

FINAL

**STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
August 15, 2012**

Board Meeting Date and Location: August 15, 2012, 1970 W. Broad Street, Columbus, Ohio 43223

Board Members in Attendance: Ms. Pamela Bradshaw, Dr. Deanna Dahl-Grove, Mr. James Davis, Mr. Matthew Dick, Mr. Geoff Dutton, Ms. Vickie Graymire, Ms. Deanna Harris, Mr. Daryl McNutt, Mr. William Mallory, Mr. Mark Marchetta, Dr. Wendy Pomerantz, Mr. William Quinn, Mr. Mark Resanovich, Mr. Craig Self, Mr. Bruce Shade, Dr. Brian Springer, Dr. Steven Steinberg

Board Members Absent: Dr. John Pakiela, Mr. James Parrish

Staff Members Present: Kelly Beall, Alan Boster, Thomas Charles, Dr. Carol Cunningham, Vicki Davies, Aleta Dodson, Rhonda Evans, Melvin House, Thomas Macklin, Linda Mirarchi, Sue Morris, Ellen Owens, LaNese Powell, Heather Reed-Frient, Bob Ruetenik, John Sands, Joe Stack, Yvonne Tertel, Gloria Vasquez, Melissa Vermillion, Diane Walton.

Guest and Public Attendance: Bradley Troy, Matt Handley, Janie Ward – all of Air Evac Life Team, and Linda Haas, Cincinnati Children's.

The meeting was chaired by Craig Self, who called the meeting to order at 9:00 AM

Roll Call

Mr. Craig Self	Here	Mr. William Mallory	Here
Dr. John Pakiela		Mr. Mark Marchetta	Here
Ms. Pamela Bradshaw	Here	Mr. James Parrish	
Dr. Deanna Dahl-Grove	Here	Dr. Wendy Pomerantz	
Mr. James Davis	Here	Mr. William Quinn, Jr.	Here
Mr. Matthew Dick	Here	Mr. Mark Resanovich	Here
Mr. Geoff Dutton		Mr. Bruce Shade	Here
Ms. Vickie Graymire		Dr. Brian Springer	Here
Ms. Deanna Harris	Here	Dr. Steve Steinberg	
Mr. Daryl McNutt	Here		

Mr. Self noted for the record that a quorum was present to conduct business.

Dr. Wendy Pomerantz arrived at 9:07 AM.

Open Forum

Nothing was brought forward.

Dr. Steven Steinberg and Geoff Dutton arrived at 9:10 AM.

Mr. Self introduced Mel House, the new Executive Director.

Executive Director Mel House introduced himself and said he appreciated the opportunity to serve on the Board. He has 31 years in Fire and EMS, and has held most of the certifications that this Board manages. Director House asked for patience with his current staff shortage; and he pledged that he and his staff plan to work hard for the Board and the citizens of Ohio. Director House assured the Board that he is about

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transparency and open lines of communication; and he asked that we start with trust and open dialogue between the Executive Director and the Board.

Mr. Self thanked the search committee on expediting the search for the new Executive Director; and also thanked Ms. Ellen Owens for serving as Interim Executive Director.

Consent Agenda

Mr. Self requested a motion to approve the Consent Agenda items that were posted to the EMS website, including the June 20th EMS Board and July 25th special Fire Board meeting minutes.

ACTION: Motion to approve the consent agenda items, including June 20th EMS Board and July 25th special Fire Board meeting minutes. Mr. Marchetta first. Mr. Dick second. None opposed.

Investigations, Melissa Vermillion

ACTION: Motion to adjourn and go into private session for the purpose of quasi-judicial deliberation on those matters that are required to be kept confidential under Revised Code 4765.102(B) at 9:05 AM. Mr. Marchetta first. Mr. Dick second.

Roll Call

Mr. Craig Self	Here	Mr. William Mallory	Here
Dr. John Pakiela		Mr. Mark Marchetta	Here
Ms. Pamela Bradshaw	Here	Mr. James Parrish	
Dr. Deanna Dahl-Grove	Here	Dr. Wendy Pomerantz	Here
Mr. James Davis	Here	Mr. William Quinn, Jr.	Here
Mr. Matthew Dick	Here	Mr. Mark Resanovich	Here
Mr. Geoff Dutton		Mr. Bruce Shade	Here
Ms. Vickie Graymire	Here	Dr. Brian Springer	Here
Ms. Deanna Harris	Here	Dr. Steve Steinberg	Here
Mr. Daryl McNutt	Here		

****The Board reconvened from private session at 9:34 AM****

****Ms. Graymire arrived during Private Session****

ACTION: Accept the following Consent Agreements: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2011-667-E100 2012-9-BE100	2012-104-E100 2012-237-E300	2012-239-E300 <i>Graymire</i> <i>abstain</i> 2012-256-E300	2012-257-E300 2012-258-E300	2012-340-E300 2012-393-E100
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ACTION: Accept the following proposed Consent Agreements: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2011-1283-BE100	2012-178-BE100	2012-346-E300	2012-351-E300
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ACTION: Close the following cases: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2011-764-E100 - <i>Rescind notice of opportunity for hearing</i>	2012-291-E500 - <i>Refer to Education section for follow-up</i>
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2012-74-BE300 2012-284-E300	2012-296-BE300
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ACTION: Close the following cases; the board refers case to local medical director/department: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2012-223-E400 - <i>Refer to local medical director</i>
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ACTION: Close the following cases, re-open if subject re-applies: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2011-687-BE500 2011-1168-BE100	2012-81-E100 - <i>Accept withdrawal of application</i> 2012-164-BE100
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ACTION: Close the following cases, individuals have met the stipulations of their Consent Agreements: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2009-61-102	2010-411-E100
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ACTION: Issue Notices of Opportunity for Hearings for the following cases: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2011-1249-E300 2011-1251-E300	2012-104-BE100 * <i>Permission to negotiate a consent if needed</i> 2012-111-BE100 2012-176-E100	2012-203-BE100 2012-227-E500
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ACTION: Other: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2010-166-E100 – <i>Approve evaluation/assessment</i>	2011-1117-E300 – <i>Issue notice of opportunity for hearing; grant AAG permission to negotiate consent agreement</i>
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ACTION: Approve military exemption and grant 90-day window to submit application: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2012-380-E500	2012-503-E500
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ACTION: Approve medical exemption and grant 90-day window to submit application: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2012-501-E500

ACTION: Close the following: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2012-314-E500	2012-318-E500	2012-322-B500	2012-367-F500	2012-397-E500
2012-315-E500	2012-319-E500	2012-324-B300	2012-394-E500	2012-398-E500
2012-316-E500	2012-321-B500	2012-325-B500	2012-395-E500	2012-399-E500

ACTION: Other: Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2012-426-E500 – <i>Propose consent agreement allowing to re-test within 180 days or complete continuing education; withdraw 2010 application</i>	2012-427-E500 – <i>Process application and close case</i> 2012-429-E500 – <i>Give six (6) months to take reinstatement exam</i>
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ACTION: Close the following cases due to 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. Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2008-660-602	2012-183-E100	2012-201-E100	2012-236-E100	2012-272-E100
2012-98-B100	2012-184-E100	2012-202-BE100	2012-246-E100	2012-278-BE100
2012-100-E100	2012-186-BE100	2012-206-E100	2012-249-BE100	2012-279-E100
2012-158-E100	2012-189-BE100	2012-209-E100	2012-252-E100	2012-280-E500
2012-170-E100	2012-192-E100	2012-217-E100	2012-254-BE100	2012-281-E500
2012-174-BE100	2012-194-E100	2012-218-BE100	2012-255-E100	2012-282-BE100
2012-177-E100	2012-195-E100	2012-221-BE100	2012-261-E100	2012-293-E100
2012-181-E100	2012-197-E100	2012-222-BE100	2012-263-E100	
2012-182-E100	2012-198-BE100	2012-230-BE100	2012-269-BE100	

ACTION: Close the following cases due to 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. Dr. Dahl-Grove first. Dr. Pomerantz second. None opposed. Ms. Bradshaw and Mr. Resanovich abstained. Motion approved.

2012-248-E100	2012-341-E300	2012-364-E300	2012-451-BE100	2012-484-E100
2012-262-E100	2012-343-E300	2012-365-E300	2012-452-E100	2012-485-E100
2012-288-BE100	2012-354-E100	2012-387-E100	2012-453-BE100	2012-487-E100
2012-297-E100	2012-356-BE100	2012-388-E100	2012-457-E100	2012-491-E100
2012-299-E100	2012-357-E100	2012-391-BE100	2012-460-E100	2012-497-E100
2012-333-E300	2012-360-BE100	2012-392-E100	2012-465-BE100	2012-498-E100
2012-335-E300	2012-361-E100	2012-412-BE500	2012-473-BE100	
2012-338-E300	2012-362-E100	2012-440-E100	2012-475-E100	
2012-339-E300	2012-363-BE100	2012-449-BE100	2012-482-E100	

*****Board returned from executive session at 11:08 AM*****

Chair Report

Mr. Self addressed all of his business under Old Business.

State EMS Medical Director Report, Dr. Carol Cunningham

Dr. Cunningham reported that the next RPAB staff meeting is scheduled for September 12th at 1PM. The primary topic will be discussing the realignment of the RPAB regions, and the scope and responsibility of the RPAB. Agenda items are due to Dr. Cunningham by Friday, August 24th.

Ohio was awarded an additional CDC grant for the Coverdale Stroke Program. The grant will target the post-discharge course and hospital re-admissions of stroke victims.

The NASEMSO annual meeting will be held in Boise, ID, from September 22nd through September 28th.

Dr. Cunningham has been invited to attend meetings at the Institute of Internal Medicine to discuss emergency care drug shortages. Dr. Cunningham's group is working on short-term interventions for EMS and hospital emergency departments. Based on the group's last meeting, ASPR, with assistance from ASTHO, is drafting a white paper that will be forwarded to the White House and Congress. It is hoped that, in addition to the initiatives signed by President Obama, that the suggestions in the white paper may have some potential to help EMS. The final paper may be available in early October.

Dr. Cunningham thanked everyone who responded to the outreach from the New York Times for their planned long-term documentary on the emergency care drug shortage crisis. Katie Thomas, the reporter assigned to the project, is working with her editor to see if she will come to Ohio and meet with some of us.

Cathy Gottschall, Senior Health Scientist, with the Office of EMS at the National Highway Traffic Safety Administration (NHTSA), is planning to look at state EMS systems and medical direction and has selected Ohio and Pennsylvania as the states she will visit. A tentative date for her visit is September 12th, which will coincide perfectly with the Trauma Committee and RPAB Chair meetings.

Mr. Quinn asked Dr. Cunningham about the notification process and impact of the drug shortages on EMS providers and hospitals. Dr. Cunningham stated that the hurdles involved with providing early notification of drug shortages from pharmaceutical manufacturers are difficult to overcome, partly based upon the different focus and mission that EMS and hospitals have versus pharmaceutical companies. There is an article in the Siren on alternative options to explore to mitigate the impact of a drug shortage.

Dr. Cunningham stated there are a number of layers of causation on the manufacturing aspect of the problem. The most significant problem is the mandate of generic companies by the FDA because of contaminants. Notifications are difficult issues to overcome, but everyone is working on a solution. The problem the parties involved have is a different focus and mission—EMS and hospitals are concerned about the patient. Pharmaceutical manufacturers are profit-driven.

Assistant Attorney General, Yvonne Tertel

Ms. Tertel had nothing to report.

EMS Staff Legal Counsel, Heather Frient for Winston Ford

Ms. Frient had nothing to report.

EMS Legislative Liaison, Andy Spencer

Ms. Dodson said Mr. Spencer provided an updated legislative handout and indicated that there had been no changes because the legislature is not in session.

Executive Director Report, Mel House

Mr. House had nothing to report.

Certifications, John Sands

Mr. Sands presented June and July certifications and extensions for June 1 – July 31. Staff recommendation is to approve.

ACTION: Motion to approve June and July certifications and extensions. Dr. Pomerantz first. Mr. Marchetta second. None opposed. None abstained. Motion passed.

Mr. Sands provided a spreadsheet containing the Requests for Exemptions for June and July, including eight (8) Medical and five (5) Military exemptions. Most had no continuing education completed during this period. Staff recommendation is for approval.

ACTION: Motion to approve June and July medical exemptions and military exemptions. Ms. Bradshaw first. Mr. Marchetta second. None opposed. None abstained. Motion passed.

Medical

13619	26937	30545	105108	23582
134700	2579	113920		

Military

148306	13921	135614	120647	120285
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Education Requests, John Sands

Mr. Sands introduced new staff members.

COMMITTEE REPORTS

EMSC Committee, Dr. Wendy Pomerantz

Dr. Pomerantz reported on the Pediatric Plan for the state and it is a committee that is directed by the Ohio Hospital Association (OHA). EMS will participate in The Ohio Pediatric Disaster Preparedness Coalition. They met yesterday to begin working on goals and the inclusion of pediatrics in the state disaster and surge capacity plan.

Joe Stack is working with University Hospitals, Lake Health and Bay Park Hospital to complete applications for the Emergency Department Pediatric Preparedness Program.

EMSC will be participating in the National Pediatric Readiness Project—a national survey designed to determine pediatric readiness in all hospital emergency departments throughout the country. The survey will be available in Ohio in late 2013 or 2014. The national return rate is 90%; while Ohio's is around 50%.

EMSC discussed the revision to the pediatric equipment list for ambulances; and making sure that there is pediatric representation on the entire workgroup for the Trauma Committee.

The committee's next meeting is October 16th.

EMS Systems Development Committee.

The Strategic Plan dashboard that the Medical Oversight Committee brought forward to review the ground and air transportation was originally written in 2002. The dashboard had minimal changes this month. Chair Self

asked Ms. Owens to send the Board members the PowerPoint presentation to familiarize themselves with discussing the Strategic Plan, when it is available online and posted in the Siren.

The question was asked "Should the EMS Board and Ohio Medical Transportation Board be combined?" It has been the recommendation of NHTSA to combine the two boards under one roof. There was additional discussion about possibly reintroducing this bill in the fall legislation.

Human Resources and Education (HRE), Pam Bradshaw

❖ Education, Pam Bradshaw

Ms. Bradshaw said the rules pertaining to national accreditation needed to be approved today for filing with Common Sense Initiative Office (CSIO) and JCARR.

Ms. Frient informed the Board that the rules are being expedited in order to become effective by January 1st to meet the national standard. Ms. Frient went over the timeline of when the Board needs to post the rules with CSIO, file with JCARR, and have a public hearing and final file the rules so that they are effective on November 29th. Ms. Frient walked the Board through each of the rules proposed for filing with CSIO and further filing with JCARR.

ACTION: Motion to approve revised national accreditation rules 4765-10-1. Ms. Bradshaw first. Mr. Shade second. None opposed. None abstained. Motion approved.

❖ Specialty Care, Dr. Brian Springer

Dr. Springer reported that the committee is working on legislation; and will meet again in September.

Medical Oversight Committee, Dr. Brian Springer

This committee report was not listed on the draft agenda; however, it was mentioned earlier on the dashboard updates. Dr. Springer asked Dr. Cunningham to report on the committee's recommendation to create an Ohio EMS medical director certification.

Dr. Cunningham reported that a current deficiency which hampers the Division of EMS and the RPAB is the lack of a database of medical directors serving EMS agencies. She suggested that the Division could issue the certification by mirroring the same process being used for EMS Instructor certifications. On a national level, during Hurricane Katrina, Ohio received multiple compliments due to the fact that our EMS certifications are posted online. The disaster teams completed the credentialing process for a bus of Ohio EMS responders in less than fifteen (15) minutes. As there is a NIMS job title for an Emergency Physician and EMS Medical Director, disaster response operations would reap a similar benefit during the credentialing process. The committee proposed that the renewal cycle for this certification be aligned to match the EMS Instructor certification cycle.

ACTION: Motion to establish an EMS Medical Director certification to mirror the EMS process, with a renewal cycle matching EMS instructors. Dr. Springer first. Dr. Dahl-Grove second. None opposed. None abstained. Motion approved.

Ms. Owens informed the Board that when seeking legislation on this issue, they must specifically list what information should be exempt from disclosure under Ohio's public records law.

Dr. Springer said the committee reviewed several scopes of practice issues, including the EMT use of an Epi-pen or Epi-Pen Jr. A brief online program could be developed to assist EMS medical directors and EMTs

regarding epinephrine auto-injectors, its indicated use, and the difference between a simple allergic reaction and anaphylaxis since the addition of this psychomotor skill expands the scope of practice for EMTs.

ACTION: Motion to expand the scope of practice for EMT-Basic (EMT) to include the use of an Epi-Pen and an Epi-Pen Jr autoinjectors. Dr. Springer first. Mr. Dick second. None opposed. None abstained. Motion passed.

Mr. Resanovich asked, "Where this falls regarding the national scope of practice?"

Dr. Cunningham responded she will need to confirm, but believes it is outside that national scope.

There was further discussion regarding the need for medical director approval and appropriate training for use of the Epi-pen and Epi-Pen Jr.

Dr. Springer discussed Flolan® and explained why this topic was raised. When children with pulmonary artery hypertension are receiving this medication at home through an intravenous infusion pump, the parents will call 9-1-1 when the pump stops working or if the central IV becomes clotted or breaks. This medication is currently outside of the Ohio EMS scope of practice.

Policy and Regulation Committee, James Davis

Mr. Davis said the committee is struggling with the Division's and Board's legislative needs. They are trying to decide whether to address all of the needs at one time with the entire Board, present them at the Board Retreat, or continue to piecemeal items.

Chair Self said that Board committees should review areas for legislative items, as well as any known controversial issues, and provide changes to Mr. Davis. The Board should block out a significant amount of time to discuss those items.

Trauma Committee, Dr. Saxe

❖ Trauma Visionary (TVC), Dr. Steve Steinberg

The TVC has met twice since the last Board Meeting. In July, David Engler from the Ohio Hospital Association (OHA) and Melanie Neal from the American College of Surgeons (ACS) conducted presentations to the TVC regarding the trauma quality improvement program. Yesterday, the committee reviewed comments from people who attended those presentations and formulated questions to submit to both OHA and ACS. Both presentations were excellent and both organizations have something to offer the State of Ohio.

Dr. Steinberg thanked Tim Erskine on his work on developing a document listing legislative and administrative change requirements based on the trauma framework document. More work is needed before it is ready for legislative presentation.

The committee again discussed time-sensitive diagnosis systems.

Dr. Steinberg said a color copy of the Trauma Committee dashboard will be sent to all Board members.

The trauma dashboard is the responsibility of Dr. Saxe and Dr. Steinberg. It was reported that Tim Erskine and Kathy Haley discussed the overlap of work by the EMS-C and Trauma Committees and suggested the addition of a pediatric representative on the Trauma sub-committees. Dr. Pomerantz, Dr. Saxe, and Dr. Steinberg will discuss the best way to cover those goals.

OLD BUSINESS

Chair Self discussed the Board of Pharmacy Q & A, the DEA document that was distributed to the EMS Board electronically, and he asked all Board members to forward it to all of their EMS agencies. Chair Self also stated that the Board of Pharmacy was open to address recommended rule changes from the EMS Board, and any recommendations should be sent to Mr. Davis for his committee to review.

Chair Self stated that the EMS Board's 20th anniversary planning is underway, and any ideas should be forwarded to Executive Director House.

The Chair reported that the Board action items tracking document will be shared at every Board meeting.

A discussion ensued regarding the Trauma system update document. The results of a survey of civilians at the Ohio State Fair regarding their knowledge and perception of the trauma system in Ohio should be available at the next EMS Board meeting. The purpose of this survey was to determine how EMS should educate the public on the various aspects of Ohio's trauma system.

NEW BUSINESS

The Chair noted that the EMS medical director certification should be added as a future agenda item.

The Chair reported that the Board retreat is tentatively scheduled for February 20 - 21, 2013; and asked whether the Board needed a third day. Board members were asked to send Executive Director House any agenda items for the retreat so that he can then provide the EMS Board with an estimated length of time that will be needed.

During the October EMS Board meeting, nominations for Chair and Vice-Chair need to take place, with the election occurring at the December meeting. The new Chair and Vice Chair would assume their duties at the February EMS Board Meeting.

The Chair asked if anyone had other new business to discuss.

Mr. Quinn raised the administrative investigation (AI) report regarding certifications, and stated that the EMS Board should provide some type of notice to cardholders and stakeholders regarding the events that occurred, the steps that have been taken by the Division, and how people could submit a request for review of their own personal situation. He stressed transparency.

Mr. Shade requested that the ODPS Administration and the Executive Director update the Board on the progress it is making and steps being taken to ensure that this situation will not happen again in the future.

Mr. Quinn made a motion for the Division of EMS to notify cardholders, ex-cardholders that have expired within a year or two, and stakeholders of the issue that was found which resulted in the AI, the action that the Division is taking to correct it, and provide an avenue for someone to submit a request for review if they felt they had been impacted by the events of the AI.

ACTION: Motion for the Division of EMS to notify cardholders, ex-cardholders within a year or two past, and stakeholders of the issue that was found which resulted in the AI, the action that the Division is taking to correct it, and provide an avenue for someone to submit a request for review who has been impacted by the events of the AI. Mr. Quinn first. Dr. Springer second.

Mr. Shade suggested that the Executive Director be allowed some time to develop a notification plan and present it to the EMS Board.

A lively discussion ensued regarding whether the Executive Director should prepare a notification plan by a specific date and what the contents of such notice should be. A friendly amendment was proposed by Ms. Harris to require the Executive Director to continue his evaluation of the operational changes that need to be made and make a report to the EMS Board in October.

Roll Call

Mr. Craig Self		Mr. William Mallory	Yes
Dr. John Pakiela		Mr. Mark Marchetta	Yes
Ms. Pamela Bradshaw	No	Mr. James Parrish	
Dr. Deanna Dahl-Grove	No	Dr. Wendy Pomerantz	No
Mr. James Davis	Yes	Mr. William Quinn, Jr.	Yes
Mr. Matthew Dick	Yes	Mr. Mark Resanovich	No
Mr. Geoff Dutton	No	Mr. Bruce Shade	No
Ms. Vickie Graymire	Yes	Dr. Brian Springer	Yes
Ms. Deanna Harris	Yes	Dr. Steve Steinberg	Yes
Mr. Daryl McNutt	No		

7 - "No," 9 - "Yes." No Abstentions. Motion failed.

A discussion ensued regarding the number of Board members needed to pass a motion. Since the Board currently has nineteen (19) members, at least ten (10) members must vote "yes" to carry a motion. The quorum is dependent on the number of seats filled, and not how many members are present at the meeting. The Chair does not vote except to break a tie.

Chair Self thanked the Division staff, specifically the Investigation section for their hard work. Motion made for adjournment except Fire Members.

ACTION: Motion to adjourn except Fire Board Members. Mr. Dick first. Dr. Pomerantz second. None opposed. None abstained. Motion approved.

The meeting adjourned at 1:09 PM.

FIRE BOARD MEMBERS

Mr. Davis brought the meeting of the Fire Board members to order at 1:23 PM.

Roll Call

Mr. James Davis	Here	Mr. James Parrish	
Ms. Deanna Harris	Here	Mr. William Quinn, Jr.	Here
Mr. Daryl McNutt	Here	Mr. Mark Resanovich	Here
Mr. William Mallory	Here		

Mr. Davis noted that a majority of the members were present, providing a quorum, and Executive Director Melvin House was also present.

Committee Report

Doug Orahoad reported that the committee is about to start pilot testing on the new test module, the new module was done in three (3) phases, adding on the ability to recognize subject matter; send them test questions, and get questions out to them. They receive comments back, answer a survey, and participate in the local validation process on those items. The third phase is a practical skill testing at the end that also tests that the system has been completed. The third one will do statistical analysis and reports from the database. Once those

three (3) phases are completed, we will be piloting it. We have almost completed setting up in the database, and then we can start piloting it externally with January 1st as the mandatory date of Ohio Practical Skill Testing for the charters.

Mr. Orahood reported that the fire rules are up for their five (5)-year review. They hoped to have the review completed by the September meeting. The only comment received so far has been on the 36-hour volunteer course, - (which is required by law and would require a legislative change to amend). Mr. Orahood also received a comment at the Ohio Fire Chiefs' conference last month to increase the hours and include live fire training into the volunteer course. Again, this would take a legislative change.

Mr. Quinn pointed out some grammatical and terminology errors. Mr. Orahood agreed to fix them.

Mr. Orahood relayed the rule filing process, including the rules public hearing and finally the JCARR hearing.

The Fire Board discussed whether the rules should be heard in front of the Fire Committee or Fire Board. The group discussed having the Firefighter and Fire Safety Inspector Training Committee work with staff to draft and review the rules, and notify Executive Director House who is familiar with the rules and how they might interact on the proposed rule changes. The rules should then be brought before the Fire Board for its review and feedback.

The Fire Board proposed having the rules go to the Fire Committee in September, back to the Fire Board in October. As the next Fire Committee meeting is scheduled for September 11th, Executive Director House asked Mr. Orahood if he could reschedule the meeting in light of 9/11 events. Mr. Orahood said he would send out a new date.

There is an Ohio Fire Award Program at the Ohio Fire Academy at 1:00 PM on September 20th. At the Ohio Fire and EMS Expo we are working on establishing an educational CE for Instructors Program that will provide an update on the practical skills and on how the evaluators should train for the Ohio Practical Skills Test. He is working with the State Fire Marshal's Office and the Ohio Fire Academy to get the educational component. There will also be representation from EMS and EMS Education at that conference, and he will try to develop this with the Ohio FDIC since it is a two (2)-day educational conference.

Fire Report and Recommendation

Mr. Davis roll call for Report and Recommendation at 1:35 PM.

Roll Call

Mr. James Davis	Here	Mr. James Parrish	
Ms. Deanna Harris	Here	Mr. William Quinn, Jr.	Here
Mr. Daryl McNutt	Here	Mr. Mark Resanovich	Here
Mr. William Mallory	Here		

Mr. Davis, on behalf of the Firefighter and Fire Safety Inspector Training Committee, Executive Director Mel House was also present. The committee deliberated on one (1) Report and Recommendation—Fire Case Number 2010-563-F100, Jeffrey M. Gee, Fire Applicant Number 185724. Mr. Gee filed objections to the Report and Recommendation, which were included in the information sent to each committee member.

Principal Assistant Attorney General Yvonne Tertel gave a brief synopsis of the case and recommendation for disciplinary action. Mr. Gee has two misdemeanors involving moral turpitude. One involved a Theft from last year and the other involved Mr. Gee taking several photographs of a sexually-oriented nature of his minor step-daughter. The State recommended denial of Mr. Gee's application for a volunteer firefighter certificate. The

Hearing Officer agreed with this recommendation, and Ms. Tertel asked the committee to uphold that recommendation. No questions.

Neither Mr. Gee, nor his attorney, was present.

ACTION: Motion to adjourn and go into private session for the purpose of entering into quasi-judicial deliberation on this matter that is required to be kept confidential under R.C. 4765.102(B) at 11:48 AM. Mr. Quinn first. Mr. Mallory second.

Principal Assistant Attorney General Yvonne Tertel said if the Fire Board has another matter that was previously discussed in case review, and asked if they could be discussed together. AAG Tertel wanted to ensure the Board was aware they could do that. If there is need for further discussion, it was discussed already, she wanted to check, rather than having to come out and go back in, and come out and go back in, if the Board wanted to review that, if there were any other items that would help.

Mr. Davis asked if it was the same discussion that they had earlier.

AAG Tertel advised the Fire Board that even though a case was fully discussed with the EMS Board, the Fire Board could have additional discussion if desired rather breaking to deliberate and coming in and out of a private session.

Mr. Davis asked Ms. Dodson to ensure that the minutes reflected that the Board had this discussion.

Mr. Davis asked if there was any need for discussion on this. There was no response.

Mr. Davis asked that the meeting minutes reflect this and that is was satisfactorily noted.

AAG Tertel reconfirmed that she wanted to make sure that the Fire Board was aware of this before they enter private session to vote if this was the desire of the Board.

Roll Call

Mr. James Davis	Yes	Mr. James Parrish	
Ms. Deanna Harris	Yes	Mr. William Quinn, Jr.	Yes
Mr. Daryl McNutt	Yes	Mr. Mark Resanovich	Yes
Mr. William Mallory	Yes		

ACTION: Motion to reconvene from private session at 1:42 PM. Mr. McNutt first. Mr. Mallory second.

Roll Call

Mr. James Davis	Yes	Mr. James Parrish	Yes
Ms. Deanna Harris	Yes	Mr. William Quinn, Jr.	
Mr. Daryl McNutt	Yes	Mr. Mark Resanovich	Yes
Mr. William Mallory	Yes		

ACTION: In the matter of Fire Case Number 2010-563-F100, Jeffrey M. Gee, Fire Applicant Number 185724, the Committee recommends to the Executive Director to confirm and approve the findings of fact, conclusions of law, and the recommendation issued by the hearing examiner to deny Mr. Gee's application for a volunteer firefighter certificate. Mr. Mallory first. Mr. McNutt second. None opposed. Mr. Resanovich abstained. Motion passed.

ACTION: In the matter of Fire Case Number 2012-104-BF100, the Committee recommends to the Executive Director to issue a notice of opportunity for a hearing with permission for the Attorney General to negotiate consent. Mr. Mallory first. Mr. McNutt second. None opposed. Mr. Resanovich abstained. Motion passed.

Mr. Davis stated that there were no fire investigations.

Mr. Davis stated that there was no old business.

New Business

John Sands reported on exemptions for the month of August. For Fire there were four (4) Medical and Six (6) Military. The staff recommends approval.

ACTION: Motion to approve medical and military exemptions. Mr. McNutt first. Mr. Quinn second. None opposed. None abstained. Motion passed.

Medical

13619	26937	30545	105108
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Military

148306	13921	135614	120647	133895
144913				

ACTION: Motion to adjourn. Mr. McNutt first. Mr. Quinn second. None opposed. None abstained.

The meeting adjourned at 1:45 PM.