. Resanovich	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Daryl McNutt	Present		

**WELCOME AND INTRODUCTION**

**OPEN FORUM** ~ None

**REVIEW AND APPROVAL OF CONSENT AGENDA**

Mr. McNutt requested a motion to approve the Consent Agenda including the June 18, 2014 and August 20, 2014 Firefighter and Fire Safety Inspector Training Committee meeting minutes, the certifications, accreditations, and CE site requests for period August 20, 2014 through October 14, 2014.

***ACTION: Motion to approve the Consent Agenda items including the June 18, 2014 and August 20, 2014 meeting minutes, the certifications, accreditations, and CE site requests for period August 19, 2014 through October 14, 2014.*** Mr. McNutt – First. Ms. Harris – Second. None – Abstained. None opposed. Motion approved.

## **FIRE CERTIFICATIONS & EXEMPTION REQUESTS (Medical & Military), Jean Booze**

### **Certification, Jean Booze**

Jean Booze reported on the CE exemptions requests; three were dual-certified (#2014-10-1, 2014-10-2, 2014-10-3) and one request for fire-only (#2014-10-5) all due to medical hardship. All failed to provide proper and/or complete documentation. The staff does not recommend approval and requests a motion to approve/deny the exemptions requests:

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

Jean Booze reported on two CE exemption requests which were for FIRE-only due to military deployment. #2014-10-6 is House Bill 98 eligible for an extension for first certification cycle and #2014-10-7 two certification cycles (November 2008 and November 2011) military deployment and upon return a motorcycle accident leaving him unable to complete continuing education. Both supplied proper documentation. The staff recommends approval and requests a motion to approve the exemptions requests:

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

## **COMMITTEE REPORTS**

### **Firefighter and Fire Safety Inspector Training Sub-Committee, Doug Orahod**

Mr. Orahod presented an update to the EMS Ohio Course Examination System Manual changes have been concluded, manual to be released shortly, course dashboard has been created, user manual and training under development, and should be deployed in 45-60 days.

The Committee discussed the use of e-books as part of training courses as well as on-line distance learning. It was a consensus that the use of e-books is permitted as long as it does not replace the live face to face training with an instructor. However, on-line learning is not permitted. **ACTION ITEM.** Executive Director House will follow-up and report back to the Committee.

Executive Director reported that there will be changes in the fire rules in regards to veterans. There will be approximately fifty rules that was passed in April, that EMS staff will be reviewing, “cleaning-up”, and resubmitted with changes.

The Live Fire Training course – originally the course was scheduled as a 32 to 40 hours initial course. During the JCARR process, the training was changed to 24 hours. The entire 24 hours is used in teaching 1403. Many would like to see 8 hours added to allow for a live burn course. However it will create an issue due to the cost (unfunded mandate). ED House is meeting with the Fire Alliance to determine exactly what they would like to see in regards to the additional 8 hours for live burn training. In order to move forward with the additional 8 hours of training, all parties will have to be in agreement (Fire Alliance, charters, etc.). ED House will also be meeting with JCARR to discuss further.

## **REPORT AND RECOMMENDATION**

Mr. Resanovich began the deliberation and noted that Executive Director Melvin House was also present. The Committee will be deliberating on two *Report and Recommendation* in the matter of:

- *Fire Case Number 2012-454-BF100, Robert E. Oldham, Fire Certificate Number 119331, and*
- *Fire Case Number 2012-268-F100, Gregory N. Robbins, Fire Applicant number 192658*

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

AAG Moses presented Fire Case Number 2012-454-BF100, Robert E. Oldham, Fire Certificate Number 119331. AAG Moses requested that the Committee reject the hearing officer's conclusion that the convictions were not crimes involving moral turpitude based on consideration of the circumstances beyond the convictions. AAG Moses stated that evidence outside the conviction of unlawful restraint can be taken into consideration when making the recommendation (i.e., victim's statements, Detective Shilito's testimony, witness statements, and etc.). AAG Moses further stated that the report and recommendation does not take all the testimony and circumstances surrounding the conviction into consideration. 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 Committee rejects the recommendation of a proposed fine as the Committee does not have authority to impose a fine for misrepresentation on his application or a finding of moral turpitude.

Mr. Oldham addressed the Committee and asked that they take into consideration everything that he presented during the earlier EMFTS Board meeting.

AAG Moses had nothing further to present in the Robert Oldham case.

AAG Moses presented Fire Case Number 2012-268-F100, Gregory N. Robbins, Fire Applicant number 192658. The case was presented to the Committee during the August 20, 2014 meeting. Due to the lack of a quorum the case is being re-presented to the Committee.

AAG Moses stated that the recommendation has not changed and is still to confirm that Mr. Robbins' was convicted of a misdemeanor involving moral turpitude. AAG Moses agrees that the Executive Director has the discretion to decide the issue and recommend that the Committee make a recommendation after considering the both the seriousness of the offense and the mitigating factors identified in the report. However, AAG defers to the Committee to advise on an alternate recommendation suggested by the hearing officer in this case to issue the license or go back and allow Mr. Robbins to resubmit a new complete application.

Mr. Robbins addressed the Committee. He stated that as far as his application being incomplete, he believed that he had provided all the information regarding his conviction that was available. The charge in which he was convicted does not amount to moral turpitude. He stated that he has been working towards establishing himself in the community; he's joined two fraternal organizations, involved in several programs for local fire department, and working towards an associate degree in Fire Science. He would like to continue being a positive asset to the fire community.

AAG Moses stated that the hearing officer's report was accurate and very thorough and the Committee should refer to that report when making the decision.

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

***ACTION: Motion to adjourn and go into Private Session for the purpose of quasi-judicial deliberation on the matter pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B).*** Mr. Wright – First. Mr. McNutt – Second. .

**ROLL CALL**

Mr. James Davis	Absent	Mr. Resanovich	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Daryl McNutt	Present		

The Committee returned from private session at 3:41 p.m.

***ACTION: In the matter of EMS Case Number 2012-454-BE100, Robert E. Oldham, EMS Certificate number 119331, the Committee recommends to the executive director the following: Confirm and approve the findings of fact; Reject the conclusion (#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 Respondent committed misrepresentation in applying for renewal of his certification. Furthermore the Committee recommends that the Executive Director rejects the proposed recommendation and imposes the following sanctions: REVOCATION: Based on these facts, the Committee Recommends that the Executive Director revoke Mr. Oldham's firefighter certificate.*** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.

***ACTION: In the matter of Fire Case Number 2012-268-F100, Gregory N. Robbins, Fire Applicant number 192658, the Committee recommends to the Executive Director to confirm and approve the findings of fact, conclusions of law, and the recommendation issued by the hearing examiner: 1) To deny Mr. Robbins' application as incomplete, allowing Mr. Robbins to submit a new, complete, up-to-date application if he chooses.*** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.. .

**GOLDMAN PROCEEDINGS ~ None**

**FIRE INVESTIGATIONS, STAFF**

***ACTION: Motion to adjourn to Executive Session for the purpose of discussing proposed disciplinary action against certificate holders pursuant to Ohio Revised Code Section 121.22(G)(1) or pursuant to 121.22(G)(5) that involve matters required to be kept confidential under Ohio Revised Code Section 149.43(A)(2) or 4765.102(B).*** Mr. Resanovich – First. Mr. Wright – Second. None opposed. None – abstained. Motion approved.

**Roll Call**

Mr. James Davis .....	Absent	Mr. Mark Resanovich.....	Present
Ms. Deanna Harris .....	Present	Mr. Dudley Wright II .....	Present
Mr. Daryl McNutt .....	Present		

The Committee returned from executive session at 2:56 p.m.

***ACTION: Motion to recommend to the Executive Director to accept the following Consent Agreements.*** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.

2014-154-F300	2014-227-F100	2014-384-F300	2014-431-F300
2014-167-BF100	2014-281-F300	2014-397-BF100	2014-444-F100

<b><i>ACTION: Motion to recommend to the Executive Director to close the following cases:</i></b> Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.			
2010-162-F100 - *Rescind NOH	2013-249-BF100 2013-633-F100	2014-197-BF100 2014-266-F300	2014-428-BF100 2014-435-F300

<b><i>ACTION: Motion to recommend to the Executive Director to close the following cases. The following individuals were audited at their respective levels. They have opted to surrender their certificate to practice or certificate to teach:</i></b> Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.			
2014-29-F300 - *Rescind NOH 2014-320-F300 2014-323-F300	2014-363-F300 2014-374-F300 2014-463-F300	2014-467-F300 2014-478-F300 2014-496-F300	2014-497-F300 2014-501-F300 2014-540-F300

<b><i>ACTION: Motion to recommend to the Executive Director to close the following cases. The following individuals were issued Notices of Opportunity for Hearing. Subjects' cards have expired. Rescind Notices:</i></b> Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.			
2012-516-F100			

<b><i>ACTION: Motion to recommend to the Executive Director to close the following cases. Individuals did not supply required documentation; therefore, their applications were rendered incomplete:</i></b> Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.			
2014-33-F100			

<b><i>ACTION: Motion to recommend to the Executive Director to close the following cases; individuals have met the stipulations of their Consent Agreements:</i></b> Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.				
2010-277-BF100	2012-295-F100	2014-107-BF100	2014-129-BF100	2014-215-F100

<b><i>ACTION: Motion to recommend to the Executive Director to Issue Notices of Opportunity for Hearings for the following cases:</i></b> Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.			
2012-413-BF500 2012-414-BF500 2012-415-BF500 2012-416-BF500 2013-275-BF100	2013-276-BF100 2013-277-BF100 2013-278-BF100 2013-279-BF100 2013-280-BF100	2013-281-BF100 2013-282-BF100 2013-283-BF100 2013-500-BF100 2014-88-F500	2014-170-F500 2014-312-BF100 2014-340-F100

<b><i>ACTION: Motion to recommend to the Executive Director to rescind NOH and continue with consent agreement:</i></b> Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.			
2012-120-F100			

<b><i>ACTION: Motion to recommend to the Executive Director to close the following cases due to one of the following reasons: inadvertently marked yes to conviction question, misdemeanor convictions that have previously been deemed "not involving moral turpitude", local issues, and grandfathering issues of certification/conviction.</i></b> Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.			
2014-234-BF100 2014-359-F500 2014-396-BF100 2014-413-F500	2014-425-BF100 2014-429-BF100 2014-432-BF100 2014-434-F100	2014-438-BF100 2014-439-BF100 2014-453-BF100 2014-507-BF100	2014-510-BF100

**Old Business** ~ None.

**New Business** ~ None

**ADJOURNMENT**

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**ACTION:** Motion to adjourn. Mr. Harris – First. M. McNutt - Second

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