

FINAL  
(Amended 5/29/08)

**STATE BOARD OF EMERGENCY MEDICAL SERVICES  
OHIO DEPARTMENT OF PUBLIC SAFETY  
MEETING MINUTES  
April 16, 2008**

Chaired by Mark Burgess

Board Meeting Date and Location: April 16, 2008, Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio 43223

Board Members in Attendance: Ms. Pamela Bradshaw, Mr. Mark Burgess, Mr. James Davis, Dr. Thomas Collins, Mr. David Fiffick, Ms. Vickie Graymire, Mr. James Holcomb, Mr. Carl Jordan, Mr. John Kubincanek, Ms. Charlene Mancuso, Mr. Mark Mankins, Mr. Daryl McNutt, Mr. William Mallory, Mr. Dr. John Pakiela, Dr. Wendy Pomerantz, Mr. Mark Resanovich, Mr. Michael Senter and Mr. William Vedra

Board Members Absent: Dr. Jonathan Groner and Mark Marchetta

Staff Members Present: Alan Boster, Nancy Crespo, Dr. Carol Cunningham, Aleta Dodson, Tim Erskine, Tonia Fitros, Heather Friend, John Kennington, Lorrie Laing, Thomas Macklin, Linda Mirarchi, Ellen Owens, Millie Pontious, Richard Rucker, Bob Ruetenik, John Sands, Joe Stack, Yvonne Tertel, Melissa Vermillion, and Diane Walton

Guest and Public Attendance: Scott Koloff; Scott Melling, Bohecker College; John Moore; and Bob Walker, Robinson Memorial Hospital

Mr. Burgess called the April 16, 2008 meeting to order at 10:01AM

Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Mr. David Fiffick	Here
Ms. Vickie Graymire	Here
Dr. Jonathan Groner	
Mr. James Holcomb	Here
Mr. Carl Jordan	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Ms. Charlene Mancuso	Here
Mr. Mark Mankins	Here
Mr. Mark Marchetta	
Dr. John Pakiela	Here

Ohio Department of Public Safety  
State Board of Emergency Medical Services  
Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

Dr. Wendy Pomerantz	Here
Mr. Mark Resanovich	Here
Mr. Michael Senter	Here
Mr. William Vedra	Here

REVIEW AND APPROVAL OF THE MARCH 19, 2008 EMS BOARD MINUTES

**ACTION:** Motion to approve the March 19, 2008 EMS Board minutes. Pomerantz first. Pakiela second. None opposed. Motion approved.

OPEN FORUM

Mr. Burgess asked for a roll call for the Board members present during these proceedings at 10:03 AM.

Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Mr. David Fiffick	Here
Ms. Vickie Graymire	Here
Dr. Jonathan Groner	
Mr. James Holcomb	Here
Mr. Carl Jordan	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Ms. Charlene Mancuso	Here
Mr. Mark Mankins	Here
Mr. Mark Marchetta	
Dr. John Pakiela	Here
Dr. Wendy Pomerantz	Here
Mr. Mark Resanovich	Here
Mr. Michael Senter	Here
Mr. William Vedra	Here

A public hearing was held to receive comments and testimony regarding proposed rule changes on scope of practice and amendment of Ohio Administrative Codes (OAC) 4765-12-04 (First responder scope of practice), 4765-15-04 (EMT-basic scope of practice), 4765-16-04 (EMT-intermediate scope of practice), and 4765-17-03 (EMT-paramedic scope of practice) and the adoption of OAC 4765-6-04 (Research study impacting scope of practice).

The hearing concluded at 10:13 AM. A court reporter was present and full transcripts are available upon request.

Ohio Department of Public Safety  
State Board of Emergency Medical Services  
Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

A brief discussion was held regarding whether the adoption of OAC 4765-6-04 (Research study impacting scope of practice) would fall under the Medical Oversight Committee (MOC) or the newly formed Research committee. Dr. Collins said one of the goals and missions of the Research Committee will be to interact with people conducting EMS research in the state, coalesce what's going on, and report back to the Board. Because this needs Board approval and concerns specific scope of practice, it should jointly involve the MOC and Research committees.

**ACTION: Motion to accept the rules as presented today with the additional changes as noted during the public hearing for filing with the Joint Committee on Agency Rule Review (JCARR).** Davis first. Pakiela second. None opposed. Motion passed.

#### GOLDMAN PROCEEDINGS

The Goldman Proceedings were called to order at 10:16 AM

#### Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Mr. David Fiffick	Here
Ms. Vickie Graymire	Here
Dr. Jonathan Groner	
Mr. James Holcomb	Here
Mr. Carl Jordan	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Ms. Charlene Mancuso	Here
Mr. Mark Mankins	Here
Mr. Mark Marchetta	
Dr. John Pakiela	Here
Dr. Wendy Pomerantz	Here
Mr. Mark Resanovich	Here
Mr. Michael Senter	Here
Mr. William Vedra	Here

A majority of the Board members were present. One adjudication proceeding was held in the matter of EMS Case #2007-440-304, Kenneth C. Baugess, EMS Certification Number 8397.

The Board reviewed evidence, including exhibits and affidavits from EMS investigators and/or staff, associated with the aforementioned case. In lieu of a stenographic record being made, let the minutes reflect that the original sworn affidavits and exhibits shall be kept as the official record of the proceedings in the aforementioned matter in the office of the Division of EMS. Mr. Burgess recognized Principal Assistant Attorney General Yvonne Tertel for the purpose of

providing a brief synopsis of the case and the disciplinary action recommended from case review.

Ms. Tertel said Mr. Baugess had answered yes to completing all of his continuing education requirements when he submitted his renewal application. He was subjected to a random audit which showed he was short on hours and from that point forward, Mr. Baugess failed to provide documentation and has been unresponsive to the Division's efforts to address the issue. Mr. Baugess is in violation of Ohio Administrative Code (OAC) Sections 4765-8-04(A)(2)(b), 4765-9-01(I), 4765-10-03(A), 4765-10-03(B)(1), and 4765-15-03. Through case review, the recommendation is to revoke his certificate to practice as an EMT.

Mr. Burgess asked for a motion to admit the sworn affidavit and the accompanying exhibits into evidence.

**ACTION: Motion to admit the sworn affidavits and the accompanying exhibits in the aforementioned case 2007-440-304 into evidence.** Jordan first. Mancuso second. None opposed. Motion approved.

There being no further evidence to come before the Board, the Goldman Proceeding was closed at 10:25 AM.

Mr. Burgess asked for a motion to deliberate on the sworn affidavit and exhibits. He noted that a written copy of the Board's decision will be mailed to the respondent.

**ACTION: Motion to go into private session for the purpose of quasi-judicial deliberations on these matters by roll call vote at 10:28 AM** Jordan first. Fiffick second. None opposed. Motion approved.

Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Mr. David Fiffick	Here
Ms. Vickie Graymire	Here
Dr. Jonathan Groner	
Mr. James Holcomb	Here
Mr. Carl Jordan	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Ms. Charlene Mancuso	Here
Mr. Mark Mankins	Here
Mr. Mark Marchetta	
Dr. John Pakiela	Here

Ohio Department of Public Safety  
State Board of Emergency Medical Services  
Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

Dr. Wendy Pomerantz	Here
Mr. Mark Resanovich	Here
Mr. Michael Senter	Here
Mr. William Vedra	Here

**\*\*\*\*\*Board returned from private session at 10:50 AM \*\*\*\*\***

**ACTION:** In the matter of EMS Case #2007-440-304, Kenneth C. Baugess, EMS Certification Number 8397, the Board finds that Mr. Baugess committed fraud, misrepresentation or deception in applying for a certificate to practice as an emergency medical technician and 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 4765-8-04(A)(2)(b), 4765-9-01(I), 4765-10-03(A), 4765-10-03(B)(1), and 4765-15-03. Therefore, the Board moves to revoke Mr. Baugess's Emergency Medical Technician (EMT) certificate to practice. Pomerantz first. Mancuso second. None opposed. Fiffick, Holcomb abstained. Motion approved.

#### STAFF REPORTS

##### Chair's Report, Mark Burgess

Mr. Burgess met with a reporter regarding the trauma legislation. The reporter attended the assessment held in March where the benchmark for the state's trauma system was developed. Out of the assessment, there were several objectives which asked who should be the lead agency for the trauma system, whether it should be the trauma committee, the EMS Board or another entity. He discussed the steps taken over the years since the mid-1980's until now. The assessment was an excellent tool that shows we are making progress. There are 113 criteria and a few have already been resolved, which have changed from 1's to 3's. It is still in its infancy and incremental improvements should be made over the years.

Ms. Dodson will have the final committee and Board rosters, as well as committee schedules, for Board members at May's meeting. If anyone has additional changes or information, please contact her.

##### State Medical Director, Dr. Cunningham

The meeting of the Regional Physicians Advisory Boards (RPAB) chairs reviewed current RPAB legislation and listed items needing rule revisions. Dr. Cunningham plans on dedicating the May RPAB Chair meeting to continue working on this to hopefully have these items listed in time for rule revisions in September, 2008.

Dr. Cunningham and Mr. Rucker met with Director Guzmán yesterday and discussed the National EMS education standards accreditation issue and the Tactical EMS (TEMS) certification, and the upcoming June open forum regarding the education issues. Director

Ohio Department of Public Safety  
State Board of Emergency Medical Services  
Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

Guzmán offered any support the Board or schools might need regarding legislative issues that might arise.

Dr. Cunningham received an invitation to speak at the Ohio Ambulance Medical Transportation Association (OAMTA). At that time, she will extend an offer for members to sit in on the Medical Oversight Committee (MOC) meetings when the issue of interfacility scope of practice is discussed.

The EMS Star of Life awards ceremony is May 13. Tickets are available for purchase through the Ohio chapter of the American College of Emergency Physicians (ACEP).

Ms. Mannie Garza, EMS Insider, contacted Dr. Cunningham regarding an article on the Board's geriatric triage research. She expects the article will appear in the May or June issue.

Principal Assistant Attorney General, Yvonne Tertel

There was nothing to report this month.

EMS Staff Legal Counsel, Heather Frient

Ms. Frient will revise the scope of practice rules discussed today and file them with the Joint Committee on Agency Rule Review (JCARR). She will let the Board know when the JCARR hearing will be and when the rules will become effective.

Tomorrow she and Ms. Tertel will present an ethics overview to the Fire Committee, as well as going over general legal updates. They will also discuss the role of the Assistant Attorney General (AAG) and in-house counsel.

EMS Legislative Liaison, John Lang/Tonia Fitros

Since Ms. Fitros was in another meeting, Ms. Frient went over a few items included in the legislative update report. There is currently no movement on House Bills (HB) 130 and 145. The language the EMS Board wanted inserted to HB 283 was not added. A mining bill proposing a Mine EMT certification still has not been introduced. The Board requested removing EMT from the name so it would not confuse the mine certification with an EMT certification.

Melissa Vermillion brought to Ms. Frient's attention a bill introduced April 8 regarding anatomical donation that went to first hearing April 9 and today is the second hearing with proponent testimony. It mentions EMTs, members of fire departments, or holders of certificate issued under 4765 as one of the people who can search for information identifying a person as a donor if they are near someone who they believe is dead or near death. Ms. Frient was not sure whether the Board would want to clarify what the certificate is or refer to 4765.30 instead of 4765, since there are other certificates issued under 4765.30, such as an EMS Instructor.

Mr. Fiffick asked whether HB 431 has had any other fiscal analysis. Ms. Frient will look into that and notify the Board if that has been done. She said proponent and opponent testimony has occurred, and fiscal concerns were raised from those opposed to the bill.

Ms. Graymire asked whether the language the Board had requested had been added to HB 145. Ms. Frient said the language was submitted to Emerald Hernández when she was still working at DPS. She said Ms. Fitros was going to resubmit to Ms. Hernández, who is now at the Governor's office, for inclusion in the bill. Ms. Frient believes this addition would not stall the bill since it is not moving. She will notify the Board once she receives an update.

Executive Director's Report, Richard Rucker

In reference to the letter the Board sent to the National Registry requesting clarification on what is equivalent to national accreditation, Mr. Rucker received a call from the Director, Bill Brown. Mr. Brown said there were too many unknowns at this point to answer the letter and said the effective date of 2012 could change. He said Ohio was ahead of the curve since our accreditation process is better than many other states. Mr. Brown invited Mr. Rucker to attend the National Registry Board meeting in Chicago to bring this issue before their Board. Mr. Rucker wanted to get the Board's opinion on whether they felt it would be advantageous for him to attend. After a brief discussion, Board members concurred that he should attend. Mr. Rucker was invited to their May meeting and the next one would be August and there was some discussion on where he should attend before or after the EMS Board's June forum. Mr. Burgess felt since the invitation has been extended, we should attend to gather information and keep the communication going. The consensus of the Board was supportive of Mr. Rucker attending and he would see whether he could receive approval for the travel.

Mr. Fiffick asked how other states feel about this issue. Mr. Rucker said most of the states are up in the air, but there are a few who are ready to do it now. Ms. Owens said thirteen states currently are mandated for Committee on Accreditation for EMS Professionals (CoAEMSP) accreditation training or have set a deadline for it. She said some states have no accreditation process at all, so it is a major issue for them. Mr. McNutt asked whether some states are considering moving away from National Registry and Mr. Rucker said that is being bantered around.

Mr. Rucker has arranged for Mr. George Hatch, Executive Director, Committee on Accreditation for EMS Professionals (CoAEMSP), to attend the EMS June Board meeting to give a presentation and answer questions on the national accreditation issue. The Board meeting will need to begin at 9:00 AM in order to accommodate the public forum.

During the Board Retreat, it was decided a ToolKit should be created to help the accredited training programs understand the national accreditation process. This information will be assembled and available at the June forum. Ms. Dodson found additional information and forms online to add to the ToolKit.

During the May 21 Board meeting, an award ceremony will be held for National EMS week. Additionally, a picture of the Board will be taken and Mr. Rucker requested members to dress appropriately. Mr. Burgess suggested the Fire service people wear their uniforms to show the Board is not just comprised of doctors and nurses, but is comprised of fire service providers and paramedics, showing the diversity of the Board.

Ohio Department of Public Safety  
 State Board of Emergency Medical Services  
 Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

An informational e-mail from Lynne Bratka and Mark Gebhart regarding available training that might of interest was distributed.

Mr. Rucker asked what Board members would like to do for lunch the day of the June meeting. The consensus was to have Jim Davis handle it since he did a great job at the Retreat and he agreed.

Mr. Rucker reminded Board members that if the media contacts them asking for a position on an issue as a Board or committee member, they need to contact Mr. Rucker or China Dodley. Ms. Dodley will set up the interview, discuss what questions will be asked, provide talking points and inform the Director of Public Safety and Mr. Rucker of the interview. The Board and the Department of Public Safety (DPS) need to be consistent in their message on positions being taken. Members can do an interview speaking for their nominating agencies, but need to follow this policy when responding as a Board or Committee member.

Mr. Rucker reported the first town meeting has been scheduled for May 8 in Canton, Ohio, at the Canton Civic Center, 1101 N. Market, from 9:30 to 3:00, with a one hour lunch. Lorrie Laing, Doug Orahoad, and others are working on putting together an agenda. If Board members have a particular item they want included on the agenda, please let one of them know. All Board members are invited to attend, but it is important that the Board members from the area should try to be available. Please let Ms. Laing know if you will be in attendance and if there are any specific issues in the area staff should know about. Mr. Jordan said there has been a lot of discussion on continuing education (CE) on the firefighting side and how scope of practice changes occur on the medic side. Mr. Davis suggested distributing the packet Ms. Owens had put together on 2007 EMS stats on CE sites, grants and teaching institutions. He felt it might be useful to stimulate conversation and would provide full disclosure from the Board. Mr. Burgess said this meeting is a great opportunity to communicate with the people the Board serves.

Mr. Rucker requested every Board member submit a short bio and picture to Ms. Dodson prior to the May Board meeting. He would like to post the information to the EMS website. Mr. Burgess asked whether the staff kept track of when Board members were appointed. Ms. Dodson said she has most of that information, but is not sure she has dates for everyone.

Education, Lorrie Laing

**Initial Accreditation(s)**

Name	County	Level(s)	Personnel	Contingencies
1. Akron Fire Department	Summit	FR	Program Director- Rita Chambers Medical Director – Richard Gradisek, MD	None
2. The EMS Program at Bohecker/RETS	Hamilton	EMT-B, EMT-P	Program Director- Scott Melling Medical Director – William Lovett, MD	None

Ohio Department of Public Safety  
 State Board of Emergency Medical Services  
 Date: April 16, 2008  
**FINAL**  
 (Amended 5/29/08)

**ACTION: Motion to approve the above listed initial accreditation without contingencies.** Jordan first. Collins second. None opposed. Pakiela Abstained (#1). Motion approved.

**Accreditation Renewal(s)**

Accred #	Exp Date	Name	County	Level(s)	Contingencies	
1.	207	11/30/2007	Great Oaks Institute of Technology & Career Development	Hamilton	FR & EMT-B	Within 60 days of Board approval and prior to beginning the next First Responder and EMT-B course, the training program must submit for approval a written plan which includes a procedure to adhere to and monitor in-course and end-of-course practical skills which are consistent with the state approved curriculum and Ohio Administrative Code.

**ACTION: Motion to approve the above listed renewal with contingencies.** Pomerantz first. Fiffick second. None opposed. Motion approved.

Ms. Laing entered into the record a signed consent agreement in the matter of Case #2008-8-308, Pickaway-Ross Career and Technology Center, Accreditation #214, for the First Responder, EMT-Basic, and EMT-Paramedic levels.

**Initial Approvals**

Name	Personnel	Contingencies	County
1. Madison Twp Fire/EMS	Program Coordinator: Joan Kolonis Medical Director: Dennis Mann, M.D.	None	Butler
2. Trenton Fire Department	Program Coordinator: Capt. Casey Howell Medical Director: Frederick Raiser III	None	Butler
3. Manchester Fire Dept./Rescue	Program Coordinator: JoAnn Hilderbrand Medical Director: Bruce Ashley, M.D.	None	Adams
Total: 3			

**ACTION: Motion to approve the above listed initial accreditation sites without contingencies.** Pomerantz first. Jordan second. None opposed. Motion approved.

**Renewals**

Approval #	Exp Date	Name	Contingencies	County	
1.	2224	4-20-2008	St. Albans Twp. Fire Department	None	Licking
2.	1226	5-31-2008	Deerfield Twp. Fire Rescue	None	Warren
3	1204	3-31-2008	Jackson Township Fire Dept.	None	Stark

Ohio Department of Public Safety  
 State Board of Emergency Medical Services  
 Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

4.	2083	3-31-2008	Perry Township Fire Dept.	None	Stark
5.	2229	5-18-2008	Clinton/Highland Joint Fire District	None	Clinton
6.	1218	5-31-2008	Findlay Fire Department	None	Hancock
7.	1232	5-31-2008	Whitehouse Fire & Rescue	None	Lucas
8.	1210	3-31-2008	Community Care Ambulance Network	None	Ashtabula
9.	2003	1-30-2008	Conneaut Fire Department	None	Ashtabula
10.	1215	3-31-2008	Village of Mt. Orab	None	Brown
11.	1207	3-31-2008	Cortland Fire Dept.	None	Trumbull
12.	2219	3-16-2008	Northfield Center Fire Dept.	None	Summit
<b>Total:</b>	<b>12</b>				

**ACTION: Motion to approve the above listed renewals without contingencies.** Pomerantz first. Davis second. None opposed. McNutt Abstained - #7; Jordan Abstained - #3. Motion approved.

Expired or Relinquished Programs: NONE

2008 Statistics:	New Programs – 3	# Certificate of Approvals due to renew in 2008: 157
	Renewals – 12	# Certificate of Approvals left to renew in 2008: 119
	Reinstatements – 0	

Certifications, John Kennington

**ACTION: Motion to approve the request for extensions that were processed for the period March 1, 2008 through March 31, 2008.** Collins first. McNutt second. None opposed. Motion approved.

**ACTION: Motion to approve three requests for exemption regarding continuing education for individuals serving on active military duty during the certification period.** Davis first. Jordan second. None opposed. Motion approved.

**ACTION: Motion to ratify the 1,108 active EMS Certifications issued for the period of March 1, 2008 through March 31, 2008.** Collins first. Pakiela second. None opposed. Motion approved.

Mr. Kennington said 21,270 firefighters have been certified using the online process. Renewals of EMTs this year is 2,233 and 75% of EMTs renewing are doing so online.

**\*\*\*\*\*Lunch 11:15 AM – 11:25 AM\*\*\*\*\***

**ACTION: Motion to go into Executive Session for the purpose of discussing proposed disciplinary action against certificate holders which is pending or imminent court action under Revised Code 121.1.22(g)(3) and involves matters that are to be kept confidential under Revised Code 4765.102(b) at 11:28 AM.** Fiffick first. Mallory second. None opposed. Motion approved.

Ohio Department of Public Safety  
 State Board of Emergency Medical Services  
 Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Mr. David Fiffick	Here
Ms. Vickie Graymire	Here
Dr. Jonathan Groner	
Mr. James Holcomb	Here
Mr. Carl Jordan	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Ms. Charlene Mancuso	Here
Mr. Mark Mankins	
Mr. Mark Marchetta	Here
Dr. John Pakiela	Here
Dr. Wendy Pomerantz	Here
Mr. Mark Resanovich	Here
Mr. Michael Senter	Here
Mr. William Vedra	Here

**\*\*\*\*\*Board returned from Executive Session at 12:00 PM \*\*\*\*\***

2006-483-102	2008-58-403
2006-521-305	2008-62-101
2007-226-101	2008-70-101
2007-308-301	2008-73-101
2007-373-101	2008-76-305
2007-425-101	2008-78-304
2007-441-101	2008-84-304
2007-469-101	2008-103-304
2008-35-303	2008-104-304
2008-43-101	2008-105-304
2008-44-102	2008-114-304
2008-49-304	2008-115-304
2008-55-304	2008-134-304

**ACTION: Motion to accept the Consent Agreements for the above listed cases.**  
 Pomerantz first. Senter second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2005-506-102	2008-37-401
2007-172-102	2008-45-302
2007-305-601	2008-51-302

Ohio Department of Public Safety  
 State Board of Emergency Medical Services  
 Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

2007-461-308 2008-18-101	2008-57-406 2008-61-404
-----------------------------	----------------------------

**ACTION: Motion to close the above listed cases.** Pomerantz first. Jordan second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2004-86-602 2005-77-101 2007-228-101 2007-257-301 2007-265-101 2007-273-101 2007-286-305	2007-298-101 2007-300-101 2007-324-101 2007-375-101 2007-384-305 2007-400-101 2007-447-101
--	--

**ACTION: Motion to close the above listed case. The individual has met the stipulations in their Consent Agreement.** Pomerantz first. Mancuso second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2004-48-101 2007-291-201 2007-456-101	2008-59-305 2008-77-101 2008-108-304
---	--

**ACTION: Motion to issue Notices of Opportunity for Hearings for the above listed cases.** Pomerantz first. Jordan second. None opposed. Fiffick, Holcomb abstained; Davis abstained - Case #2007-291-201. Motion approved.

2007-103-101 2008-32-305 2008-48-101 2008-65-305 2008-109-101 2008-110-101 2008-119-305 2008-137-101	2008-150-101 2008-153-305 2008-156-101 2008-158-101 2008-159-101 2008-162-304 2008-175-101 2008-184-101
---	--

**ACTION: Motion to close the above listed cases for 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.** Pomerantz first. Mancuso second. None opposed. Fiffick, Holcomb abstained. Motion approved.

**ACTION: In the matter of case number 2008-165-308, the Board moves to issue a Notice of Opportunity for Hearing for the certificate of accreditation and authorize the attorney general to negotiate a consent agreement.** Pomerantz first. Jordan second. None opposed. Fiffick, Holcomb abstained. Motion approved.

Ohio Department of Public Safety  
State Board of Emergency Medical Services  
Date: April 16, 2008  
**FINAL**  
(Amended 5/29/08)

**ACTION: In the matter of case number 2008-166-308, the Board moves to issue a Notice of Opportunity for Hearing for the certificate of accreditation and authorize the attorney general to negotiate a consent agreement.** Pomerantz first. Jordan second. None opposed. Fiffick, Holcomb abstained. Motion approved.

## COMMITTEE REPORTS

### Firefighter and FSI Committee, Phil McLean (Doug Orahood)

Mr. Orahood reported that the Fire Safety Inspector exam, which was the last exam that needed to be put online, is now operational. All tests are now web-based. Over 5,000 people have been tested online and the system is working very well.

On Tuesday, April 22, Mr. Orahood will be presenting a demo with some representatives from the field of an online Continuing Education (CE) tracking system that the ODPS IT department and he have been working on. This will allow individuals, schools and departments to enter CE training credits online and perform a self-audit to see what hours are missing. Mr. Orahood said this is a voluntary system. Dr. Collins would like a demo at the next Board meeting. Mr. Orahood said once it is ready to roll out, he will do that.

### Data, Tim Erskine

There is no report from the Trauma Registry Advisory sub-committee.

The Incident Reporting Advisory sub-committee liaison duties have been turned over to Sue Morris and Mr. Kubincanek has taken over as the Chair. The meeting was spent setting new priorities and agendas.

### Education Committee, James Holcomb

The committee is hoping to finalize the rule regarding online initial applications. The instructor rules have gone to a workgroup, headed by Mark Mankins, and plan on having to the Board for review and comments at the May meeting, with approval at the June Board meeting.

### EMS-C Committee, Dr. Wendy Pomerantz

The EMSC Survey of Pediatric Inter-facility Transfer Agreements and Guidelines has been completed, with 51 hospitals out of 60 participating. Analysis of the results is underway.

The EMSC Survey of Pediatric Pre-Hospital Care Policies and Equipment is still underway, with 107 out of 250 selected EMS agencies responding. The federal standard for response rate is 80% and the deadline has been extended to February, 2009, to reach this rate.

The committee has requested data from the EMS Data Center to study trends similar to the recent Geriatric Trauma study and should have that information to analyze at the committee's May 20 meeting.

The Ohio Injury Community Planning Group (OICPG) met on March 13 and discussed priority areas for injury prevention programming and mission/vision statements. Their next meeting is May 16.

Joe Stack informed Dr. Pomerantz that a carbon monoxide bill (Ohio House Bill 491) has been proposed, requiring carbon monoxide detectors and fire extinguishers to be installed in residential units.

Mr. Fiffick asked whether the EMSC federal funding had been approved. Dr. Pomerantz said it has been approved for the next five years by the House, but the Senate companion bill has not yet been approved.

Grants Committee, Carl Jordan

Mr. Jordan distributed a handout of the 2008 and 2009 eligibility indicators and gave members time to review. The Grants Committee proposes the following changes to the EMS Board Approved Equipment Training eligibility list for inclusion as eligible items:

1. Under the heading of "Eligibility of Equipment", the Grants Committee proposes adding language translators to include visual language translators, field guide language translators, 911 language translators, telephone language translators, language interpreters, and language self study products.
2. Under the heading of "Eligible Training", the Grants Committee proposes adding cultural and language training to include cultural or language training, with instruction offered through an Ohio approved training site

**ACTION: Motion to approve adding the above new items listed in #1 above to the Eligible Equipment list.** Jordan first. Pomerantz second. None opposed. Motion approved.

**ACTION: Motion to approve adding the above new items listed in #2 above to the Eligible Training list.** Jordan first. Pomerantz second. None opposed. Motion approved.

Grant applications received to date are as follows: Priority I - 686 , Priority II - 5, Priority III – 4, and Priority IV - 5. Priorities II, III and IV applications will be reviewed by the Trauma Committee members. If any Board members are interested in reviewing these applications, please let Mr. Jordan know and he will forward the information.

The Grants Committee reviewed suggestions collected from the open forum conducted November 19, 2007, and sorted them in the following manner:

1. Recommendations that have already been discussed and acted on over a period of years.
2. Recommendations that are prohibited by law or rule, such as funding training institutions.
3. Recommendations that the committee has determined merit further discussion.
4. Recommendations that the Grants Committee has adopted as the result of the Grants open forum.

Recommendations to be discussed further are:

- Development of online training originating from the Division of EMS website to fill training gaps.
- Award grant funds bi-annually or once every three years so award amounts could be coupled with several years in order to purchase big ticket items. However, the way funds are structured, this cannot be done unless everyone participates. Many agencies have stated they cannot survive without an annual award. If a permanent funding source is found, this might be possible if funds are available to award everyone a grant and have excess funds available to award large amounts regionally.

Recommendations the Grants Committee has adopted as a result of the open forum include:

- All grant applicants will continue to receive an award regardless of their grant score.
- A minimum award of \$2,500 for transporting agencies will remain in place for this year.
- The minimum award for non-transporting agencies will increase from \$1,000 to \$1,500 for this year. (This change was approved at the February, 2008 Board meeting.)
- Grant awards will remain need based. The methodology and eligibility indicators used for awarding the grant last year will remain the same with the following exceptions:
  1. The per capita calculation will be reinstated with the following changes:
    - a. Change less than \$25 from 25 points to 20
    - b. Change \$25-\$50 from 20 points to 15
    - c. Change \$50-\$75 from 15 points to 5
    - d. \$75 remains 0 points
  2. The percentage of runs per population will change to the percentage of transports per population. This calculation determines what percent of the total population has EMS transports and determines the frequency of EMS transports in a given geographic region. The number of transports will be compared to the total population. The calculation will give a percentage of the population utilizing EMS. The system will then score the question accordingly:
    - a. 10% of population or greater = 15 points
    - b. 5.1% to 10% of population = 10 points
    - a. 0% to 5% of population = 5 points
  3. The volunteer calculation has been changed to reflect a lower point value and now requires 100% volunteer status in order to receive any points. The changes are:
    - a. Change greater than 50% volunteer = 10 points to 100% volunteer = 5 points
    - b. Eliminate 25% - 49% = 5 points
    - c. Change from less than 25% = 0 points to less than 100% = 0 points.

**ACTION: Motion to approve reinstating the per capita calculation (item 1 above) to the methodology calculation of eligibility indicators.** Jordan first. Pomerantz second. None opposed. Motion approved.

**ACTION: Motion to approve changing the percentage of runs per population to percentage of transports per population (item 2 above), and change calculation based on**

Ohio Department of Public Safety  
State Board of Emergency Medical Services  
Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

**volunteers (item 3 above), to the methodology calculation of eligibility indicators.** Jordan first. Mancuso second. None opposed. Motion approved.

Homeland Security Committee, Mark Resanovich

Mr. Resanovich reported that Dr. Collins completed the Power Point presentation for the hospital Chempack and presented it to the committee yesterday. The first public presentation is scheduled for April 22 at the Greene County Career Center. The hospital Chempack drill will take place May 1 in the greater Dayton area. Four separate sites in four separate counties will participate in the drill. Tom Macklin has scheduled training for the rest of the state for the hospital piece. 1,957 DVD's of the EMS Chempack protocols were mailed to all the EMS hospitals, accredited programs and first responders. Dr. Collins thanked Tom Macklin and all the members of the sub-group for all the work on this project.

The All Hazards committee discussed the following:

- The accountability for EMS responders deployed to a mass event
- Reviewed the Homeland Security matrix
- Intelligence based risk threat assessment and how to better communicate information to providers. Some considerations are using web-based systems and possibly have an educational role to better prepare responders and keep them safer.
- They are looking at the minimum medical monitoring standards for EMS and first responders in Ohio following an exposure or disaster event. Currently, the only guideline available is for a radiation incident. The committee has directed the question to the Ohio Department of Health (ODH) as to what may already be in place for long term medical monitoring and are awaiting their response.

Mr. Davis said the Ryan White Act enacted in 1994 has been repealed and the protection of responders might fall to the state level. Dr. Cunningham said the National Association of State EMS Officials (NASEMSO) is trying to get this reinstated.

The Tactical EMS sub-committee met yesterday and looked at what levels of certification for the TEMS certification are needed as Ohio already has different levels for EMTs (First Responder, Basic, Intermediate, Paramedic). Already developed protocols, such as military combat care in hostile environments, is being looked at. The committee will also be tasked with developing curriculum and testing for the TEMS certification.

Mr. Resanovich recommended two more members for the TEMS sub-committee for Board approval, Dr. John Kim and Lt. Steve Rosta. Dr. Kim is the **tactical physician for the Dallas SWAT team, Associate Medical Director for the Ohio Tactical Medicine Association (OTMA)** and brings a lot of experience with him. He is doing a fellowship on Tactical EMS at the University of Texas, one of only **three** facilities that offer a fellowship in Tactical EMS. Lt. Steve Rosta is the tactical commander for the Ohio State Highway Patrol Special Response Team (SRT) and has a military Special Forces background.

Ohio Department of Public Safety  
State Board of Emergency Medical Services  
Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

**ACTION: Motion to accept Dr. John Kim and Lt. Steve Rosta as members of the Tactical EMS (TEMS) sub-committee of Homeland Security.** Resanovich first. Fiffick second. None opposed. Motion approved.

Mr. Resanovich hopes to have committee seats filled by next month. Mr. Davis asked how many people on the committee are practicing EMS providers in the state. Mr. Resanovich said there are four EMS providers, physicians and staff. He said the number of members on the committee needs to be manageable, but yet have a broad balance of members including educators, law enforcement, and EMS providers.

Medical Oversight Committee, Dr. John Pakiela

Dr. Pakiela reported final revisions were made to the Board's position paper on EMT Interfacility Transport of Patients and the Scope of Practice. He wanted to clarify the reason the committee has gone down this path is because of complaints received from EMTs and paramedics regarding pressure to do things they are not trained to do and outside their scope of practice. Some EMTs feel the medical nurses and pharmacy boards are putting a stranglehold around the paramedic scope of practice and Dr. Pakiela said this is not the reason or motivation behind this position statement.

The revised paper was sent to the Ohio Pharmacy, Medical and Nursing Boards as well as the Ohio Medical Transportation Board (OMTB) for their review and comments. Responses were received from the Nursing and Pharmacy Boards, but no response was received from the Medical Board or the OMTB. Before proceeding with discussion, Dr. Pakiela went over the responses received.

Mr. William McMillen, Licensing Administrator for the Pharmacy Board, said the Pharmacy Board is very supportive, but had an issue with the last line in the conclusion of the paper that states medications infused should be listed on the pharmacy certificate. Their concern is that if medications are listed on their licensure, it means the organizations can purchase the drugs on a regular basis, not just in a transport situation. The Pharmacy Board felt there is potential for abuse and did not feel it was appropriate to add the drugs to the pharmacy list and license that the agency holds. They agree nutrition should not be initiated, but wanted more discussion regarding continuing a previous infusion, their concern being there are a lot of potential problems if it is not administered appropriately.

Dr. Pakiela spoke with Lisa Emrich, Program Manager of Practice for the Nursing Board, and she said the Board is supportive of the concept and agreed the issue needs addressed. The Nursing Board did not approve the position paper as written because they wanted to be stricter than what the MOC has suggested. Ms. Emrich discussed the issue could potentially be addressed by the nurse administering the drip in the Emergency Room by questioning the referring physician's order. If they feel it is inappropriate to transfer the care of a patient with a drip to a unit that is not equipped to handle it. The Nursing Board would prefer complex inter-hospital transports be done by mobile intensive care units with a nurse on board. They are supportive and are willing to partner with the EMS Board in the future to tackle this issue.

Mr. Fiffick said he has received a lot of responses from his state association, the Ohio Ambulance Association, mostly regarding transporting patients with blood. He does not know of too many patients being transported that receive blood hung at the nursing home, but is possible. Mr. Fiffick said the other frequently asked question is regarding the total parenteral nutrition (TPN). There are a lot of patients at home and in nursing homes who are transported to and from medical appointments while the drip is running. He does not believe a mobile intensive unit would take someone to the doctor's office for an x-ray with that running. Mr. Fiffick understands and agrees that initiating an infusion should be removed, but believes continuation of a previous infusion is fine. He also agrees with the deletion of listing medications on the drug license.

**\*\*\*\*\*Mr. Vedra left at 12:45 PM \*\*\*\*\***

Dr. Cunningham asked whether the OMTB had been contacted. Dr. Pakiela said Ellen Owens had contacted them personally, their Board has met since then, and still there has been no response. Mr. Fiffick had asked them last year to send a letter on this issue to all the squads, which the OMTB did almost seven months after the request. He believes if they wanted to be an active partner in solving this they would have participated once invited. Mr. Fiffick said the OMTB has taken the lead from the EMS Board as far as protocol as they have no say in that. They only regulate the type of vehicle and its contents. Dr. Collins says if the paper gets sent back to the committee, he suggests having Mr. Rucker send a letter to the OMTB Director informing them it will become policy next month when the Board votes on it and request they reply back within seven days if they have any comments. If not, it will be assumed they are okay with it. Dr. Cunningham said the same should be done with the Medical Board.

Mr. Erskine said the verbiage should be changed from "should not" to "must not" on the blood products. The scope of practice specifically forbids the administration of blood and blood products. Ms. Frient agreed and also suggested changing all instances of "should not" to "shall not". Mr. Erskine also noted terms regarding tube feeding ("G tubes", "J Tubes", etc) and Total parenteral nutrition (TPN) creates confusion. Dr. Cunningham said they could break those two out and Mr. Fiffick agreed it should be specified. Dr. Pakiela said they will take out "initiate" and keep "continuing of intravenous parenteral nutrition".

Additional issues discussed were:

- Whether to approve the document today or next month because it still needs minor revisions
- Suggested if the Nursing Board writes a protocol for nursing staff regarding the transfer of a patient with a drip to a unit not equipped to handle it, they should forward to the EMS Board for our review and support.
- Change wording to "shall not initiate the intravenous infusion of prenenral nutrition" in the position paper to resolve any confusion..
- Whether the issue of initiating or the continuation of hemodynamic monitoring/a-line swans should be discussed and included.
- Consideration of inserting an escape clause

- In the conclusion part of the paper, a reminder that says this is not an exhaustive list to avoid people presuming that if it is not on that list, it means they can do it.

Mr. Resanovich asked if these changes are made, could they be e-mailed electronically for review and voted on at the May meeting. He agrees with Dr. Pakiela this needs resolved because this issue goes beyond 18 months when he was Chair of the MOC. Mr. Resanovich sees this issue in his institution constantly and there is no real guidance out there. The agencies who did not reply have had more than one opportunity to respond to our request for input and assistance.

Dr. Pakiela believes something needs put into writing and appreciates other agencies input, but the paper can always be changed. It will always be a work in progress as newer things and newer treatments come up. Dr. Pakiela is happy to take the paper back to the group and redo it if that is what the Board feels is appropriate, but he says as far as the MOC goes, this has been discussed to its end point. In regard to the issue the Pharmacy Board has, it has been discussed at length for over a year and there is nothing else that can be put in that we oversee as an EMS Board about these medications. Dr. Pakiela reminded members that this is a position paper and is not legally binding. The bottom line is our constituents are having issues and the Board has not done anything to address them.

Mr. John Moore, representing himself as a paramedic, is also the Vice Chair of the OMTB, spoke to the Board and said he will expedite this request to the OMTB on this issue. Otherwise, he will wait and say his piece for another day.

Dr. Cunningham would like a final draft with changes to be circulated through those organizations again for comment. Dr. Pakiela believes that is what MOC did last month and already received input from some of them. Mr. Rucker said he feels Dr. Pakiela's frustration because it seems like it takes the Board an enormous amount of time to make a decision. The Board could still be sitting here next month making verbiage changes, but this has been happening since last May. Mr. Rucker believes a decision needs to be made. Mr. Davis said as frustrating as it is, he recommends it be sent back to the committee to clear up the language, give Mr. Moore an opportunity to talk with the OMTB, and vote on this at the May Board meeting. Dr. Pakiela agreed and said it will be an up or down vote. Mr. Burgess requested Ms. Dodson put this on the agenda for next month.

#### Recruitment & Retention Committee, Mr. Daryl McNutt

Mr. McNutt said the committee met this morning to decide who needs to be a member and will be reaching out to some of the other agencies for their expertise. They will meet next month prior to the Board meeting in order to get all the names of who will be on the committee. Mr. Burgess asked him to get with Ms. Dodson to make sure the committee's meeting is on the master schedule.

#### Research Committee, Dr. Tom Collins

Dr. Collins said the committee spent yesterday's meeting establishing the foundation of the committee, what the work products are going to be, and how they will serve the other Board committees. Some of the work products the committee will bring back to the board will be

regular review of pertinent literature, bring information from IMSIRS data to the Board, interact with the Trauma Committee on issues need attention that are less trauma based and more pediatric/geriatric, and how the committee can be a catalyst for research. Dr. Pomerantz and Ms. Graymire will work on the process on how internal and external requests will be handled.

Dr. Collins reported several action items. Mr. Erskine will identify epidemiologists at the Ohio Department of Health (ODH), Dr. Cunningham has provided names of RPAB members, and will identify field providers who might have interest and experience with research to bring their views to the committee.

#### Rules Committee, William Mallory

Mr. Mallory said the committee met yesterday and worked on cleaning up definitions in some of the rules. They are working on considering sub-committees and work groups as well as determining who the voting members are. Next month they will discuss the reinstatement fee as he believes the governor has relaxed his decision regarding fees.

#### Trauma Committee, Tim Erskine

Mr. Erskine will send an executive summary of survey responses of the trauma self assessment that was done last month to Board members. He said getting 40 people together in a room and going over 113 aspects of the trauma system was quite a feat and could not have been done without the assistance of the Ohio Society of Trauma Nurse leaders and facilitators.

The model trauma system planning and evaluation document has 113 indicators that were graded on a scale of 1 to 5 (1 = no aspects existed; 5 = aspects matched). The results show Ohio's Trauma System is a very basic and a plan needs developed to increase the quantity and quality of trauma care available to the people of the state of Ohio. The 113 indicators will need to be evaluated and prioritized, then a report and recommendation will be presented to the Board by the Trauma Committee. The committee hopes to begin prioritizing the indicators at the May meeting and hopefully finish by July. Once that step is done, writing a plan will proceed, which will take a significant amount of time.

Some of the results from the self assessment were:

- The system cannot do a cost benefit analysis
- There is no statutory law to enhance the current system or enforce the rules
- Ohio's trauma system is extraordinarily strong in the pre-hospital arena
- For the 130 of 170 hospitals in the state who are not trauma centers, the trauma system all but ends at the door.
- The statistical information remains underutilized.

Mr. Erskine said a reporter from the Dispatch, Suzanne Hoholik, was present during the entire system assessment and she will be writing a series of articles on this. She has traditionally reported favorably on the Trauma System and works for Mark Summerson, who was instrumental in getting the current system and legislation enacted from a series of articles he wrote about the lack of organized trauma care in Ohio.

Ohio Department of Public Safety  
State Board of Emergency Medical Services  
Date: April 16, 2008  
**FINAL**  
**(Amended 5/29/08)**

### OLD BUSINESS

The National Accreditation issue was discussed earlier in the Executive Director's report. This will remain on the old business agenda every month until resolved.

Mr. Rucker distributed a copy of the Board's Action Items for members to review, see how the Board is progressing, and if there is anything they or their committees need to do.

Mr. Rucker reminded members that committee reports will be done every month. The meeting today, with Investigations and reports, is going to be a typical meeting.

He thanked the guests in attendance today for their input and participation. Mr. Rucker wanted to make sure the Board knows he appreciates all their work, knows how busy their schedules are, and that they serve on a volunteer basis. He wanted to especially recognize the committee chairs that are getting out agendas and minutes. Mr. Rucker also thanked Ms. Tertel for being the most accessible AG the Board has had, attends every meeting and has the Board's best interests in mind.

### NEW BUSINESS

The *Patient Carrying Handgun* position paper was included in the Board packet for review, discussion, and any updates that might be needed. This paper was developed in October, 2004. The Board members concurred that it still applies and did not need any revisions.

Mr. Fiffick reported he had the opportunity to go on a site visit with John Sands and Linda Mirarchi at Youngstown State. He encourages Board members to take the time to attend one. Mr. Fiffick indicated a lot of work goes into this process and both Mr. Sands and Ms. Mirarchi did an excellent job.

### ADJOURNMENT

**ACTION: Motion to adjourn.** Pomerantz first. Jordan second. None opposed. Motion approved.

**The meeting adjourned at 1:30 PM**