

FINAL

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

Chaired by Mark Burgess

Board Meeting Date and Location: July 16, 2008

Board Members in Attendance: Mr. Mark Burgess, Dr. Thomas Collins, Mr. James Davis, Mr. David Fiffick, Ms. Vickie Graymire, Dr. Jonathan Groner, Mr. James Holcomb, Mr. Daryl McNutt, Mr. Mark Mankins, Dr. John Pakiela, Dr. Wendy Pomerantz, Mr. Mark Resanovich, Mr. William Vedra

Board Members Absent: Ms. Pamela Bradshaw, Mr. Carl Jordan, Mr. John Kubincanek, Mr. William Mallory, Mr. Mark Marchetta, Mr. Michael Senter

Staff Members Present: Alan Boster, Dr. Carol Cunningham, Aleta Dodson, Tim Erskine, Heather Frient, Thomas Gwinn, John Kennington, Lorrie Laing, Carol MacDowell, Thomas Macklin, Chuck Milam, Linda Mirarchi, Sue Morris, Doug Orahood, Ellen Owens, Richard Rucker, Bob Ruetenik, John Sands, Joe Stack, Yvonne Tertel, Melissa Vermillion, and Diane Walton

Guest and Public Attendance: None

Mr. Burgess called the July 16, 2008 meeting to order at 10:03AM.

Roll Call

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

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

OPEN FORUM

Mr. Burgess called to order the public hearing. Let the record show that the meeting was held at the Ohio Department of Public Safety, Room 134, 1970 W. Broad Street, Columbus, Ohio, at 10:05 AM. Mr. Burgess asked for a roll call for the Board members present during these proceedings.

Roll Call

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

A public hearing was held to receive comments and testimony regarding proposed rule changes on curriculum and amendment of Ohio Administrative Code (OAC) amending 4765-15-01 (EMT Basic Curriculum) and 4765-17-01 (EMT Paramedic Curriculum), and rescission of OAC 4765-15-02 (EMT Basic bridge course requirements). This public hearing is being held pursuant to and in conformity with Chapter 119 of the Ohio Revised Code (ORC).

*******Vickie Graymire arrived at 10:08 AM *******

The hearing concluded at 10:12 AM. A court reporter was present and full transcripts are available upon request.

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ACTION: Motion to accept the rules as written for final filing with the Joint Committee on Agency Rule Review (JCARR). Pakiela first. Pomerantz second. None opposed. Motion passed.

REVIEW AND APPROVAL OF THE JUNE 18, 2008 EMS BOARD MINUTES

ACTION: Motion to approve the June 18, 2008 EMS Board minutes. Pomerantz first. Collins second. None opposed. Motion approved.

STAFF REPORTS

Chair's Report, Mark Burgess

There was nothing to report.

State Medical Director, Dr. Cunningham

Dr. Cunningham gave an update on the state of Ohio adult and pediatric guidelines. The only issues to address are where scope of practice has been expanded. At this time she did not add intranasal naloxone to the pediatric protocol as neither she nor Dr. Pomerantz could find literature on its use in the pediatric or newborn population. Until there is more evidence-based research on this, she prefers not to include it at this time.

ACTION: Motion to approve posting the revised state of Ohio EMS adult and pediatric guidelines to the EMS website. Pomerantz first. Pakiela second. None opposed. Motion approved.

Dr. Cunningham distributed a copy of a Regional Physicians Advisory Board (RPAB) application from Dr. Jason Pickett for Region II. She recommended him for appointment.

ACTION: Motion to approve one RPAB Region II membership appointment: Dr. Jason Pickett. Pomerantz first. McNutt second. None opposed. None abstained.

*******Dr. Groner arrived at 10:14 AM *******

Dr. Cunningham distributed a letter from an ethics commission for the Greater Dayton Area Hospital Association (GDAHA) regarding using the Simple Triage And Rapid Treatment (START) triage system in a pandemic flu event. This issue was brought to the Board in August 2007 and the Board reconfirmed their desire to use START triage. The Ohio Department of Health (ODH) and the Tiers of Care committee have proceeded with creation of a tiered system based on the START triage. Dr. Cunningham informed the group from GDAHA that she would present their letter and issues to the Board. She pointed out that there are several issues greater than what is in the letter. First of all, we train with START triage and estimated it would take at least \$50,000 in equipment in order to provide EMS providers with new triage tags, but there is no funding for that. Mr. Burgess said the Homeland Security (HLS) committee report would address this issue and expand on it further. He suggested waiting until the HLS report to discuss the altered state standard of care and tie them together.

Dr. Cunningham attended the National Association of State EMS Officials (NASEMSO) mid-annual meeting where an update on the educational standards was presented. The committee is creating an instructor toolkit but will not circulate for comment so as not to delay releasing the standards in 2009. They are surveying all states and asked Dr. Cunningham to do a report based on feedback received at the June 2008 Board meeting, which she has submitted. She reported several states have similar or more challenging issues than Ohio. There was also discussion about radio communication systems affected by the upcoming FCC changes in February 2009. Unfortunately the presentation was abbreviated and she has requested that information once it is made available.

The National Institutes of Health (NIH) has a large amount of grant funding they plan to distribute directly to state offices for the purpose of conducting emergency medicine research. It was not specific to EMS, but it was to emergency medicine. They requested a position paper be drafted highlighting several topics that need top priority. Dr. Cunningham asked if anyone has topics they feel need to be covered, please give them to her by the end of the week. Topics she submitted include geriatric triage, recruitment and retention (not only for EMS providers but for emergency care workers), research on utility of public education programs for potential stroke victims, and intranasal routes of administration for pediatrics.

Dr. Cunningham met with Melanie Arum of the American Heart Association (AHA). The AHA is launching a project called "Mission Lifeline" that is looking at ST segment elevation myocardial infarction (STEMI) systems and making sure the STEMI patient transport is expedited to a percutaneous coronary intervention (PCI) capable hospital. A significant portion of this project will be a public awareness program. They want to make sure that every prehospital agency has 12-lead capabilities. This program could be useful in administering extra grant money to Ohio agencies in addition to those distributed by the Division of Emergency Medical Services (EMS). Ms. Arum is going to be working with the Division of EMS, Barbara Pryor (Ohio Department of Health) and Cresha Auck (AHA). Dr. Cunningham asked to be kept in the loop once they assessed the resources and the PCI capability levels of the hospitals. She believes this information would be very useful to EMS agencies to assist them in deciding where to transport patients.

GOLDMAN PROCEEDINGS

The Goldman Proceedings were called to order at 10:25 AM.

Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	Here
Ms. Pamela Bradshaw	
Dr. Thomas Collins	Here
Mr. David Fiffick	Here
Ms. Vickie Graymire	Here
Dr. Jonathan Groner	Here
Mr. James Holcomb	Here

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Mr. Carl Jordan
Mr. John Kubincanek
Mr. Daryl McNutt Here
Mr. William Mallory
Mr. Mark Mankins Here
Mr. Mark Marchetta
Dr. John Pakiela Here
Dr. Wendy Pomerantz Here
Mr. Mark Resanovich Here
Mr. Michael Senter
Mr. William Vedra Here

A majority of the Board members were present. Two adjudication proceedings were held in the matters of EMS Case Number 2007-359-305, Daniel D. Garvey, EMS Certification Number 28441, Renewal Application and EMS Case Number 2007-382-305, Jeff A. Nichols, EMS Certification Number 99663, Renewal Application.

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 the disciplinary action recommended from case review.

Ms. Tertel said staff is trying to be very intentional about the cases selected and presented before you. They are trying to present like cases together in order to shorten the deliberation process. The two cases before the Board are essentially the same. Both involve renewal applications, both had convictions, neither provided required documents and have failed to respond to the Division's attempt to contact them. They have both violated Ohio Administrative Code 4765-10-03(B)(1) to wit 4765-8-02(E). Through case review, the recommendation is to deny application for certification for both individuals.

ACTION: Motion to admit the sworn affidavits and the accompanying exhibits in the aforementioned cases 2007-359-305 and 2007-382-305 into evidence. Pomerantz first. Mr. Vedra second. None opposed. Motion approved.

There being no further evidence to come before the Board, the Goldman Proceeding was closed at 10:30 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 respondents.

ACTION: Motion to go into private session for the purpose of quasi-judicial deliberations on these matters by roll call vote at 10:31 AM. Dr. Pomerantz first. Vedra second. None opposed. Motion approved.

Roll Call

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

*******Board returned from private session at 10:34 AM *******

ACTION: In the matter of EMS Case Number 2007-359-305, Daniel D. Garvey, EMS Certification Number 28441, the Board finds that Mr. Garvey failed to submit documentation of his criminal conviction as required pursuant to Ohio Administrative Code (OAC) 4765-8(02)(e), therefore the Board moves to deny Mr. Garvey's renewal application for certification as an EMT. Pomerantz first. Collins second. None opposed. Fiffick, Holcomb abstained. Motion approved.

ACTION: In the matter of EMS Case Number 2007-382-305, Jeff A. Nichols, EMS Certification Number 99663, the Board finds that Mr. Nichols failed to submit documentation of his criminal conviction as required pursuant to Ohio Administrative Code (OAC) 4765-8(02)(e), therefore the Board moves to deny Mr. Nichol's renewal application for certification as an EMT. Pomerantz first. Collins second. None opposed. Fiffick, Holcomb abstained. Motion approved.

STAFF REPORTS

Principal Assistant Attorney General, Yvonne Tertel

Hearings are being scheduled for September and October. Ms. Tertel expects all cases to be completed prior to the end of this year, which is truly amazing when one takes into consideration that case statistical numbers have risen greatly.

EMS Staff Legal Counsel, Heather Frient

Ms. Frient said the upcoming Rules Committee report will indicate a number of rules to be voted upon at the September and October Board meetings with public hearings.

Ms. Frient and another attorney are chairing a task force to look at each Division's rules and policies in light of the Governor's Executive Order on common business practices. There will be a designee from each Division and Melissa Vermillion will be a member of the task force. Ms. Frient said there may be some changes as a result of this task force trying to simplify rules. One of the issues that might come before the Board and generate a lot of discussion is giving first time offenders a warning letter or lesser sanction rather than taking disciplinary action. Of course, if the case involves public safety, they would be disciplined.

EMS Legislative Liaison, John Lang/Tonia Fitros

There were no changes in proposed legislation to report.

Executive Director's Report, Richard Rucker

As the Board is aware, House Bill (HB) 401 (fire training bill) has added additional responsibilities to the Board, the staff and the Fire Training Committee. The Fire Training Committee worked very hard under Mr. Orahood's direction to complete the rules ahead of schedule. A fire discipline process was developed and a separate case review team for firefighters was formed. After starting the process, it is evident that this is causing a burden on the Investigations staff, duplicating the work between EMS and fire cases. Mr. Rucker believes it is not the best use of staff time, especially since Investigations is currently experiencing a 77% increase in case investigations compared to last year. There are eight Board members who are fire organization appointees and make up the Fire Training committee or their designee. Seven of the eight have appointed designees, and Mark Mankins sits on the committee. The eight Board members can recommend and provide counsel to the Executive Director on fire discipline issues for the following reasons:

1. This will ensure consistency between disciplinary sanctions issued to both EMTs and firefighters.
2. The Fire Board Members are familiar with the disciplinary process including the administrative hearing process, deliberations, and Goldman Proceedings. This will expedite the process and reduce staff time by half.
3. After the normal executive session for EMS discipline issues ends, the Fire Board members would continue executive session to discuss fire disciplinary matters. The

- committee would give a formal recommendation on the cases to the Executive Director. In most cases, this would only extend the session 10 to 15 minutes.
4. This process would allow for a joint consent agreement that would be adopted on the same date (EMS Board day), which will be much less confusing to the individual. The same would be true of any Notice of Opportunity for Hearing that needs issued.
 5. Cases for individuals holding both fire and EMS certificates could be handled at one Case Review Team Meeting (CRTM) on the same date. This would alleviate the time element that is currently at issue for staff.
 6. Case review for fire cases would be held on the same date as the EMS case review, eliminating duplicating the process and staff's time.
 7. Jim Holcomb and any other board member (as appointed by the Executive Director) would serve as the Fire Case Review.

Mr. Rucker believes this process will be a lot smoother, consistent, save a lot of staff time, and alleviate duplication of effort. This process will also save time for the EMS/Fire provider and alleviate confusion. Mr. Rucker opened this up for Board discussion. Mr. Burgess said one of the issues he thinks will be of benefit to the Fire Committee is they can devote their time for training issues and not consume time at their monthly meetings on disciplinary actions. This would benefit the fire service as a whole to let them focus their expertise for training issues. Mr. Burgess said he has been concerned from the start about consistency between the EMS and fire discipline. Performance of deliberations by the same people will lend credibility to the process and eliminate the confusion and timing of duplicate disciplines: one month fire, one month EMS. Mr. Mankins agreed completely with this suggestion.

Mr. Rucker requested the eight Board members who are Fire-appointed to contact their designees and explain the process so it is not a new thing to them when they attend the next meeting.

ACTION: Motion to accept the Executive Director's recommendation for the above proposed fire disciplinary process. Pomerantz first. Mr. Davis second. None opposed. Motion approved.

Mr. Rucker asked Board members if they had any topics or items they wanted presented at the upcoming August town meeting in addition to what is on the agenda. Mr. Burgess asked that the revised fire discipline process be included.

Mr. Rucker said last month the Board requested information on the origin of the Red Cross position paper. Ms. Dodson researched and found the position paper document was created by China Dodley in April 2005. In the January 2005 retreat minutes, Dr. Cunningham commented on the NAEMSP conference and new research initiative on CPR. Also enclosed is a copy of a press release issued by EMS on March 24, 2005, "Ohio EMS Recognizes American Red Cross for Emergency Preparedness Efforts". Mr. Rucker said he believes the Board requested this position paper be created during the retreat. Dr. Cunningham said she thought it arose from the fact that EMS and the emergency community were trained in CPR, yet there were a lot of people in the public who were not. The American Heart Association (AHA) trains a lot of children on

CPR, and their program is designed to encourage the children to take the materials home and train their parents. The Board felt at that time, as a public safety institution, we should encourage employees within our building to know how to do CPR. Mr. Davis said the media release should be generic enough to outline what Dr. Collins is talking about supporting: bystander CPR and AED use. He does not want to create a perception that the Board is endorsing one not-for-profit training program over another, but that we are endorsing the procedure and training. Dr. Cunningham will handle the revision.

ACTION: Motion to revise the Red Cross position paper. Davis first. Collins second. None opposed. Motion approved.

Mr. Rucker gave a Power Point presentation on EMS cultural diversity issues in emergency settings including language barriers and cultures not understanding the role of emergency responders. The Department of Public Safety is working with the Columbus Fire Department to develop an educational course to aid EMTs and firefighters around the state with language barriers. In response, the Board has added language items to the grants eligibility list.

Education, Lorrie Laing

Initial Certificates of Approval(s)

	Name	Personnel	Contingencies	County
1.	Canal Fulton Fire Department	Program Director – Chief Ray Green Medical Director - Dr. Francis R. Mencl	None	Stark
2.	Lima Fire Department	Program Director – Mark Rudasill Medical Director – Dr. Todd Bell	None	Allen
	Total: 2			

ACTION: Motion to approve the above listed initial certificate(s) of approval(s) without contingencies. Pomerantz first. Collins second. None opposed. Motion approved.

Certificate of Approval Renewal(s)

	Approval #	Exp Date	Name	Contingencies	County
1.	1241	5-31-2008	Plymouth Volunteer Fire Dept.	None	Huron
2.	2103	7-31-2008	West Carrollton Division of Fire	None	Montgomery
3.	1221	5-31-2008	Phillipsburg Fire Department	None	Montgomery
4.	1237	7-31-2008	Beavercreek Township Fire Depart.	None	Greene
5.	1223	5-31-2008	Monclova Township Fire & Rescue	None	Lucas
6.	2104	8-31-2008	Mercy Hospital Clermont	None	Clermont
7.	1201	3-31-2008	Swanton Rescue Training Program	None	Fulton
8.	2237	8-31-2008	Tri Division Ambulance	None	Stark
9.	1225	5-31-2008	Selby General Hospital EMS	None	Washington
10.	2086	5-31-2008	Copley Fire Dept.	None	Summit
Total:	10				

ACTION: Motion to approve the above listed certificate of approval renewal(s) with no contingencies. Pomerantz first. Holcomb second. None opposed. Motion approved.

Ms. Laing said there were no reinstatements. She stated for the record that there were two expired and/or relinquished programs this month: Evendale Fire Department, #1174, expired, and no renewal application received, and Wheeling-Pittsburgh Steel Corporation, EMT Continuing Education #2233 expired, no renewal application received.

2008 Statistics: New Programs – 14 # Certificate of Approvals due to renew in 2008: 157
Renewals – 81 # Certificate of Approvals left to renew in 2008: 82
Reinstatements – 0
Inactivated - 5

Accreditation Renewals

Accred #	Exp Date	Name	County	Level(s)	Contingencies	
1.	301	5/31/2008	Akron General Medical Center, Paramedic Education	Summit	EMT-B, EMT-P	None
2.	344	6/15/2005	Owens Community College	Lucas	EMT-I	None
3.	381	5/31/2008	James Rhodes State College	Allen	EMT-I, EMT-P	None
4.	102	5/31/2008	Apollo Career Center	Allen	FR, EMT-B	None

ACTION: Motion to approve the above listed accreditation renewal(s) with contingencies. Pomerantz first. Collins second. None opposed. Pakiela Abstained, #1. Motion approved.

Ms. Laing reported that there were no initial accreditation, reinstatement or off-site training requests.

2008 Statistics: Total Accredited Institutions - 99 Certificates of Accreditation Renewed To Date-20
Certificates Expiring in 2008: 33 Initial Certificates of Accreditation – 6
Certificates of Accreditation Reinstated – 1
Certificates of Accreditation Inactivated - 1

Certifications, John Kennington

ACTION: Motion to approve the request for extensions that were processed for the period June 1, 2008 through June 30, 2008. Pomerantz first. Collins second. None opposed. Motion approved.

ACTION: Motion to approve four (4) requests for exemption regarding continuing education for individuals serving on active military duty during the certification period. Davis first. Collins second. None opposed. Motion approved.

ACTION: Motion to ratify the 1,617 active EMT Certifications issued for the period of June 1, 2008 through June 30, 2008. Collins first. Pomerantz second. None opposed. Motion approved.

Mr. Kennington brought up a reinstatement issue which was briefly discussed and Ms. Tertel said the issue should be tabled and brought up at the next Case Review meeting.

Investigations, Melissa Vermillion

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 11:10 AM. Pomerantz first. Vedra second. None opposed. Motion approved.

Roll Call

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

*******Board returned from Executive Session at 11:25 AM *******

2007-458-101	2008-265-304
2008-55-304	2008-266-101
2008-169-101	2008-319-304
2008-202-101	2008-320-304
2008-208-102	2008-321-101
2008-209-101	

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

2004-383-304 2005-212-304	2005-486-304 2008-326-102
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ACTION: Motion to close the above listed cases and reopen if subject(s) reapply. Pomerantz first. Groner second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2007-426-102	2008-59-305
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ACTION: Motion to close the above listed case(s) and rescind the previously issued Notice(s) of Opportunity. Pomerantz first. Groner second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-25-101 2008-113-307	2008-236-502 2008-272-501
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ACTION: Motion to close the above listed cases. Pomerantz first. Groner second. None opposed. Fiffick, Holcomb abstained. None opposed. Motion approved.

2008-251-401

ACTION: Motion to close the above listed case(s) and refer to local medical department(s). Pomerantz first. Groner second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2004-200-101 2004-231-101 2004-235-102 2004-295-101 2004-343-403 2005-5-304 2005-234-304	2005-471-304 2005-494-304 2006-76-304 2006-154-602 2007-192-101 2008-72-403	2008-97-305 2008-122-403 2008-157-101 2008-160-101 2008-161-101 2008-252-305
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ACTION: Motion to close the above listed case(s). The individuals have met the stipulations in their Consent Agreement. Pomerantz first. Groner second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2006-117-101 2008-6-304 2008-17-102 2008-192-304	2008-212-101 2008-248-304 2008-253-305
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ACTION: Motion to issue Notice(s) of Opportunity for Hearings for the above listed cases. Pomerantz first. Groner second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2005-509-302	2008-340-305	2008-370-101	2008-396-101
2007-444-102	2008-341-305	2008-380-305	2008-406-305
2008-299-302	2008-357-101	2008-381-305	2008-407-101
2008-301-101	2008-361-305	2008-383-305	2008-409-101
2008-328-101	2008-366-304	2008-395-305	2008-414-101

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. Groner second. None opposed. Fiffick, Holcomb abstained. Motion approved.

*******Lunch 11:35 AM – 12:05 PM*******

COMMITTEE REPORTS

Data, Tim Erskine

There was nothing to report.

Education Committee, James Holcomb

The Education Committee reviewed and finalized the online training Rules and forwarded to the Rules Committee. The First Responder (Chapter 12) rules were presented by the workgroup. The committee reviewed and finalized the draft. This will be posted on the EMS website for comments and presented to the Rules Committee in August. The current Chapter 18 instructor rules were reviewed and discussed. They are on hold until the new instructor rules are prepared. Linda Mirarchi gave the committee an update on the Board of Regents project for college credit.

The concept of the new instructor rules was discussed. The Board is reminded that these are only the concepts and that the actual wording or writing of the rules will not take place until the concepts are finalized. The goal is to have this completed for the August Board meeting. The committee would like to file the entire Chapter 18 rules as a complete package.

Mark Mankins presented the concepts of the new Chapter 18 instructor rules. He discussed the special topics instructor (STI) issues: gaining new instructors, added time for new learning, added reinstatement process. Qualifications for the assistant instructor changed have changed. They can teach anywhere, but their primary focus will be in the accredited program teaching new materials. They will need to meet the same prerequisites for an instructor and will have to do a mentorship program by completing ten hours of student teaching with an instructor. Dr. Pomerantz asked why physician instructors were separate. Mr. Mankins said they don’t need to do the training. If the Board is in agreement with these concepts, the committee will then put together the transition course, present that to Rules Committee, and present the finalized version to the Board in August. Mr. Holcomb said this is on a fast track in order to meet the rule filing deadline. If the Board members have any comments or issues, please contact Mark Mankins or Lorrie Laing.

EMSC Committee, Dr. Wendy Pomerantz

The EMSC Committee has approved the American Academy of Pediatrics (AAP) / American College of Emergency Physicians (ACEP) Guidelines for Care of Children in the Emergency Department as a template for a categorization of the Ohio hospital. Joe Stack is meeting with the Ohio Hospital Association (OHA) within the next month to start work on the voluntary categorization.

The EMSC Committee will hold a strategic planning meeting at its September 16th meeting to address results of the recent surveys of EMS agencies and hospitals. The meeting will include representatives of the EMSC National Resource Center and will be held at the Washington Township Fire Department (Dublin).

Joe Stack presented the results of the EMSC 2008 Hospital Survey on pediatric interfacility transport. The performance measures are requirements of Health Resources and Services Administration (HRSA) for all their grantees. Sixty hospitals participated in the survey, and children's hospitals were excluded because the focus of the survey was to see how other hospitals deal with pediatric issues. An 85% response rate was achieved, and he thanked Katie Toole for her efforts in follow-up calls to hospitals. The next time they have to collect data will be in 2011 and will need a 90% participation rate. A workgroup on emergency department categorization was formed and approved a set of criteria for emergency room categorization system for pediatrics. The Committee is looking to offer assistance through the state's pediatric hospitals to help in writing agreements and guidelines and obtaining training for staff when needed. The information contained in this presentation will be put on the EMSC website and be provided to the contributors of the survey and all hospitals in the state. They are working with the Ohio chapter of the National EMS for Children Data Analysis Resource Center (NEDARC) is trying to draft sample guidelines for their website.

Firefighter and FSI Committee, Phil McLean (Doug Orahood)

Mr. Orahood gave an overview on the new online continuing education (CE) tracking system. It is a voluntary system that an individual firefighter, a fire department or school can use to track continuing education hours. This is a good tool for individuals to self-audit their CE hours. Individuals still have to submit their CE training documentation for submission to the Division upon renewal.

Mr. Orahood is assisting the State Fire Marshal and educators on creating regional fire training around the state. One of the goals of the State Fire Marshal is to improve training so everyone goes home safe.

The Fire Training Committee continues to work on curriculum and training issues and have put together a volunteer course workgroup. They are trying to put this on a fast track, along with the updating of the Firefighter I & II objectives. Mr. Orahood hopes to present these to the committee in August as part of the Credit Transfer Program (CTP). The committee has been approached regarding issuing certification levels for fire plan inspector, arson investigator, fire investigators, company officer, fire hazard recognition specialist, and fire officers.

Mr. Orahod is working on the online charter application and an audit process that can automatically tally hours.

Grants Committee, Carl Jordan

There was no report given.

Homeland Security Committee, Mark Resanovich

Mr. Resanovich reported that the CHEMPACK meetings have been completed. There were a total of ten presentations completed, one in each of the eight Homeland Security (HLS) regions. He thanked Tom Macklin and Elizabeth Kitchen for traveling across the state and putting on the presentations. The PowerPoint presentation is being fine tuned and Dr. Collins will meet with subcommittee members to review the CHEMPACK plan using feedback received from the presentation attendees. The contract deliverables for that piece of the ODH grant has been met. The All Hazards Response Group is finalizing the deliverable guidelines for the ODH HLS contract.

Dr. Cunningham brought up the altered standard of care issue and the letter from the Greater Dayton Area Hospital Association (GDAHA) regarding the Simple Triage And Rapid Treatment (START) triage system. The Board needs to address the issue of altered standard of care for our EMS providers. Mr. Resanovich agrees with part of the GDAHA letter that START triage will not work in a pandemic event, but will work in an MCI and other types of events. The Board must put their arms around the whole issue of an altered standard of care in any type of event that could occur in Ohio. Dr. Cunningham asked how the Board wanted her to proceed with the letter to GDAHA. The consensus was for her to have the GDAHA group make a presentation to the All Hazards committee on August 19th. Mr. Burgess said this issue should remain assigned to the HLS committee. START triage is appropriate for mass casualty, but it may not work for other things like biological agents and pandemics, and he doesn't believe it was intended to. Dr. Cunningham said ODH needs to be informed if the Board is changing gears on this.

Mr. Resanovich said the Board needs to create a guideline policy for appropriate action EMS providers need to take in disaster situations. A lengthy discussion was held regarding disasters, when providers comply with HLS All Hazards response, and potential violation of scope of practice rules and transportation requirements in order to provide medical treatment. In the past, the Board agreed not to take action against the person's certificate to practice based on the fact there was no other alternative but to transport. Mr. Davis said whether it's a 20" snowfall or a mass casualty accident in rural Ohio, these events are happening now where issues come up requiring alternative methods of transportation, maybe with only one paramedic on board.

Mr. Resanovich said counties are regulated through the Emergency Management Association (EMA) to have mass casualty plans and, within those plans, list using mass transit to transport the non-critically injured patients to hospitals and areas away from the scene. Mr. Davis felt these plans violate scope of practice and transportation requirements and said they have nothing to do with pandemic flu. Dr. Collins said he hears two issues, one addressing the standard of care and the other is understanding what's going on at the federal level.

Mr. Rucker reminded the Board that it has emphatically opposed prior bills that were introduced regarding reduced staffing. He said the Board cannot now make the distinction between a pandemic flu scenario (which could require altered standards of care and staffing) and day-to-day operations in rural Ohio where they cannot get tow paramedics to go on a run. Both situations put the provider in the same boat.

Mr. Resanovich said the Board needs to address the issue, whether it's changing rules or legislation in order to comply with a HLS All Hazards response. Some of the proposals discussed were:

- Change rules/legislation
- Apply for grant funding to tackle this project
- Utilize incident command every day to be better prepared for when the big event occurs
- List things that can be done during certain events as opposed to weakening or changing current rules
- Place this in the EMS Emergency Operating Plan (EOP)
- Have Governor issue an Executive Order covering disasters

Ms. Frient said she was on a workgroup several years ago regarding scope of practice solely in relation to a pandemic event. One suggestion was for the Governor to issue an executive order to allow Board's to relax their rules, but there was a question whether that would withstand constitutional scrutiny. She will look in reviving this project again.

Mr. Resanovich said the HLS Committee would like to be assigned this issue and look at what needs to be done to comply with rules and laws to help providers function legally in such an event. Mr. Burgess said the Board has discussed how to operate during disasters or mass casualty events for years. It is not a new topic, it just keeps resurfacing. The Board needs to address it because until action is taken, the Board will still be talking about it two years from now. The Board should be leading the charge because our people are going to be the first ones out there making those decisions and the Board needs to protect them. The Board should proceed and the HLS committee should take charge as it ties in with the agencies who sit on the committee.

****** Mr. Vedra left at 1:05 PM******

Mr. Resanovich said he will continue to chair the Tactical EMS Committee (TEMS). During the TEMS meeting, Ms. Frient presented information regarding legislation and things to consider in order to achieve the committee's goals.

Medical Oversight Committee, Dr. John Pakiela

The committee reviewed the Regional Physicians Advisory Board (RPAB) and rules for a declared emergency and gave some minor input into them. A copy of the draft 2.0 rapid sequence intubation (RSI) position paper was included in your packet. This is not an attempt to eliminate the practice of RSI in the state of Ohio. It is an attempt to make sure those who perform RSI do it in a safe manner that is respectful of our patients and safe for their care. Dr.

Pakiela asked for comments from members and hopes to have the final document at the September Board meeting for a vote. This is a position paper. Therefore, it does not change the scope of practice nor is it legislated. It serves as a standard. If the guidelines are not adhered to and there is an adverse outcome, it can weigh against the medical director in that regard. Mr. Davis would like to see some things added under the training such as the protocol should consist of assessment and recognition of difficult airway, difficult airway algorithm, and failed airway algorithm. Under the rescue airway, it should clearly be stated that a cricothyrotomy should be the airway of last resort. The primary rescue airway should be a supraglottic device. Dr. Pakiela chose the age of sixteen because they wanted to keep the pediatric population language consistent with the trauma legislation with the age of adults vs. pediatric patients. Also, studies are pretty clear that even emergency departments aren't good at measuring pediatric weights and applying the dosage appropriately to them. Mr. Davis's concern is that if RSI is contraindicated for pediatric patients, EMS providers may give them a dose of Versed only to sedate them. This might not make the patient relaxed enough and make the airway more difficult to work on. Dr. Cunningham noted to Mr. Davis that the position paper does not list the pediatric age as a contraindication to RSI and that it was not the intention of the Medical Oversight Committee to ban its use in the pediatric population. Dr. Cunningham stated that if an EMS agency has a medical director who feels that he or she can provide the training and competencies, then that would be the medical director's decision to allow the performance of RSI for patient under the age of sixteen.. Dr. Pakiela will add specific language regarding difficult airway and will email out 3.0 version to Board members and re-present to the board in September.

Recruitment & Retention Committee, Mr. Daryl McNutt

The committee is still looking for additional people for the committee. Mr. McNutt nominated Dennis Hartman from Allen-Clay Joint Fire District in Ottawa County.

ACTION: Motion to accept the nomination of Dennis Hartman from Allen-Clay Joint Fire District in Ottawa County to the Recruitment and Retention Committee. McNutt first. Davis second. None opposed. Motion approved.

The committee is looking at education funding legislation from several states and working with other groups for input on their recruitment and retention process. Mr. Stack and Ms. Laing are still working on putting this information on the EMS website.

Research Committee, Dr. Tom Collins

There was nothing to report as the committee did not meet this month.

Rules Committee, William Mallory

Mr. Holcomb presented the committee report in Mr. Mallory's absence.

The committee reviewed and approved the following rules, which will be presented to the Board at the August meeting, including a public hearing:

- 4765-2 Board and committees with following changes:
 1. Delete "voting" language in entire rule.

2. 4765-2(3) (D) (1) to read “not fewer than two Board members and may be of such size as determined appropriate by the Board”.
 3. Paragraph H needs 3 years changed to 1 year, and delete “members may serve”.
 4. Paragraph J needs last word changed from “present” to “exists”.
 5. In 06(A) (3), changed “board” to “division.”
- 4765-4 Trauma Triage
 - 4765-5 Criteria for Eligibility (with change in Paragraph E to read “Chapter 4765-4 due to rescinding Chapter 13”)
 - 4765-7 Online Training
 - 4765-8 Reinstatement

The Committee approved the Regional Physician Advisory Board 4765-3 (Chapter 3) rules as written. However, there was a concern over the issue that it does not fix the problem of an EMS organization that loses their medical director due to unforeseen circumstances, resulting in having no immediate medical direction. A lengthy discussion was held discussing the variety of issues involved, ranging from no liability coverage for RPAB members serving in this role when an interim medical director is needed, the inability of insurance companies to underwrite and provide EMS medical directors with liability coverage for additional EMS agencies after business hours and on weekends, inserting language in rules that would either relax requirements or insert a temporary standard for medical directors in those situations, changing rules to allow the State Medical Director to serve as a medical director interim capacity with indemnification, and having agencies and hospitals work together to create emergency plans to cover one another if they lost their medical director.

Mr. Rucker said the bottom line is that we have an issue that has to be fixed or the public we are protecting are left wide open, in addition to the EMS providers. If that means a change of law, then that’s what needs to be done. Mr. Burgess said this issue will not get resolved today and asked members to think about this for the next meeting. Ms. Frient encouraged Board members that when looking at the role of the RPAB, focus upon what the rule currently says their responsibilities are and whether or not that is meeting what members believe RPABs should be doing.

Trauma Committee, Tim Erskine

The geriatric triage rules were presented and included one additional rule that was added. It is a rule to allow changes in the triage criteria to automatically apply to the regional variations to simplify getting approval. This additional rule will allow the implementation of the geriatric triage rules to automatically occur until such time when the region modifies their particular protocols. According to the law, there will be two hearings on the issue and six organizations need notified of these hearings, which has been done. Mr. Erskine will send email notifications to the remainder of the trauma stakeholder groups who have an interest in this. The rules administration hearing will be held the following month.

The committee is continuing work on the Model Trauma System Planning and is reviewing trauma plans from other states to aid them on this project.

The Over/Under Triage group had their first meeting and will be sending out mailings to hospitals to see what their definitions are.

The proposed rules for online education distance learning (4765-7) were included in the Board packets. Mr. Erskine asked members to bring those to the next Board meeting. Dr. Cunningham pointed out that some terms, such as “first responder” had been deleted from the definition rule and asked whether the rules would still apply to First Responders. Ms. Frient clarified that the rules will still apply to the same individuals; definitions from the rule were just deleted for simplicity if the terms were already defined in law. This is a part of the Governor’s Executive Order to simplify and condense rules. Mr. Burgess said to review these rules as they will be voted on at the August Board meeting.

OLD BUSINESS

Mr. Burgess addressed the issue of national accreditation for paramedics. Last month the Board had the public forum, the minutes reflected the comments from constituents, and George Hatch spoke about it. The Board needs an action plan on how we will proceed as the timeframe continues to shrink. Mr. Burgess asked the Board if they wish to create a committee to examine our options.

Dr. Cunningham said the National Highway Traffic Safety Administration (NHTSA) had indicated they had no plans to address national certification or accreditation until the education standard part of the project was implemented. However, National Registry made a decision independent of NHTSA and the Committee on Accredited Educational Programs for the EMS Professions (CoAEMSP) and pushed this issue to the forefront.

Mr. Davis said he personally thinks the whole thing smells. The groups involved are a very small group of people who are all intertwined and that is why it doesn’t sit very well with him personally. But professionally representing the Board, EMS is the only profession in the health field that does not have a standardized examination process. Mr. Resanovich thinks National Registry has been very intelligent in putting people in NHTSA’s pocket. If you look at all the committees and members, their presence is felt everywhere. He questioned whether the National Registry was creating an anti-trust and a monopoly when they automatically dropped the issue of equivalency after we asked about it. That sends all kinds of red flags up that they are not even willing to consider or entertain an application or a request from our state. Mr. Resanovich agreed that national accreditation is needed, but at what cost. Dr. Cunningham said competition is good as it keeps organizations on their toes and keeps costs down.

The Board discussed the following options:

- Create a state test and not use National Registry
- The Board can again ask IO Solutions to make a proposal on developing a state test
- Work with a number of states to create a state test
- Wait until the September National Association of State EMS Officials (NASEMSO) conference to hear what other states are going to do

- Formally ask CoAEMSP to accredit the current accreditation process in place in the state of Ohio (send copy to National Registry and NHTSA)
- Look into anti-trust and monopoly issues

Mr. Resanovich said he has been with the Board for eleven years and we have accomplished some amazing things that people said we could not do. If we go to our constituents, we can develop something aside from what is being forced upon the state of Ohio. From the people who attended last month's public forum, it was clear that our training institutions do not want mandatory national accreditation. As a Board, I think we owe it to them to find another solution. Dr. Cunningham doesn't know about nursing or others, but emergency medicine allows you to get boarded through the American Board of Emergency Medicine or the American Board of Osteopathic Emergency Medicine.

At this time, the Board agreed to send a letter to CoAEMSP, with a copy to NHTSA and National Registry asking for certification. Dr. Cunningham will draft the letter and bring to the August meeting for the Board's review. After the NASEMSO conference, the Board will review the plans of other states regarding this issue.

NEW BUSINESS

The Board Position Paper, *Extension of Trauma Registry Data Submission Requirements*, was reviewed. Mr. Erskine advised the Board the policy is still needed as it is issued approximately two to three times per year. He said it can even be expanded due to the consolidation of the two data system rules, allowing the Board to have a policy for extensions on the EMS data. Whether this should be done can probably be discussed at the IRSAC meeting. Mr. Erskine did not see any changes that needed made. Ms. Frient said instead of 403, the rule is now 407.B. The Board agreed to those changes and to keep the position paper.

Ms. Mirarchi addressed the Board in regard to the Governor's career technical transfer credit initiative (HB 66), which will transfer career technical centers to the Board of Regents in January 2009. Ms. Mirarchi is a member of the EMT Faculty Review panel. They worked on developing career technical assurance guides for first responder through paramedic level, including all the course learning outcomes. Coursework will transfer from a career technical school to a public funded institution of higher education in Ohio. The panel has assigned college semester credit hours as follows: EMT Basic-9 hours, Intermediate-12-15 hours, and Paramedic-30 hours. The proposal will be brought to the Education Committee and then to the Ohio Board of Regents for approval at their August meeting. Mr. Orahod said they discussed the volunteer course and have agreed to discuss getting credit for the volunteer course, probably one or two hours. It should be an incentive for volunteers and helping in recruitment and retention.

In the future, the EMT Faculty Panel will review any EMT course presented to the Board of Regents to be included their course equivalency system. The Board of Regents now guarantees that any of our schools will have a partnership with a college or university in Ohio, which is one of the requirements for CoAEMSP national certification.

Ohio Department of Public Safety
State Board of Emergency Medical Services
July 16, 2008
FINAL

Dr. Pakiela brought up the issue of recent air medical transport accidents and fatalities. Rod Crane, CEO of Med Flight, is proposing a statewide, federally funded, tracking and dispatch system in Ohio. This was presented at the Central Ohio Hospital Safety Summit last week and will be presented at the Ohio Association of Critical Care Transport (OACCT) meeting. Dr. Pakiela sees the need for the Board to support that initiative, which is long overdue. Ohio is trying to become the first state to do this. The Air Medical Committee will probably need to meet in the future to gain support throughout the state for this proposal. Mr. Davis said the issue of helicopter shopping, statewide weather minimums, tracking and helicopter response time needs to be addressed. Dr. Pakiela said the goal of that process would be to address all those issues. The first step is to get the buy-in from the majority of affected groups in Ohio.

Mr. Rucker thanked the members for their efforts to attend today because the July meeting is always a challenge to have a quorum.

ADJOURNMENT

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

The meeting adjourned at 2:35 PM.