

FINAL

**STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
JULY 18, 2007**

Chaired by David Fiffick for Carl Jordan

Board Meeting Date and Location: July 18th, 2007, Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio 43223

Board Members in Attendance: Dr. Thomas Collins, Mr. David Fiffick, Dr. Jonathan Groner, Mr. James Holcomb, Mr. John Kubincanek, Mr. Daryl McNutt, Mr. William Mallory, Ms. Charlene Mancuso, Mr. Mark Marchetta, Dr. John Pakiela, Mr. Mark Resanovich, Mr. Michael Senter, and Mr. William Vedra

Board Members Absent: Ms. Pamela Bradshaw, Mr. Mark Burgess, Mr. James Davis, Ms. Vickie Graymire, Mr. Carl Jordan, Mr. Mark Mankins, and Dr. Wendy Pomerantz

Staff Members Present: Richard Rucker, Dr. Carol Cunningham, Karen Unver, Melissa Vermillion, Ellen Owens, John Kennington, Alan Boster, Tim Erskine, Thomas Gwinn, Aleta Dodson, Bob Ruetenik, Sue Morris, John Sands, Tricia Greenwald-EMS Intern, Joe Stack, and Diane Walton

Guest and Public Attendance: Daniel R. Beil, Cuyahoga Community College, William Guzoslhi, Cuyahoga Valley Career Center and Laura Tiberi, American College of Emergency Physicians (ACEP).

Mr. Fiffick called the July 18, 2007 meeting to order at 10:12 a.m.

Roll Call

| | |
|----------------------|------|
| Mr. Carl Jordan | |
| Mr. Mark Resanovich | Here |
| Mr. Mark Marchetta | Here |
| Mr. Mark Burgess | |
| Mr. James Holcomb | Here |
| Mr. David Fiffick | Here |
| Ms. Charlene Mancuso | Here |
| Dr. Wendy Pomerantz | |
| Mr. Daryl McNutt | Here |
| Dr. Jonathan Groner | Here |

Ohio Department of Public Safety
State Board of Emergency Medical Services
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|---------------------|------|
| Dr. Thomas Collins | Here |
| Mr. James Davis | |
| Mr. John Kubincanek | Here |
| Mr. Mark Mankins | |
| Ms. Pamela Bradshaw | |
| Dr. John Pakiela | Here |
| Ms. Vickie Graymire | |
| Mr. Michael Senter | Here |
| Mr. William Vedra | Here |
| Mr. William Mallory | Here |

REVIEW AND APPROVAL OF THE JUNE 20th, 2007 EMS BOARD MINUTES

ACTION: Motion to approve the June 20th, 2007 EMS Board minutes with noted **typographical changes**. Senter first. Mallory second. None opposed. Motion approved.

NEW BUSINESS

Nothing brought forward.

ACTION: Motion to go into Executive Session for the purpose of discussing Consent Agreements, pending litigation, and Investigations by roll call vote at 10:16 a.m. Collins first. McNutt second. None opposed. Motion approved.

Roll Call

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

*******Board returned from Executive Session at 11:05 a.m.*******

ACTION: In the matter of Case Number 2007-222-308 the Board moves to renew the accreditation at the First Responder level. The Board further moves to issue a Notice of Opportunity for Hearing at the EMT-Basic level and authorizes the Assistant Attorney General to negotiate a Consent Agreement. Resanovich first. Collins second. None opposed. Fiffick and Holcomb abstained. Motion approved.

ACTION: In the matter of Case Number 2007-223-308 the Board moves to renew the accreditation at the First Responder, EMT-Intermediate, and EMT-Paramedic levels. The Board further moves to issue a Notice of Opportunity for Hearing at the EMT-Basic level and authorizes the Assistant Attorney General to negotiate a Consent Agreement. Resanovich first. McNutt second. None opposed. Fiffick and Holcomb abstained. Motion approved.

| | |
|--------------|--------------|
| 2004-231-101 | 2007-141-101 |
| 2006-209-602 | 2007-142-101 |
| 2006-440-101 | 2007-148-304 |
| 2006-500-101 | 2007-149-304 |
| 2007-13-102 | 2007-178-305 |
| 2007-102-301 | 2007-181-304 |
| 2007-123-101 | 2007-193-304 |
| 2007-129-305 | 2007-208-101 |

ACTION: Move to accept the consent agreements 2004-231-101 inclusive through 2007-208-101 listed above. Resanovich first. Groner second. None opposed. Fiffick and Holcomb abstained. Motion approved.

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|--------------|--------------|
| 2005-383-101 | 2007-97-502 |
| 2006-114-304 | 2007-153-101 |
| 2006-523-308 | 2007-153-101 |
| 2006-524-304 | 2007-156-303 |
| 2006-525-304 | 2007-163-101 |
| 2006-526-304 | 2007-164-102 |
| 2007-84-308 | |

ACTION: Move to close the cases listed above, 2005-383-101 inclusive through 2007-164-102. Resanovich first. Kubincanek second. None opposed. Fiffick and Holcomb abstained. Motion approved.

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|--------------|--------------|
| 2005-207-102 | 2006-215-102 |
| 2006-114-304 | |

ACTION: Move to close the cases and reopen if the individuals reapply, 2005-207-102 inclusive through 2006-215-102. Resanovich first. McNutt second. None opposed. Fiffick and Holcomb abstained. Motion approved.

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|-----------------------------|------------------------------|
| 2006-503-502 2007-46-601 | 2007-133-402 2007-183-101 |
|-----------------------------|------------------------------|

ACTION: The cases listed above were referred to local discipline, local medical director and/or local medical director’s training. Move to close the following cases inclusive of 2006-503-502 through 2007-183-101. Resanovich first. Senter second. None opposed. Fiffick and Holcomb abstained. Motion approved.

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|-------------|
| 2005-76-101 |
|-------------|

ACTION: The individual(s) listed above entered into Consent Agreements with the Board. They have not met all stipulations of the consent, however, their certification has expired and they have not renewed. Move to close the case and re-open if re-applies. Resanovich first. Vedra second. None opposed. Fiffick and Holcomb abstained. Motion approved.

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| 2006-362-304 |
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ACTION: The Board moves to rescind the Notice of Opportunity for Hearing for case number 2006-362-304. Resanovich first. McNutt second. None opposed. Fiffick and Holcomb abstained. Motion approved.

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|---|--|
| 2004-143-101 2004-157-101 2004-292-304 2004-297-304 2004-331-304 2004-332-304 2004-368-304 2005-58-101 2006-273-101 2006-403-102 | 2006-496-101 2007-34-101 2007-90-101 2007-120-101 2007-126-101 2007-145-201 2007-146-303 2007-147-101 2007-161-602 |
|---|--|

ACTION: The individual(s) listed above entered into Consent Agreements with the Board. They have now completed the stipulations of their Agreements. The Board moves to close cases 2004-143-101 inclusive through 2007-161-602 listed above. Resanovich first. Collins second. None opposed. Fiffick and Holcomb abstained. Motion approved.

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|--------------|--------------|
| 2006-536-304 | 2007-180-304 |
|--------------|--------------|

ACTION: The individuals listed above were audited and now meet the stipulations. The Board moves to close the following cases inclusive of 2006-536-304 and 2007-180-304. Resanovich first. McNutt second. None opposed. Fiffick and Holcomb abstained. Motion approved.

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|--------------|--------------|
| 2006-297-602 | 2007-124-101 |
| 2006-475-101 | 2007-150-304 |
| 2007-107-305 | 2007-157-602 |
| 2007-112-502 | 2007-174-101 |

ACTION: Move to issue Notices of Opportunity for Hearings for the following cases 2006-297-602 inclusive through 2007-174-101 listed above. Resanovich first. Collins second. None opposed. Fiffick and Holcomb abstained. Motion approved.

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|--------------|--------------|
| 2007-39-101 | 2007-204-101 |
| 2007-143-101 | 2007-207-101 |
| 2007-166-101 | 2007-210-305 |
| 2007-169-101 | 2007-212-101 |
| 2007-170-305 | 2007-214-101 |
| 2007-173-305 | 2007-221-305 |
| 2007-182-305 | 2007-230-305 |
| 2007-183-101 | 2007-231-305 |
| 2007-184-305 | 2007-233-101 |
| 2007-186-101 | 2007-236-305 |
| 2007-194-305 | 2007-240-101 |
| 2007-195-305 | 2007-253-101 |
| 2007-196-305 | 2007-254-305 |
| 2007-197-101 | 2007-255-305 |
| 2007-199-101 | 2007-256-101 |
| 2007-202-305 | |

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 inclusive of 2007-39-101 through 2007-256-101. Resanovich first. McNutt second. None opposed. Fiffick and Holcomb abstained. Motion approved.

CHAIR’S REPORT, David Fiffick for CARL JORDAN

Mr. Jordan is on vacation and no report was given.

STATE EMS MEDICAL DIRECTOR’S REPORT, DR. CAROL CUNNINGHAM

There was one application for RPAB Region IV, Dr. John Fath, and the recommendation is to approve.

ACTION: Motion to approve Dr. John Fath to RPAB Region IV. Marchetta first. Groner second. None opposed. Motion approved.

Dr. Cunningham reminded members if they had comments regarding the proposed draft of the National Education Standards, they needed to be turned in to her today.

ASSISTANT ATTORNEY GENERAL, KAREN UNVER

Ms. Unver gave an update on the Philip Anders appeal case. It was dismissed by the Portage County Court of Common Pleas July 9, 2007 for lack of jurisdiction. The case is now back to the agency level.

Ms. Unver announced she accepted a position with the Ohio State Medical Board. Until a replacement is assigned, she will continue representing EMS. She said it had been a pleasure and privilege working with our Board and it was a difficult decision for her to make. Director Rucker added there has been a lot of transition from the AAG's office for this Board, but none of them will be as hard to take as this one will be. He greatly appreciated Ms. Unver's enthusiasm for her work with the office and the Board. Mr. Fiffick seconded Director Rucker's sentiments and congratulated her on her new opportunity.

EMS STAFF LEGAL COUNSEL, HEATHER REED FRIENT

Ms. Reed Frient was on vacation and there was nothing to report.

EMS LEGISLATIVE LIASON ASSISTANT, EMERALD HERNÁNDEZ

Ms. Hernández was in another meeting and there was no report. Mr. Fiffick asked if she planned on sending out a legislative update to the Board. Director Rucker indicated he has spoken with her regarding this, but was unsure of why it had not yet been sent.

EXECUTIVE DIRECTOR'S REPORT, RICHARD RUCKER

The Trauma Triage Committee is in the process of reviewing the Power Point presentation for CE Materials to ensure no changes are needed. Once that is complete, Vickie Graymire will spruce it up by adding pictures, then Ellen Owens and John Sands will prepare it for posting on the EMS website. Director Rucker indicated they are experiencing difficulties having the program work correctly on the website, similar to the CHEMPACK project. He asked John Sands to come forward and elaborate. Mr. Sands said the program on CD is very professional and works fine. However, they are experiencing difficulties getting it to translate and function on the website. Mr. Sands indicated Power Point will only allow you to imbed "wave" files. The files used were "mpe" and Windows audio media. He said Video Services is in the process of converting all the sound and video files to the "wave" format. He expected that process would be complete today. The next step would be for the contractor to re-imbed the reformatted files into the Power Point presentation. Mr. Sands was unsure if the size of the file will affect the speed of the Power Point program. Director Rucker said he hoped the lessons being learned here will help get the Trauma Triage program up and running a lot quicker. It is anticipated this training will be posted before the end of this summer.

Mr. Rucker said the Trauma Committee requested a two-day retreat for the purpose of designing a model trauma system for the future. With the budget, it would have been difficult for them to do that. However, the Ohio Hospital Association along with other stakeholders have come forward and offered to provide the necessary funding. Director

Rucker consulted with legal counsel Heather Reed Frient to see if this was permissible. Ms. Reed Frient conducted research into the issue for possible conflicts of interest or ethical violations and then spoke with the chief legal staff at the Governor's Office. The governor's chief legal and Director Guzmán approved the retreat to take place. The meals at the retreat would not be a problem as the Trauma Committee is not a state board or comprised of state employees. Any state employee involved in the retreat would have to pay for meals themselves.

STAFF REPORTS

- **Certificate of Approvals, Ellen Owens**

Initial Approvals

| | Name | Personnel | County |
|----|-----------------------|--|---------------|
| 1. | Felicity-Franklin EMS | Doris A. Whitaker, Program Coordinator Joseph Renusch, M.D., Medical Director | Clermont |
| | Total: 1 | | |

ACTION: Motion to approve the above listed sites without contingencies. Holcomb first. Kubincanek second. None opposed. Motion approved.

Renewals

| | Approval # | Exp Date | Name | County |
|-----|-------------------|-----------------|------------------------------------|---------------|
| 1. | 1022 | 04-30-2007 | Central Ohio Joint Fire District | Knox |
| 2. | 1136 | 05-31-2007 | Hocking County EMS | Hocking |
| 3. | 2191 | 04-22-2007 | Junction City Volunteer Fire Dept. | Perry |
| 4. | 1033 | 04-30-2007 | Macedonia Fire Dept. | Summit |
| 5. | 1120 | 05-31-2007 | Mansfield Fire Dept. | Richland |
| 6. | 1133 | 05-31-2007 | Millersport Fire Dept. | Fairfield |
| 7. | 2200 | 08-18-2007 | Springfield Township Fire Dept. | Lucas |
| 8. | 1161 | 07-31-2007 | Deer Park Silverton Joint Dist. | Hamilton |
| 9. | 1154 | 07-31-2007 | Arcanum Community Rescue | Darke |
| 10. | 1006 | 04-30-2007 | Premier Health Care Services | Montgomery |
| | Total: 10 | | | |

ACTION: Motion to approve the above listed sites without contingencies. Senter first. Collins second. None opposed. Abstained: Pakiela (#4 Macedonia Fire Dept.). Motion approved.

Expired or Relinquished Programs: There were no EMS CE Training Programs which expired in June, 2007.

ACTION: Motion to approve the request for exemption regarding continuing education for one individual serving on active military duty. Pakiela first. Collins second. None opposed. Motion approved.

ACTION: Motion to ratify the 1,713 active EMS Certifications issued for the period of June 1, 2007 through June 30, 2007. Kubincanek first. Senter second. None opposed. Motion approved.

MEDICAL OVERSIGHT COMMITTEE

Mr. Fiffick said Mr. Marchetta developed guidelines and protocol for the C-PAP per the Board recommendation at the last meeting. These were approved by the Medical Oversight Committee during their meeting yesterday. Mr. Marchetta passed out a handout to the Board for review and there were no questions. Mr. Fiffick complimented Mr. Marchetta on a job well done.

ACTION: Motion to approve the CPAP guidelines as written. Kubincanek first. Mancuso second. None opposed. Motion approved.

RULES COMMITTEE

In Mr. Vedra's absence, Melissa Vermillion reported that the Rules committee met yesterday and went over the accreditation rules, which were passed out to the Board members for review. This information would be voted on at the next Board meeting in August.

EDUCATION COMMITTEE

Mr. Holcomb said the committee met yesterday regarding the continuing education requirements and worked up a draft, which they plan to present to the Board at the August meeting. The hope is that in September it will go to the Rules Committee and be voted on by the Board. Mr. Rucker commented that the survey sent to other states showed only 2 or 3 states out of the 24 responding didn't offer online CE. Only 2 or 3 three states were offering continuing education out of the EMS office, like we are planning to do for triage, but some indicated they were working on the process. It appears we are on target.

OLD BUSINESS

No old business was brought forward.

The question was brought forward on how the newly passed CPAP protocol for EMT Basics and EMT-Intermediates would be announced to the EMS community. After discussion, suggestions included posting it on the EMS website, publishing in The Siren newsletter, and having the Board members share the amendment of the scope of practice with their professional affiliations. Mr. Tim Erskine will e-mail the information to the affiliated agencies on file, which total approximately 800.

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Dr. Cunningham suggested distributing the revised adult guidelines that reflect the amended scope of practice along with the CPAP algorithm. In addition, RPAB members should be notified since the medical directors may wish to include the expanded scope of practice for CPAP use within their local protocol.

OPEN FORUM

Mr. Tim Erskine introduced Ms. Tricia Greenwald, the Emergency Medical Services (EMS) summer intern. She is assisting validation of the geriatric trauma data. Ms. Greenwald is studying for a Masters in Epidemiology.

Mr. Rucker thanked the Board members for attending and ensuring there was a quorum.

ADJOURNMENT

ACTION: Motion to adjourn. Groner first. Pakiela second. None opposed. Motion approved.

The meeting adjourned at 11:40 a.m.