

FINAL

**STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
May 20, 2009**

Chaired by Mark Burgess

Board Meeting Date and Location: May 20, 2009, Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio 43223

Board Members in Attendance: Ms. Pamela Bradshaw, Dr. Thomas Collins, Dr. Deanna Dahl-Grove, Mr. James Davis, Mr. David Fiffick, Ms. Joyce Fischer, Dr. Jonathan Groner, Mr. James Holcomb, Mr. John Kubincanek, Mr. William Mallory, Mr. Mark Marchetta, Mr. Daryl McNutt, Dr. John Pakiela, Dr. Wendy Pomerantz, Mr. William Quinn, Mr. Mark Resanovich, Mr. Craig Self

Board Members Absent: Ms. Vickie Graymire, Mr. William Vedra

Staff Members Present: Alan Boster, Dr. Carol Cunningham, Aleta Dodson, Tim Erskine, Heather Frient, Thomas Gwinn, John Kennington, Thomas Macklin, Chuck Milam, Linda Mirarchi, Ellen Owens, Richard Rucker, Bob Ruetenik, John Sands, Joe Stack, Yvonne Tertel, Melissa Vermillion

Guest and Public Attendance: John Blauch, Auburn Career Center; Jeff Busby; Bill Hills, Joint Committee on Agency Rule Review (JCARR); Justin Howland, Able EMS; Randall Lambert

Mr. Burgess called the May 20, 2009 meeting to order at 10:44 AM following the National EMS Week award ceremony.

Roll Call

Mr. Mark Burgess	Here
Dr. John Pakiela	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Dr. Deanna Dahl-Grove	Here
Mr. James Davis	Here
Mr. David Fiffick	Here
Ms. Joyce Fischer	Here
Ms. Vickie Graymire	
Dr. Jonathan Groner	Here
Mr. James Holcomb	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. Mark Marchetta	Here
Dr. Wendy Pomerantz	Here
Mr. William Quinn, Jr.	Here

Ohio Department of Public Safety
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Mr. Mark Resanovich Here
Mr. Craig Self Here
Mr. William Vedra

REVIEW AND APPROVAL OF THE APRIL 15, 2009 EMS BOARD MINUTES

ACTION: Motion to approve the April 15, 2009 EMS Board minutes. Marchetta first. Pomerantz second.

Dr. Groner pointed out a medical term misspelling and grammatical word choice which Ms. Dodson will correct.

None opposed. Motion approved.

OPEN FORUM

John Blauch from Auburn Career Center addressed the Board with an update of improvements and distributed copies of the list of items the Board requested remedied in the adjudication plan. The pass rate is their number one priority, especially the paramedic program. They have set the bar at 80% and if a student does not achieve that, they have a limited window of opportunity to achieve it. Ms. Mirarchi said Auburn requests Board approval to allow the Auburn Career Center to begin advertising for a paramedic program to be conducted in the fall. She said she has visited their school twice and has noted that they have new program and medical directors, and will have clinical opportunities for students. Dr. Pomerantz asked if a consent agreement is in place. Ms. Mirarchi said they went directly to a Goldman hearing, and the adjudication order will remain in effect through the new accreditation period.

ACTION: Motion to grant permission to Auburn Career Center to hold a paramedic class in the fall and begin advertising the program. Holcomb first. Pomerantz second. No objections. Motion passed.

STAFF REPORTS

Chair's Report, Mark Burgess

Mr. Burgess attended a Mass Fatality and Shelter in Place meeting conducted by the Ohio Hospital Association (OHA). Representatives from the Ohio Department of Health (ODH) and the Emergency Management Agency (EMA) also attended. They discussed the evacuation of hospitals, reasons why they would be evacuated, and how EMS would respond. Mr. Burgess believes some templates and protocols will be developed which should aid in developing good relationships with hospitals.

The ad hoc National Accreditation committee did not meet as the vendor being considered was unable to attend to make a presentation. The committee cannot move forward until that occurs.

State Medical Director, Dr. Cunningham

Dr. Cunningham said the Regional Physicians Advisory Board (RPAB) Chairs will meet on November 5th and the annual All-Member RPAB meeting will follow at 1:00 PM. This is a date change from the original plan presented at the EMS Board Retreat.

The RPAB and the EMSC committees agreed to add language to both the adult and pediatric state guidelines highlighting the fact that drowning is a traumatic injury, as mandated by legislation and rule, and patients who are victims of drowning or near-drowning should be transferred to the appropriate trauma center. A copy of sample language was distributed for review. Hypothermia usage was discussed both in cold water drowning and post-cardiac arrest, which the RPAB and MOC reviewed. It will be left up to local medical direction whether EMS agencies will choose to elect this to their protocol.

ACTION: Motion to add language to address drowning as a traumatic injury to both the adult and pediatric state guidelines and the use of hypothermia in cold water drowning and post-cardiac arrest to the adult state guidelines. Pomerantz first. Fiffick second. None opposed. Motion passed.

Dr. Cunningham reported that the Great Lakes Regional Stroke Network, which includes the states of Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin, met and created an online tool to identify JCAHO-certified Primary Stroke Centers. People will be able to go online and identify which hospitals are certified as stroke centers. She will forward this information to the RPAB members and forward to Ms. Dodson to send to Board members.

At the last Board meeting, members asked Dr. Cunningham to draft a letter regarding Senate Bill (SB) 58. A copy of the letter, which was signed by Dr. Cunningham, Executive Director Rucker, and Chair Burgess, was distributed. By the time the letter was approved through normal channels, the bill had already passed the House. Therefore it was addressed to Representative Yates and copied to organizations Board members submitted as well as all the members of the Criminal Justice Committee.

The Mission Lifeline is a national project of the American Heart Association (AHA). The Ohio chapter has created four subcommittees (public education, pre-hospital, hospital, and quality/evaluation) and is currently recruiting members. Dr. Cunningham asked members to pass this information on to their respective organizations. They are looking in particular for people who work where there is no PCI center.

Dr. Cunningham reported that the Ohio Department of Health is close to releasing a Burden of Heart Disease document similar to the Burden of Stroke disease document. As soon as that is released, she will forward to Board members.

OPEN FORUM

Mr. Burgess called to order the public hearing. Let the record show that the hearing was held at the Ohio Department of Public Safety, Room 134, 1970 W. Broad Street, Columbus, Ohio, at 11:00 AM. Mr. Burgess asked for a roll call for the Board members present during these proceedings.

Roll Call

Mr. Mark Burgess	Here
Dr. John Pakiela	Here
Ms. Pamela Bradshaw	Here

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Dr. Thomas Collins	Here
Dr. Deanna Dahl-Grove	Here
Mr. James Davis	Here
Mr. David Fiffick	Here
Ms. Joyce Fischer	Here
Ms. Vickie Graymire	
Dr. Jonathan Groner	Here
Mr. James Holcomb	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. Mark Marchetta	Here
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Mr. William Quinn, Jr.	Here
Mr. Mark Resanovich	Here
Mr. Craig Self	Here
Mr. William Vedra	

Mr. Burgess reported there was a quorum necessary to conduct business. A public hearing was held to receive comments and testimony regarding the **amendment** of 4765-2-04 (Public notice of rule adoption, amend or rescission), 4765-8-01 (Qualifications for a certificate to practice), 4765-8-15 (Certification by reciprocity), 4765-15-03 (EMT-Basic continuing education), 4765-16-03 (EMT-Intermediate continuing education), 4765-18-08 (Reinstatement of a certificate to teach as an EMS Instructor), 4765-18-13 (Fire service instructor seeking certificate to teach as an EMS instructor), and 4765-19-03 (Extension of continuing education requirement); **adoption** of 4765-6-03 (Additional services in a declared emergency), 4765-6-05 (Exposure to a nerve or organophosphate agent), and 4765-17-02 (EMT-Paramedic continuing education); and **rescission** of 4765-6-03 (Additional services in a declared emergency) and 4765-17-02 (EMT-Paramedic continuing education).

This public hearing was held pursuant to and in conformity with Chapter 119 of the Ohio Revised Code (ORC) on the above noted rules and concluded at 11:10 AM. A court reporter was present and full transcripts are available upon request. There were no witnesses in the audience or written documents to comment on the proposed rules.

ACTION: Motion to accept the rules as presented today for final filing with the Joint Committee on Agency Rule Review (JCARR). Kubincanek first. Davis second. None opposed. Motion passed.

Ms. Frient wanted to give an update to Board members on the issue of EMTs and lethal injections. She is trying to answer the questions Board members have regarding whether the individuals are acting as EMTs in this role, if it is under the Board's jurisdiction, and obtaining copies of the redacted transcripts of the court case in which the Board is interested. She has spoken with the Assistant Attorney General (AAG) of the capital crimes unit who represents the Department of Rehabilitation and Corrections (DRC) who said the DRC statute authorizes the warden to implement the process/procedure used to carry out executions, individuals who take

part in the lethal injection process work as EMTs, are required to have a certain skill set (either as an EMT or phlebotomist) to be on the execution team, and do not have a medical director. She is trying to ascertain what their role is when they are not working in that capacity. Mr. Fiffick said if there is no physician/medical director, they cannot function as EMTs. Ms. Frient said the Board has always taken the stance that individuals who are not working in the capacity as an EMT (i.e. plasmapheresis or ED tech) are not under the Board's jurisdiction, and if the individuals are not representing themselves as an EMT, then the question of whether they are working outside their scope of practice cannot be asked.

Dr. Groner said the DRC specifically looks for EMTs because of the skill set. If an individual goes to the prison and says they have the skill set based on being an EMT, how can they not be considered an EMT? Ms. Frient said she can't speak for the DRC or their AAG as to whether they were approached to be on the team or the individuals asked to be on the team. Mr. Rucker said the way he understands it, they are hired as correction officers and the DRC researches to see what employees have those skill sets and approach them to be on the team. Dr. Groner said that was not his understanding and believes the court case in question went into more detail regarding the EMTs work histories. He has not yet received those court transcripts. The DRC representative in the Dispatch article said they would not ask doctors or nurses to do it because it is against their ethics, but will ask EMTs to do it. Dr. Groner expressed some concerns with obtaining information from the DRC. This Board has reviewed transcripts before on other issues and some of our questions might be answered by looking at what the EMTs said. Ms. Frient said the DRC policies and procedures are not public record and the court case transcripts are being reviewed for redaction. Once received, she will provide to Board members.

Mr. Davis said this speaks to a bigger issue as more professions are using EMT technicians as a way to simplify healthcare and make it less expensive. He said the more the Board allows people in the community to require employees to have certifications for which this Board sets the standard, the Board is on a slippery slope. Ms. Frient said that issue has been raised regarding hospital settings where they want to hire someone and require an EMT certification as a prerequisite. She said it did not appear that is what the DRC did so much as their policies and procedures list the training required to be on the execution team.

Mr. Davis requests, and thinks it is in the best interest of this Board, to get a definitive opinion in writing from Attorney General Cordray's office in order to protect the Board from further issue. Ms. Frient asked if the Board is saying it doesn't want anyone who is trained as an EMT to do anything other than EMS. Mr. Fiffick said the Board cannot control that. Ms. Frient said if the Board is asking for an AG opinion, she would need specific facts and applicable laws to ask for interpretation and clarification on. Ms. Tertel said the question can be submitted to see if it meets the requirements for answering in a specific, formalized opinion format.

Dr. Collins asked what body determines if this Board has jurisdiction over the actions of these individuals, the AG or the Board. After a lengthy discussion it was determined that Ms. Frient and Ms. Tertel advise the Board, assist the Board if they have a question, but cannot tell the Board what to do. Ultimately it is the Board's determination. Dr. Collins asked whether the Board has jurisdiction over the action of these individuals at the DRC. Ms. Tertel said at this point she believes what Ms. Frient is saying is that these particular individuals would not fall

under the Board's jurisdiction. Dr. Collins is unclear whether this Board has a role and is trying to determine how we get to the point where we say yes the Board has a role or are comfortable saying the Board does not. Ms. Tertel said the Board has the ultimate authority. If the Board decides they have jurisdiction, then the next question is determining the legal support for the position taken and how to accomplish the end goal. Dr. Pakiela said he thinks what he has heard is the Board can do what we want, counsel will provide advice, but ultimately the courts will decide. Ms. Frient referred to a similar case in North Carolina where the medical board issued a position statement saying it would discipline any doctor who participated in the lethal injection process. The DRC sued, got an injunction that said this was not in the practice of medicine, and was not in the Board's jurisdiction.

Mr. Burgess said it is quite clear a lot more information that is not yet readily available publicly is needed. If we can only get limited information, the Board would have to make their choice on that information. He said the Board needs to look at the big picture of the whole process because it impacts a lot of areas. Ms. Frient agreed it is more far reaching than just the DRC issue. She believes it is worth looking at the role EMTs play in other settings as well. Based on the code section, it is her opinion that the same analysis applied regardless of what the EMT is doing in the field, whether they are an EMT in a school, an EMT in a prison, etc. It is consistent either way. Ms. Frient wants to do additional legal analysis and will e-mail to the Board members. Mr. Self requested Ms. Frient put a historical context around what the code allows and what positions the Board has taken in the past. It appears the Board is going down the slippery slope to define what pre-hospital providers can do outside of emergency situations and control where they can seek employment outside of the emergency environment.

Principal Assistant Attorney General, Yvonne Tertel

Ms. Tertel reported they are meeting the desired timeframe for processing hearings.

EMS Staff Legal Counsel, Heather Frient

Ms. Frient said the rules from today's hearing will be final filed and will send out notice when they become effective.

EMS Legislative Liaison, John Lang/Tonia Fitros

Copies of the legislative update report of bills before the legislature were distributed.

Mr. Rucker said SB 58 passed the Senate and is now in the House Committee. The language was changed from "shall" to "may" for agencies to withdraw blood for OVI evidentiary purposes and removed EMT-Basics. Mr. Rucker said he and Mr. Davis, who was representing the Ohio Association of Professional Firefighters (OAPFF), met with Senator Grendell. John Lang, Legislative Liaison for the Ohio Department of Public Safety, was also at the meeting.

Mr. Davis said objections from the Board and the OAPFF were provided to Mr. Grendell; however, he did not feel that the Board's concerns were adequately addressed. Mr. Davis said if this law is passed, he foresees the Board being asked to include OVI blood draws as a skill within the EMTs scope of practice.

The Board discussed how this piece of legislation could have a significant negative impact on the emergency services. They included:

- Civil liability for individual provider, agency, and municipalities involved
- Extra cost of subpoenas to court cases
- Impact on EMS volunteer community
- Ohio does not have sovereign immunity laws to protect EMTs and physicians, medical directors, and emergency physicians who may be involved in that process or overseeing their providers who are asked to collect blood for evidence collection.
- Delays in emergency transports
- Impact on 9-1-1 services
- Even if law enforcement hired private ambulance services to provide this service, because in many areas, private ambulance service is the 9-1-1 service
- How can EMTs draw blood from an individual who does not want it taken when three to four officers are needed to restrain them.

Dr. Cunningham expressed concern that the bill is moving forward despite the flaws that have been highlighted by the Board. Mr. Quinn echoed this sentiment and said that the focus appears to be solely on getting the blood draw admitted in court. Mr. Quinn said there are a lot of legal ramifications, and that performing a properly admissible blood draw may not be possible in the field.

Board members questioned why the bill is being pursued in light of all the negative impact on the EMS emergency system. Mr. Davis said the purpose of the bill is apparently to make an EMT blood draw admissible in court, but it would be up to this Board whether we wanted to allow them to do it. Dr. Cunningham said she understands one of the reasons this was brought to light involved a vehicular homicide case in her area where the driver had multiple OVIs, some of which were not able to go through the typical court process because of delays in obtaining a blood sample for evidence. However, she said this is not the right avenue to fix the issue and would be detrimental to the EMS emergency system (whose time should be spent responding to true emergency medical situations). Mr. Davis said he had also raised concern regarding overtime budgets of agencies that would be doing the draws. Dr. Collins said our ultimate responsibility is to the providers to protect them from doing something that is harmful to their license or the community.

Mr. Davis suggested the Board come up with alternatives and Mr. Quinn said alternatives should not be offered unless the law is passed. Suggestions included:

- Use the current system in place where law enforcement has blood draws done using designated resources (medical staff at large police departments, urgent care centers, etc.)
- If the individual is not injured, the law enforcement can take them directly to jail for a breathalyzer or urine test
- Urge EMS organizations that language be inserted that says this will not involve the resources of the local municipality 9-1-1 ambulance response
- Law enforcement could hire a paramedic or other allied health professional trained in the skill of phlebotomy
- to work in a county jail do the blood draw

- Have law changed to allow trauma blood drawn in a hospital to be admissible in a court of law (the state can create a form that can be faxed to the receiving hospital to do the blood draw)

Mr. Fiffick pointed out that departments will not be forced into doing this and have a choice. Dr. Cunningham said it takes the Board back to the position paper that was tabled last week where the Board was determining when an EMT's certification is being used as a job requirement versus the individual actually serving as an EMT.

Mr. Resanovich stated that it is obvious that the bill is going to move forward. The Board does not have to embrace it, can discourage it, can educate providers and medical directors, and if it is going to go through, send our message out through education. If it is a local decision because it says "may", then it is a local decision.

Mr. Quinn asked if the Board's letter was sent to the House Committee. Dr. Cunningham said the letter was ready to go out after the last Board meeting and was addressed to the original creator of the bill. However, the distribution of the letter was delayed because all letters to the legislature must be approved by the Board and the DPS legislative office prior to sending. Mr. Rucker delivered the letter to Mr. Grendell at their meeting. Mr. Quinn suggested sending it to all House committee members.

ACTION: Motion to send the letter to the House Committee members. Fiffick first. Resanovich second.

Ms. Fischer wanted to point out a few typos on the letter and Dr. Cunningham said those had been corrected already. Mr. Erskine presented a letter from Dr. Crow and the Trauma Committee to the Board and requested it be sent along with Dr. Cunningham's letter.

ACTION: Motion to amend the motion above to include attaching the Trauma Committee's letter and sending both to the House Committee members. Pakiela first. Pomerantz second. None opposed. Motion passed.

***** Break 12:25 PM to 12:47 PM *****

Executive Director's Report, Richard Rucker

Mr. Rucker reported with the current state financial situation, the Division has been ordered to reduce costs by 30%. Starting immediately, mileage reimbursement for travel is reduced to 45¢ per mile. The Board and its committees will meet every other month beginning in June. The Fire committee will meet every other month on the month the Board does not meet. No purchases of any type can be made. Mr. Rucker said Mr. Orahod needs a new test bank for fire purchased and it cannot be done. Mr. Rucker said there are reports the state could be facing another shortfall of approximately one billion dollars or more. Additional cuts could be mandated.

Accred #	Exp Date	Name	County	Level(s)	Contingencies	
1.	328	12/30/2008	Stark County Paramedic Program of Aultman Hospital	Stark	EMT-I, EMT-P	None
2.	328	2/15/2009	Stark County Paramedic Program of Aultman Hospital	Stark	EMT-B	None

ACTION: Motion to approve the above listed renewal accreditation site(s) without contingencies. Pomerantz first. Collins second. Marchetta, Resanovich abstained. None opposed. Motion approved.

Accred #	Exp Date	Name	County	Level(s)	Contingencies	
3.	303	10/31/2008	Belmont Technical College	Belmont	FR, EMT-B, EMT-I, EMT-P	Follow-up site visit one year from effective date of renewal.

ACTION: Motion to approve the above listed renewal accreditation site(s) with contingencies. Pomerantz first. Collins second. None opposed. Motion approved.

2009 Statistics to Date:	Total Accredited Institutions to Date - 95	Accredited Institutions Renewed to Date - 6
	Total Certificates of Accreditation - 276	Initial Accredited Institutions to Date - 1
	Accredited Institutions Expiring - 37	Additional EMS Levels Accredited - 1
		Accredited Institutions Reinstated - 0
		Accredited Institutions Inactivated - 0

Mr. Rucker clarified that the Board meetings every other month will most likely last longer. It was decided that Board meetings will begin at 9:00 AM starting with the August 2009 meeting. It will also become imperative that everyone attend in order to have a quorum to conduct business. The combining of committees will be decided at June's Board meeting.

Certifications, John Kennington

ACTION: Motion to approve the request for extension(s) processed for the period April 1, 2009 through April 30, 2009. Collins first. Pomerantz second. None opposed. Motion approved.

ACTION: Motion to ratify the 2,007 active EMT Certifications issued for the period of April 1, 2009 through April 30, 2009. Pomerantz first. Collins second. None opposed. Motion approved.

ACTION: Motion to approve the request(s) for exemption(s) regarding continuing education for one individual(s) serving on active military duty during the certification period. Davis first. McNutt second. None opposed. Motion approved.

Mr. Kennington presented a request for an exemption for the Board's consideration. Mr. Kennington read a letter submitted by an individual who said when they renewed their National Registry license, they assumed it automatically renewed their state license. Mr. Resanovich said the Board cannot break their own rules. Mr. Kennington will contact the individual and provide Ms. Dodson a copy of the letter for the Board records.

Board members continued discussing the consolidation of Board committees. Dr. Collins said he and Dr. Pakiela could serve as co-chairs for the combined MOC/Research and Grants committees. Concerns included not having enough time to do committee work and if the

meetings last longer, there could be conflicts for Board members on multiple committees. Mr. Rucker said it might come down to doing only what is mandated in the Ohio Administrative Code (OAC) and some committees might be eliminated. By law, the Board is only required to meet four times a year and due to Sunshine Laws, the Board cannot make decisions through conference calls. He could not see meeting so infrequently due to time constraints in issuing licenses, accrediting schools, and approving disciplinary issues. Mr. Burgess requested the EMS staff compile a list of mandated responsibilities and bring back to the June Board meeting for further review in order to make further decisions.

REPORT AND RECOMMENDATION

Mr. Burgess said the EMS Board will be deliberating on two Report and Recommendations (R & R) in the matters of EMS Case number 2008-378-102, Jeffrey A. Busby, EMS Certificate number 6900 and EMS Case number 2008-553-102, Justin T. Howland, EMS Certificate number 123011. Objections to the R & R were filed in the Howland case and Principal Assistant Attorney General, Yvonne Tertel, filed a response opposing Mr. Howland's objections. Both of these documents are in your Board packets. Mr. Burgess recognized Ms. Tertel, for the purpose of providing a brief synopsis and a recommendation for disciplinary action.

Ms. Tertel said there are two cases to be presented to the Board today, and both are the first dual cases with charges on both the EMS and Fire sides. The Board will now deliberate on the EMS R & R, and later on when the Fire Committee Board members will meet, they will deliberate on the fire cases. Ms. Tertel explained to Mr. Howland's counsel, Randall Lambert, that he could present to both the EMS Board and to the Fire Board or elect to present once to the EMS Board which includes the Fire Board members. Mr. Lambert said he was fine with presenting once.

Ms. Tertel proceeded to give an overview of Mr. Howland's case. She said Mr. Howland was convicted for felonies involving sex offenses with a minor, which was presented to the Hearing Examiner. The Hearing Examiner recommended permanent revocation of Mr. Howland's EMS certificate. Ms. Tertel said the Board can choose to approve the R & R as it stands or make changes.

Mr. Burgess gave Mr. Howland's counsel, Mr. Lambert, two minutes to address the Board. Mr. Lambert said he would appear with Justin today as he is not much of a public speaker. He advised his client that the Board would want to hear from him, and Justin wrote a letter he will read to the Board. Mr. Howland said he takes his job as a paramedic firefighter seriously. He acknowledged he made a mistake, had too much too drink, and let the situation get out of hand. The youth involved used the instance to brag that he had sex with Mr. Howland when it did not occur. Mr. Howland has accepted responsibility and punishment for the incident, has been receiving counseling, has since married, overcame his drinking, and avoids situations with minors. He said this incident had nothing to do with his work or his ability to perform his job professionally. Mr. Lambert said Mr. Howland did not seek out to hurt someone or make someone do something they did not want to do. He said this would never have occurred if Mr. Howland had not been extremely intoxicated and not realized things were going too far before he stopped it. Mr. Howland's Chief and co-workers have submitted statements that he is thought of well by them. Mr. Lambert asked the Board for suspension so Mr. Howland could reapply for his certification in a year and investigate what has happened with his counseling and his life in

that time. The possibility for him to reapply in a year is what they are requesting. Ms. Tertel wanted to clarify that Mr. Lambert meant revocation, not suspension, which would provide for an opportunity for reinstatement later on.

Ms. Tertel summarized Mr. Busbee's case which involved a misdemeanor theft that consisted of moral turpitude as the conviction revolved around taking funds from a charitable fund drive for Jerry's Kids Multiple Dystrophy Association on behalf of the department with which he was involved. The Hearing Examiner recommended Mr. Howland's certificate be revoked as requested. Mr. Busbee was in attendance to address the Board. He thanked Ms. Tertel and Mr. Gwinn for their assistance and courteousness during the investigation. He said this was not a malicious act, but a severe mismanagement of funds on his part. This cause is dear to his heart as his mother died from the disease. He has not been able to work and is going through bankruptcy. He doesn't want to make excuses and took full responsibility. He asked the Board for leniency and for a suspension of the revocation.

ACTION: Motion to go into private session for the purpose of quasi-judicial deliberations on this matter by roll call vote at 1:35 PM. Pomerantz first. Fiffick second. None opposed. Motion approved.

Roll Call

Mr. Mark Burgess	Here
Dr. John Pakiela	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Dr. Deanna Dahl-Grove	Here
Mr. James Davis	Here
Mr. David Fiffick	Here
Ms. Joyce Fischer	Here
Ms. Vickie Graymire	
Dr. Jonathan Groner	Here
Mr. James Holcomb	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. Mark Marchetta	Here
Dr. Wendy Pomerantz	Here
Mr. William Quinn, Jr.	Here
Mr. Mark Resanovich	Here
Mr. Craig Self	Here
Mr. William Vedra	

******* Board returned from private session at 1:40 PM *******

ACTION: In the matter of EMS Case Number 2008-553-102, Justin T. Howland, EMS Certificate number 123011, the Board accepts the findings of fact, the conclusions of law, and the recommendation issued by the hearing examiner to *permanently revoke* Mr.

Howland's EMT-Paramedic certificate to practice for his conviction for Unlawful Sexual Conduct with a Minor, in violation of Section 2907.04(A) and (B)(1) of the Ohio Revised Code, a fourth-degree felony, in violation of Ohio Administrative Code 4765-10-03(B)(2)(a). Pomerantz first. Marchetta second. None opposed. Bradshaw, Collins, Fiffick, Holcomb, Resanovich abstained. Motion approved.

ACTION: In the matter of EMS Case Number 2008-378-102, Jeffrey A. Busby, EMS Certificate number 6900, the Board accepts the findings of fact, the conclusions of law, and the recommendation issued by the hearing examiner to *revoke* Mr. Busby's EMT-Paramedic certificate to practice for his conviction for Theft, in violation of Section 2913.02(A)(1) of the Ohio Revised Code, a first-degree misdemeanor, in violation of Administrative Code 4765-10-03(B)(2)(c). Pomerantz first. Groner second. None opposed. Collins, Fiffick, Holcomb, Marchetta, Resanovich abstained. Motion approved.

GOLDMAN PROCEEDINGS

The Goldman Proceedings were called to order at 1:43 PM.

Roll Call

Mr. Mark Burgess	Here
Dr. John Pakiela	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Dr. Deanna Dahl-Grove	Here
Mr. James Davis	Here
Mr. David Fiffick	Here
Ms. Joyce Fischer	Here
Ms. Vickie Graymire	
Dr. Jonathan Groner	Here
Mr. James Holcomb	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. Mark Marchetta	Here
Dr. Wendy Pomerantz	Here
Mr. William Quinn, Jr.	Here
Mr. Mark Resanovich	Here
Mr. Craig Self	Here
Mr. William Vedra	

A majority of the Board members were present. Two adjudication proceedings will be held in the matters of EMS Case number 2006-228-305, Terry R. Hollstein, EMS Certification Number 118035 and EMS Case Number 2007-335-102 Cheyenne W. Patton, EMS Certification Number 134192.

The Board reviewed evidence, including exhibits and affidavits from EMS investigators and/or staff, associated with the aforementioned cases. 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 matters 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 cases and a recommendation for disciplinary action.

Ms. Tertel said both cases involved individuals who did not request hearings. Mr. Hollstein is a reciprocity applicant who indicated false information on his application indicating he had held a certification elsewhere and he does not. The recommendation is his application be denied. As for Ms. Patton, members might remember in previous Board meetings a case involving circumstances where jugular IVs were being performed for training purposes. As the process unfolded, her circumstances were different as she had various convictions she had not revealed. A Notice of Opportunity was sent to her to but the Division received no contact from her. Based on the facts of her conviction record and failure to notify the Board of those as required, it is recommended her certificate be revoked.

ACTION: Motion to admit the sworn affidavit(s) and the accompanying exhibit(s) in the aforementioned case(s) 2006-228-305 and 2007-335-102 into evidence. Pomerantz first. Pakiela second. None opposed. Motion approved.

There being no further evidence to come before the Board, the Goldman Proceedings were closed at 1:49 PM. Mr. Burgess asked for a motion to deliberate on the sworn affidavits and exhibits. He noted that a written copy of the Board's decision will be mailed to the respondents.

ACTION: Motion to go into private session for the purpose of quasi-judicial deliberations on these matters by roll call vote at 1:51 PM. Pomerantz first. Pakiela second. None opposed. Motion approved.

Roll Call

Mr. Mark Burgess	Here
Dr. John Pakiela	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Dr. Deanna Dahl-Grove	Here
Mr. James Davis	Here
Mr. David Fiffick	Here
Ms. Joyce Fischer	Here
Ms. Vickie Graymire	
Dr. Jonathan Groner	Here
Mr. James Holcomb	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. Mark Marchetta	Here
Dr. Wendy Pomerantz	Here
Mr. William Quinn, Jr.	Here
Mr. Mark Resanovich	Here

are interested in EMS simply beyond the provision of care. The results were presented in a PowerPoint presentation. Three hundred seventeen individuals completed the survey, a 28.8% response rate. Seventy-four of the 88 counties were represented. Sixty percent of the agencies do not have a Continuity of Operations Plan (COOP), and 12% did not know if they had one. Mr. Erskine pointed out that if they don't know, then they don't have one and would not be able to perform in an outbreak. As a result of the H1N1 event, 15% plan to create a pandemic influenza response plan, 31% will update their plan, and 23% said their plan was updated. Forty-four percent will create and/or update a COOP plan and 15% said theirs was up to date. Seven percent will create an infection control stockpile, 37% will expand their existing stockpile and 18% felt their stockpile was adequate. Dr. Pomerantz asked if the survey asked if the providers were nurses and Mr. Erskine said it did not.

Mr. Burgess wanted to recognize Mr. Erskine for being one of the authors of the Farm/Injury report and speaks highly of his efforts. Additionally, the survey was Mr. Erskine's idea, which demonstrates his initiative, and Mr. Burgess thanked him for his dedication.

Education Committee, James Holcomb

There was no report.

EMSC

The EMSC National Resource Center has released their new pediatric pre-hospital equipment list and the Performance Measures checklist. These lists will be sent to EMS Board members by e-mail. Mr. Burgess asked that the list be placed on the EMS website.

Kent Williamson of the Ohio District Kiwanis Foundation gave a presentation to the EMSC Committee about efforts the Foundation has taken in supporting treatment and prevention of pediatric trauma. The Committee is interested in working with the Foundation to support EMS pre-hospital equipment and emergency department preparedness.

EMSC workgroups in Medical Direction and Preparedness for Emergency Departments will hold conference calls in the first week of June. The Pre-Hospital Equipment group held their conference call on May 1st and recommended contacting the Ohio Medical Transportation Board to introduce the new equipment list to private ambulance services.

Dr. Pomerantz reported that Mr. Gordon Gillespie resigned from the committee, and the Ohio State Council of Emergency Nurses Association nominated Julie Burton, RN, to replace him.

ACTION: Motion to add Julie Burton to the EMSC committee. Pomerantz first. Dahl-Grove second. No objections. Motion passed.

Firefighter and FSI Committee, Phil McLean (Doug Orahood)

Mr. Orahood reported Mark Burgess appointed Chief Dudley Wright to the FFSI committee and Jim Steele was elected vice-chair. The committee approved holding two more pilot courses of the revamped volunteer firefighter course, and the Fire Hazard Inspector group will be meeting at Ashland Fire Department regarding the 24-hour course on June 4th.

Homeland Security Committee, Mark Resanovich

Mr. Resanovich report Mr. Macklin is finishing the deliverables for the education piece of the ODH contract. There are three more CHEMPACK training classes scheduled. The committee is developing a technical assistance team to assist the incident commanders and the Emergency Operating Centers (EOCs) when CHEMPACK assets are deployed.

The TEMS committee finalized the domain competencies. Once they are refined, the completed document will be distributed to Board members for their input and discussion.

Legislative Committee, Bill Quinn

Mr. Quinn said the committee met for the first time yesterday, reviewed legislative priorities from the last general assembly, and prioritized legislative efforts for the future. A copy of the current list of bills impacting EMS and Fire were distributed to committee and Board members.

Ms. Frient expects to hear back from the Pharmacy Board Thursday regarding incorporating their suggested language in the bill. He said Ms. Frient distributed language changes being sought for one card for all certifications that will expire at the same year on the individual's birthday, single accreditation for the entire school as opposed to each individual program, and dispensing drugs during governor-declared public health emergencies. Both the Ohio Fire Chiefs (OFC) and the Ohio Association of Professional Firefighters (OAPFF) are in favor of these. The committee decided not to move forward on all items because it would open up several more chapters which could slow the process including the name change of the Division of EMS.

Medical Oversight Committee, Dr. John Pakiela

Copies of the latest revision (version 5.0) of the proposed position paper, *EMTs and the Emergency Medical Record*, were distributed for review. Ms. Frient requested a few changes be made. In 2001, the Attorney General published an opinion as to whether these records (also called "run reports" or "run sheets") were protected from public record requests. If medical records are required to be left at the scene for medical continuity, she believes it strengthens the argument that it not a public record under the medical records exception (as it is part of the medical record for the purpose of medical treatment). Mr. Fiffick said some departments do not leave any record. Ms. Frient will draft her proposed changes and Dr. Pakiela will bring back to the June meeting.

Currently in the scope of practice, the only form of dextrose listed is a 50% dextrose concentration and there is no mention of the 25% or 10% concentration. The recommendation is to amend the scope of practice by using the term "dextrose" without any percentages.

ACTION: Motion to amend the scope of practice to say "dextrose" only and remove any mention of percentages. Pakiela first. Fiffick second. None opposed. Motion passed.

National Accreditation Ad Hoc Committee, Mark Burgess

No meeting was held and there was no report.

Recruitment & Retention Committee, Daryl McNutt

No meeting was held and there was no report.

Ohio Department of Public Safety
State Board of Emergency Medical Services
May 20, 2009
FINAL

Research & Grants Committee, Dr. Tom Collins (Tim Erskine)

No meeting was held this month. A listing of journals and articles of interest were distributed. If Board members are interested in the full article, please contact Mr. Erskine.

Rules Committee, William Mallory

No meeting was held and there was no report.

Trauma Committee, Dr. John Crow (Tim Erskine)

The committee compared the CDC Field Trauma Triage guidelines with the Ohio trauma triage criteria, and found that there were few differences. There were only two criteria in the CDC's guidelines are not included in Ohio's: open skull fractures and certain mechanisms of injury. The committee will examine these criteria in more detail to see if they need added to Ohio's rules. The CDC model did inspire the creation of an Ohio trauma triage flow sheet, a copy of which was distributed. The committee requested Board approval to place the flow sheet on the EMS website and Board members approved. Dr. Cunningham asked that drowning for all ages be added as a traumatic injury, and Mr. Erskine agreed to revise the flow sheet accordingly.

Mr. Erskine reported that a level II trauma center in the state is considering dropping their trauma center status. Because of their remote geographic location to any other trauma center, they feel they are going to get all the patients in the area anyway, so why invest any money in assuring they are providing quality care. There is no method for the Board to force them to remain a trauma center. Dr. Pakiela asked if they were going to go to a Level II status, and Mr. Erskine said they were going to drop it altogether. Their theory is that it is cheaper to defend against lawsuits that may arise as a result from accepting trauma patients than it is to pay surgeons to stay in house.

OLD BUSINESS

Mr. Sands reported the Trauma Triage online course should be available online by the end of the week. Mr. Rucker expressed concerns regarding a policy being proposed that would further IT security measures and is concerned this might impact the online course availability. Because of security of information in HB 646, all this information on the online system will need to be encrypted. If they are talking another \$10,000 to encrypt it, he does not think it will be online for long. Ms. Fischer asked about the potential impact that this would have on the requirement for having the trauma triage for recertification. Mr. Rucker said the Board would have to review the rule and perhaps amend it. Dr. Cunningham reported she had asked if a slide could be added to the trauma triage course on drowning, and Mr. Rucker said it has already been done.

Dr. Pakiela said as a follow-up from a discussion at the Board Retreat regarding layperson membership enrollment with air medical services, he received permission from Med Flight to distribute copies of a letter they send out to the community regarding memberships. Memberships are being done in Ohio by for-profit helicopter services where they do mass mailings in communities trying to gain support. If you buy a membership, you will not be charged over what the individual's insurance covers for your medical transport, but that is only if that service provides care and only provides coverage for the first flight. Sometimes, the practice pattern of these services is to transport patients to a local community hospital, stabilize them, and repackage them to the trauma center, thus creating a new charge for the second flight. Med

Flight is working with other medical providers in the state through the Ohio Association of Critical Care Transport to bring some light to this problem. There have been some problems in West Virginia with the same sort of mailings.

NEW BUSINESS

The June 17th Board meeting will be held in the Ohio Department of Transportation building located at 1980 W. Broad Street in the GA meeting room. Starting in August, the Board will meet every other month with a new start time of 9:00 AM.

Ms. Bradshaw asked for clarification on number C of the Cardiac Arrest near drowning paper regarding three shocks, which are no longer required by the American Heart Association (AHA). Dr. Cunningham said in 2005 when the AHA changed their guidelines, it was such a significant change in equipment and training and that the Board agreed to retain the old and new AHA guidelines within the states guidelines up until 2009. Dr. Cunningham had printed copies of the of the 2005 version with the proposed amendments to the state guidelines to demonstrate the language to the Board instead of both versions in an effort to save paper. The proposed amendments will be added to both sections of the AHA guidelines.

Investigations, Melissa Vermillion

ACTION: Motion to go into Executive Session for the purpose of discussing proposed disciplinary action(s) against certificate holder(s) which is pending or imminent court action under Revised Code 121.22(G)(3) and involve matter(s) that are required to be kept confidential under Revised Code 4765.102(B) at 2:31 PM. Pomerantz first. Mallory second. None opposed. Motion approved.

Roll Call

Mr. Mark Burgess	Here
Dr. John Pakiela	Here
Ms. Pamela Bradshaw	Here
Dr. Thomas Collins	Here
Dr. Deanna Dahl-Grove	Here
Mr. James Davis	Here
Mr. David Fiffick	Here
Ms. Joyce Fischer	Here
Ms. Vickie Graymire	
Dr. Jonathan Groner	Here
Mr. James Holcomb	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. Mark Marchetta	Here
Dr. Wendy Pomerantz	Here
Mr. William Quinn, Jr.	Here
Mr. Mark Resanovich	Here
Mr. Craig Self	Here
Mr. William Vedra	

******* Board returned from Executive Session at 2:43 PM *******

2009-197-308	
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ACTION: In the matter of EMS Case Number 2009-197-308, move to issue a Notice of Opportunity for Hearing at the EMT-Basic level of accreditation. The Assistant Attorney General is authorized to negotiate a Consent Agreement to include a written reprimand, a 30-day suspension stayed, submission of an Educational Improvement Plan, and a 3-year probation to run concurrent with accreditation cycle. Pomerantz first. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-19-102	2009-137-101
2008-326-102	2009-139-102
2008-565-102	2009-147-101
2009-45-101	2009-150-304
2009-61-102	2009-175-304
2009-128-101	2009-198-304
2009-130-101	2009-199-304
2009-136-101	2009-204-304

ACTION: Motion to accept the Consent Agreement(s) for the above listed case(s). Pomerantz first. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2003-233-101	2003-328-101
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ACTION: Motion to close the above listed case(s) and reopen if subject reappplies. Pomerantz first. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2009-70-305	
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ACTION: Motion to close the case(s) and rescind the previously issued Notice(s) of Opportunity for Hearing(s) for the above listed case(s). Pomerantz first. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2009-151-101 2009-183-304	2009-216-101 and 2008-133-304
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ACTION: Motion to close the above listed case(s). Pomerantz first. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2009-55-401 2009-81-401 2009-90-401	2009-91-401 2009-103-502 2009-201-401
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ACTION: Motion to close the above listed case(s) and refer to local medical director/department. Pomerantz first. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2004-48-101	2005-249-101	2006-390-304
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ACTION: Motion to close the above listed case(s) as the individuals have met the stipulations of their Consent Agreement(s). Pomerantz first. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-571-202	2009-174-304
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ACTION: Motion to issue a Notice of Opportunity for Hearing for the following case(s). Pomerantz first. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-248-304	
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ACTION: Motion to rescind the Notice of Opportunity for Hearing and continue with consent agreement for the above listed case(s). Pomerantz first. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2009-131-602	2009-214-101	2009-239-305
2009-188-305	2009-215-101	2009-240-101
2009-200-101	2009-231-304	2009-241-101
2009-207-101	2009-233-101	2009-243-304
2008-208-305	2009-234-305	2009-255-101
2009-213-101	2009-235-101	

ACTION: Motion to close the above listed case(s) 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. Marchetta second. None opposed. Fiffick, Holcomb abstained. Motion approved.

ADJOURNMENT

ACTION: Motion to adjourn with the exception of the Fire Board members, who will remain for discussion of fire issues. Pomerantz first. Marchetta second. None opposed. Motion approved. The meeting was adjourned at 2:50 PM.

FIRE BOARD MEMBERS

Mr. Burgess gave a brief overview of the fire discipline process and role of the Fire committee. It was suggested that a group meeting between the Fire Board members and the FFSI committee

take place for strategic planning. Mr. Burgess will work up a schedule but thought it would be better to meet on the fire committee day would probably be the best.

ACTION: Motion to go into Executive Session for the purpose of discussing proposed disciplinary actions against fire certificate holders which is pending or imminent court action under Revised Code 121.22(G)(3) and involves matters that are required to be kept confidential under Revised Code 149.43 at 2:59 PM. Holcomb first. Mallory second. None opposed. Motion approved.

Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	Here
Ms. Joyce Fischer	Here
Mr. James Holcomb	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. William Quinn, Jr.	Here
Mr. Mark Resanovich	Here

*******Fire Board returned from Executive Session at 3:02 PM *******

2008-181-702	2009-169-706
2009-19-706	2009-181-706
2009-44-701	2009-217-701

ACTION: Motion recommending that the Executive Director accept the above Fire case(s) consent agreement(s). Mallory first. McNutt second. None opposed. Holcomb abstained. Motion approved.

2008-507-706	
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ACTION: Motion recommending that the Executive Director close(s) the above Fire case(s) and rescind the Notice of Opportunity for Hearing. Mallory first. McNutt second. None opposed. Holcomb abstained. Motion approved.

REPORT AND RECOMMENDATION

Mr. Burgess, on behalf of the Firefighter Safety Inspector Training Committee, said the committee will be deliberating on two Report and Recommendations (R & R) in the matter of Fire Case number 2008-375-706, Jeffrey A. Busby, Fire Certificate number 6900 and Fire Case number 2008-554-702, Justin T. Howland, Fire Certificate number 123011. Objections to the R & R were filed in the Howland case and Principal Assistant Attorney General Yvonne Tertel filed a response opposing his objections. Both of these documents were included in your Board packet. Also present is Executive Director Rich Rucker. Mr. Burgess recognized Principal Assistant Attorney General, Yvonne Tertel, for the purpose of providing a brief synopsis and a recommendation for disciplinary action.

Ms. Tertel said she made the presentation to the full EMS Board on both cases and the facts remain the same. Unless members request her to do so, she would not summarize again. She noted for the record that Mr. Howland's counsel, Mr. Lambert, was aware he could present to the Fire Board again and chose not to do so since he had presented earlier to the full EMS Board.

ACTION: Motion to go into private session for the purpose of quasi-judicial deliberations on these matters by roll call vote at 3:05 PM. Fischer first. Mallory second. None opposed. Motion approved.

Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	Here
Ms. Joyce Fischer	Here
Mr. James Holcomb	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. William Quinn, Jr.	Here
Mr. Mark Resanovich	

******* Board returned from private session at 3:08 PM *******

ACTION: In the matter of EMS Case Number 2008-554-702, Justin T. Howland, Fire Certificate number 123011, the Board accepts the findings of fact, the conclusions of law, and the recommendation issued by the hearing examiner to *permanently revoke* Mr. Howland's certificates to practice as a Level II Firefighter and Fire Safety Inspector for his conviction for *Unlawful Sexual Conduct with a Minor*, in violation of Section 2907.04(A) and (B)(1) of the Ohio Revised Code, a fourth-degree felony, in violation of Administrative Code 4765-23-02(A)(1)(a). Mallory first. Fischer second. None opposed. Holcomb abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2008-375-706, Jeffrey A. Busby, Fire Certificate number 6900, the Board accepts the findings of fact, the conclusions of law, and the recommendation issued by the hearing examiner to *revoke* Mr. Busby's certificates to practice as a Level II Firefighter, Fire Safety Inspector, and Fire Instructor for his conviction for *Theft*, in violation of Section 2913.02(A)(1) of the Ohio Revised Code, a first-degree misdemeanor, in violation of Administrative Code 4765-23-02(A)(1)(c). Mallory first. McNutt second. None opposed. Holcomb abstained. Motion approved.

OLD BUSINESS

No old business was brought forward.

NEW BUSINESS

When there is a dual card discipline issue, Mr. Quinn asked if the Fire Board members could hear it first as this might be beneficial to some EMS Board members to see the discipline local employers have taken. Mr. Mallory said fire Board members could speak up during the EMS discipline if they want a reduced discipline. Mr. Burgess said he always looks at it from both

sides and he does not think it matters which one is done first. Mr. Rucker said it is done this way for continuity. Mr. McNutt said he did not believe anyone would make a different decision for an EMS certificate versus a Firefighter certificate. Ms. Tertel said if there were issues that were factually dissimilar, you may wish to hear the cases in a different order. However, there were no distinctions for these two cases. Mr. Burgess said the doctors might look at things differently when the providers might not think it was as serious. Mr. Mallory pointed out that the majority of Board members are able to leave early, and only the eight fire board members have to remain to continue meeting.

ADJOURNMENT

ACTION: Motion to adjourn the Fire Board members portion of the meeting. Mallory first. McNutt second. None opposed. Motion approved.

The meeting adjourned at 3:15 PM.