

FINAL

**STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
October 15, 2008**

Chaired by Mark Burgess

Board Meeting Date and Location: October 15, 2008, Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio 43223

Board Members in Attendance: Ms. Pamela Bradshaw, Mr. Mark Burgess, Dr. Thomas Collins, Mr. David Fiffick, Dr. Jonathan Groner, Mr. James Holcomb, Mr. John Kubincanek, Mr. William Mallory, Mr. Daryl McNutt, Dr. John Pakiela, Dr. Wendy Pomerantz, Mr. Mark Resanovich, Mr. Michael Senter, Mr. William Vedra

Board Members Absent: Mr. James Davis, Ms. Vickie Graymire, Mr. Mark Marchetta

Staff Members Present: Alan Boster, Dr. Carol Cunningham, Aleta Dodson, Tim Erskine, Heather Frient, Thomas Gwinn, John Kennington, Carol MacDowell, Thomas Macklin, Chuck Milam, Sue Morris, Millie Pontious, Richard Rucker, Bob Ruetenik, John Sands, Joe Stack, Yvonne Tertel, Katie Toole, Melissa Vermillion

Guest and Public Attendance: Melanie Arum, American Heart Association (AHA); Karen Beavers, Ohio Association of Emergency Medical Services (OAEMS); David Miller, Cleveland Emergency Medical Service

Mr. Burgess called the October 15, 2008 meeting to order at 10:00AM.

Roll Call

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

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Mr. Michael Senter Here
Mr. William Vedra Here

REVIEW AND APPROVAL OF THE SEPTEMBER 17, 2008 EMS BOARD MINUTES

ACTION: Motion to approve the September 17, 2008 EMS Board minutes. Senter first. Pomerantz second. None opposed. Motion approved.

*******Dr. Groner arrived at 10:01 AM *******

STAFF REPORTS

Chair's Report, Mark Burgess

Mr. Burgess said he had a chance to attend several committee meetings yesterday and some could not take place due to absences. This highlights the need for participation on committees. He encouraged members to consider the committees upon which they wish to serve because committee assignments will be made during the EMS Board retreat in January. All Board members need to serve on at least one committee to ensure that the Board's work gets completed.

Due to the holiday next month, the Fire and Fire Safety Inspector (FFSI) committee will be meeting the same day as Board committee meetings. He encouraged Board members to take that opportunity to stop in and observe the Fire committee to help improve communications.

Mr. Burgess and Mr. Rucker are working on the agenda for the January 2009 retreat. If there are any issues members would like to be discussed, please let him, Mr. Rucker or Ms. Dodson know so it can be scheduled.

State Medical Director, Dr. Cunningham

Dr. Cunningham distributed copies of three Regional Physicians Advisory Board (RPAB) applications for new members and recommends them for appointment: Dr. Joseph Centa and Dr. Eric Schmidt (Region IV) and Dr. James Steed (Region VII).

ACTION: Motion to approve the above three RPAB membership appointments. Pomerantz first. Bradshaw second. None opposed. None abstained. Motion approved.

There were two RPAB positions up for reappointment and copies of the applicants were distributed. Dr. Cunningham recommended Dr. James Brown (Region II) and Mr. Rucker recommended Dr. Carol Cunningham (Region IX) for the Board's consideration and approval.

ACTION: Motion to approve the RPAB membership renewals for Dr. Brown and Dr. Cunningham. Pomerantz first. Collins second. None opposed. None abstained. Motion approved.

The Regional Physician Advisory Board (RPAB) chair meeting will be held November 13th at 10:00 AM, with the All-Member RPAB meeting will follow at 1:00 PM. If members have any items they want included on the agenda, please let Dr. Cunningham know by Friday.

Dr. Cunningham reported she met with Melanie Arum of the American Heart Association (AHA), who is in the audience. Ms. Arum would like the EMS Board to partner and participate in their Mission Lifeline™ project to assess the status of EMS in Ohio as well as the nation regarding ST-elevation myocardial infarction (STEMI) and stroke capability. The responding agencies will be kept confidential. There is a tight timeline and Dr. Cunningham is proposing Board approval to have Mr. Erskine send the survey out with a response deadline of November 30th.

ACTION: Motion to approve partnering with the American Heart Association on their Mission Lifeline™ project and send a survey to our constituents. Collins first. Pomerantz second. None opposed. None abstained. Motion approved.

Ms. Arum said the AHA is launching their national initiative called Mission Lifeline™ to address STEMI and the entire system of care from recognition of signs and symptoms all the way to getting the patient to a percutaneous coronary intervention (PCI) capable hospital. The survey will have questions regarding who has 12-lead EKG capability, what population is served, etc. She appreciates the Board's support in light of the tight timeline, but the AHA is being aggressive in addressing STEMI. Dr. Cunningham said the Division has hired a contractor, Deborah Carter, who will be assisting with the data collection for the Burden of Stroke study. Results of the survey will be shared with the Board.

Dr. Cunningham distributed a report of highlights from the National Association of State EMS Officials (NASEMSO) annual conference, where she also attended the National Council of State EMS Medical Directors (NCSEMSMD) meeting.

The highlights from the National Council of State EMS Medical Directors (NCSEMSMD) include:

- A state EMS medical director position statement was submitted to the executive council for consideration. It amends a prior joint position statement on this topic, calling for the position to be formally recognized by states via legislation or contract. A workgroup is creating a resource document to accompany the position statement.
- A position paper was submitted by the Federal Interagency for EMS (FICEMS) to support medical direction for all EMS levels already supported by NCSEMSMD.
- Dr. Greg Mears, state medical director of North Carolina, gave a presentation on minimum Clinical Quality Improvement (CQI) performance measures he is developing.
- An extensive discussion regarding statewide stroke and STEMI programs took place. Missouri is the first state to pass legislation to address all time sensitive disease processes including myocardial infarction (MI), stroke, and trauma. Ohio only has legislation for trauma. NASEMSO will be monitoring the availability of the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) stroke centers.

- Dr. Cunningham submitted the Board's Rapid Sequence Intubation (RSI) draft document and will present the final position paper once approved and completed.
- Medical oversight of air medical services and its authority was discussed as many states are experiencing an excessive number of aero medical services entering the market and/or inadequate distribution of services to less populated areas where they are needed. Colorado won a court decision providing them with authority to control the aero medical vendors; however, the decision is being appealed. North Carolina is drafting legislation at the federal level in an effort to allow states to gain control over the utilization criteria involving medical oversight and dispatch not currently provided by the Federal Aviation Administration (FAA) or authorized by individual states.
- The American Board of Emergency Medicine (ABEM) is in the process of creating a formal subspecialty EMS board. Dr. Sahni of Oregon is requesting data from state medical directors about the requirements needed to be a medical director. Currently Ohio has a higher level of requirements to serve in that capacity.

The NASEMSO business meeting included the following highlights:

- The American Heart Association (AHA) held a session to receive input regarding the upcoming 2010 Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiac Care (ECC).
- Numerous federal agencies gave multiple updates including implementation of the new national EMS education standards and the National Highway Traffic Safety Administration (NHTSA) plans on retaining the Simple Triage and Rapid Treatment (START) triage in the updated Department of Transportation (DOT) curriculum.
- Eileen Frazer, Executive Director of the Commission of Accreditation of Medical Transports (CAMTS), provided an update on initiatives to improve air medical safety. Two recommendations are that crews work 8-hour shifts and prohibit pilots from sleeping during their scheduled shifts. Studies show attention levels are decreased within 20-30 minutes of awakening and may impact the pilot's ability to function. Mr. Rucker said Ms. Frazer gave each state EMS official a DVD that talks about helicopter timing and would like for Dr. Cunningham and her committee to determine whether they might want this information to be available on the Ohio EMS website.
- Dr. Thomas Horan, Executive Director of the Claremont Information and Technology Institute, gave a presentation identifying dangerous roads using GPS data. The website for the project is www.saferoadmaps.org.
- National accreditation was a hot topic, especially during the regional meetings where there was a lot of concern with the implementation deadline. A resolution was drafted and presented to the organization, but was edited during the NASEMSO business meeting as the original draft failed to pass. Copies of the final resolution, NASEMSO Resolution 2008-3, were distributed to Board members for review and discussion. Dr. Cunningham said this resolution created a tighter timeline, requiring states to submit their current plans to NASEMSO by November 1, 2010.

Dr. Cunningham concluded the NASEMSO highlights.

A copy of the response the Board received from the Committee on Accreditation of Educational Programs for the EMS Professions (CoAEMSP) was distributed. Dr. Cunningham summarized the response, which provides no flexibility for the state accreditation process receiving reciprocity, and CoAEMSP no longer refers to it as “state accreditation”, but “state approval”. Mr. Resanovich said the wordsmithing prevents any other type of accreditation, whether it is local, state or national.

Concerns expressed included:

- If CoAEMSP is the only national accreditation body in the nation, they can dictate what states do, just as National Registry is doing now because they are allegedly the sole national testing agency.
- It is unfeasible that the state could add \$200,000 to the budget to assist schools in becoming nationally accredited by CoAEMSP.
- The Board researched testing options thoroughly several years ago and came up with IO Solutions, but the services that they offered were different from that of the National Registry.
- The Board might have their hands tied as to what they can do if Governor Strickland has a formal position on this issue.
- In order to keep volunteer paramedics in rural areas, education must be available locally.
- A National Registry card was supposed to have provided mobility for EMTs to practice in any state, which has not been accomplished due to various state testing loopholes. Even if Ohio goes to national accreditation, the national card would not guarantee a medic can work in any state, including Ohio.

Mr. Resanovich said the Board first needs to determine whether they are going to adopt the national accreditation standard. If not, then a testing alternative will be needed. Dr. Cunningham said the Board will still be responsible to test skills above the national scope of practice because Ohio is already operating higher than the national requirement. The Board will also need to provide testing for the potential TEMS certification, which National Registry does not provide.

Board members agreed a forum should be held for paramedics to express their opinions like the one held earlier for school administrators. This should take place prior to the Board retreat, and provide several forums across the state. Dr. Cunningham recommends the Board form a workgroup to aggressively work on this issue because Ohio laws would need changed for scope of practice, testing procedures, and other related items, which will add more time to the process.

Mr. Fiffick said the Board needs to look objectively at what NASEMSO is trying to do throughout the entire country, not just Ohio. Dr. Cunningham said several options should be proposed to see what might be in the realm of possibility. The driving issue should be what is best for the EMS system.

The Board agreed to form a workgroup on the national accreditation issue and hold an open forum for paramedics.

Principal Assistant Attorney General, Yvonne Tertel

Ms. Tertel reported she no longer regularly attends the FFSI meetings since the disciplinary process has been changed. She is always available for attendance at any committee meeting.

EMS Staff Legal Counsel, Heather Frient

Per a previous Board discussion, Ms. Frient updated the Board regarding the use of EMTs in the death penalty process as to whether they are serving in the capacity as an EMT or the capacity as a Department of Rehabilitation and Corrections (DRC) employee. She reviewed the applicable DRC and EMS laws; however, the majority of the death penalty process is contained in procedures and guidelines of the DRC, rather than laws or rules. EMTs are not mentioned specifically in the law, but it appears that the warden determines who needs to be in attendance. She mentioned that there is currently a case underway in North Carolina where the Medical Board wants to discipline physicians who take part in the execution process. Ms. Frient updated the Board on the specifics of the case, including the lower court's ruling that an execution is not considered a medical procedure and the medical Board, therefore, has no jurisdiction to penalize any physicians participating in an execution. Ms. Frient noted that there will be an appeal before the North Carolina Supreme Court in November and that she will update the Board on the final outcome.

Dr. Groner said the article in *The Other Paper* that brought this issue before the Board was based largely upon a law review article he wrote, although he wasn't cited. He gave Ms. Frient a copy of the article, *The Hippocratic Paradox*. Dr. Groner said the Ohio Revised Code specifically cites the American Medical Association (AMA) ethics as to what the state medical board should use when making decisions about ethics for physicians and felt that in theory, they could discipline a doctor for participating in an execution. [**Note:** *R.C. 4731.22(B) (18) allows the Medical Board to discipline individuals who violate any provision of the AMA code of ethics that the Board specifies in rule. However, the Board has only referenced the AMA in Rule 4731-25-04 in reference to completing an AMA course in order to provide anesthesia. Additionally, 4731-15-04 requires any professional association that suspends or revokes an individual's membership for violations of professional ethics, incompetence or malpractice to report that action to the Board.*] Dr. Groner stated that almost every major national professional health organization has prescriptions against participating in lethal injections. He thought that an EMT stating that they are acting as a DRC employee rather than an EMT during an execution creates an ethical paradox. Dr. Groner stated that an article published a month ago in the *New England Journal of Medicine* on capital punishment cited this article. He also mentioned an execution in Georgia in which an EMT had difficulties inserting an IV and had to rely on a doctor to do so. Dr. Groner stated that this seemed like a huge amount of medical intervention for a supposedly non-medical procedure. Lastly, he said that there is a lot of secrecy around who writes the prescription for the medication as this is another litigated issue.

EMS Legislative Liaison, John Lang/Tonia Fitros

An updated legislative handout was distributed.

Dr. Pomerantz asked Ms. Frient if she knows of any movement on House Bill (HB) 171 that restricts Boards from taking actions on felonies except those that are criminal offenses. Ms. Frient said the bill hasn't moved for quite some time and HB 130 is moving faster. Ms. Frient doesn't expect any movement until after the elections. She said initial language contained in HB 130 made it sound like all Boards would have to revise their rules and specifically list which felonies upon which they would take action. She believes the compromise language only requires a Board that doesn't give a hearing to do that, which eliminated our Board from those requirements since the EMS Board always provides hearings.

Executive Director's Report, Richard Rucker

Mr. Rucker said Director Guzmán asked him to present a special award to John Sands for heroic and lifesaving efforts to aid a person in need of medical attention while visiting the state of Florida. While on vacation, an elderly man drowned and Mr. Sands provided life saving CPR. The man recovered and was out of the hospital in three days. Mr. Rucker apologized that Director Guzmán could not be in attendance.

At the National Association of State EMS Officials (NASEMSO) conference, Dr. Cunningham was selected to be the chair-elect for the National Council of State EMS Medical Directors (NCEMSMD). This is a two-year term she will serve prior to becoming the Chair for an additional two-year period beginning in the fall of 2010.

Mr. Rucker reported that the Attorney General has approved a non-disciplinary consent agreement process for the 90-day reinstatements to allow individuals to pay the \$75 application fee and show proof of CE instead of taking the National Registry test. This process needs Board approval for the staff to continue to handle these until the rules goes into effect. There are nine individuals who qualify and want to reinstate by paying this fine.

ACTION: Motion to approve the reinstatement fees and process until such time as the rule takes effect. McNutt first. Senter second. None opposed. Motion approved.

It is with regret that Mr. Rucker informed Board members that Mark Mankins resigned from the Board and the Fire Committee. Mr. Mankins has served the Board faithfully for nine years, always provided good input, and will be missed. Ms. Dodson is preparing letters to send to the nominating organizations informing them of Mr. Mankin's resignation and asking for submission of replacement candidates.

Education, John Sands

Mr. Sands said there were no initial accreditations to approve.

Accreditation Renewals

	Accred #	Exp Date	Name	County	Level(s)	Contingencies
1.	112	5/31/2008	Eastland-Fairfield Career & Technical Schools	Fairfield	EMT-I & EMT-P	None
2.	378	7/31/2008	LifeCare EMS Training Academy	Lorain	FR, EMT-B, EMT-I & EMT-P	None

ACTION: Motion to approve the above listed renewal accreditation site(s) without contingencies. Pomerantz first. Collins second. None opposed. Pakiela abstained #2. Motion approved.

2008 Statistics to Date:	Total Accredited Institutions to Date - 95	Accredited Institutions Renewed to Date - 25
	Total Certificates of Accreditation - 274	Initial Accredited Institutions to Date - 1
	Accredited Institutions Expiring - 33	Additional EMS Level Accredited - 9
		Accredited Institutions Reinstated - 1
		Accredited Institutions Inactivated - 5

Initial Approvals

	Name	Personnel	Contingencies	County
1.	Hartville Fire Dept	Program Coordinator Warren Wilkinson Medical Director Peter Listerman M.D.	None	Stark
2.	South Lorain County Ambulance District	Program Coordinator - Pat Wilkinson Medical Director - Kim Bowen M.D.	None	Lorain
3.	Madison Township Emergency Services	Program Coordinator - Mark T. Johnson Medical Director - Ken Jacobs D.O.	None	Clark
4.	Rapid Response Training	Program Coordinator - Suzanne Perlick Medical Director - Martin Pontasch	None	Pickaway
	Total: 4			

ACTION: Motion to approve the above listed initial certificate of approval(s) with no contingencies. Pomerantz first. Collins second. Pakiela abstained (#2). None opposed. Motion approved.

Renewals

	Approval #	Exp Date	Name	Contingencies	County
1.	2120	11-30-2008	Elyria Fire Dept	None	Lorain
2.	2102	07-31-2008	Chippewa Twp. Fire Dept	None	Wayne
3.	2111	09-30-2008	Urbana Fire Division	None	Champaign
4.	2047	11-16-2008	Hardin Memorial Hospital EMS CE	None	Hardin
5.	2005	05-31-2008	Allen Hospital	None	Lorain
6.	1248	09-30-2008	Franklin Township Fire Department	None	Franklin
7.	1262	11-30-2008	Wren EMS & Fire Department	None	VanWert
8.	1252	09-30-2008	Providence Twp. Fire & Rescue	None	Lucas
9.	2119	11-30-2008	Russellville Life Squad	None	Brown
10.	2248	12-21-2008	Sherwood Village Fire & Rescue	None	Defiance
11.	2246	12-21-2008	Ripley Life Squad	None	Brown
12.	1265	11-30-2008	St. Vincent's Mercy Medical Center	None	Lucas
Total:	12				

ACTION: Motion to approve the above listed certificate of approval renewal(s) with no contingencies. Pomerantz first. Collins second. None opposed. Abstained: Pakiela (#5), McNutt (#8 and #12). Motion approved.

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Mr. Sands said there were no offsite programs or reinstatements to report. The Basil Joint Fire Dept #2112 sent a letter August 27, 2008 stating they did not want to renew and voluntarily relinquished their certificate.

2008 Statistics:	New Programs -	4	# Certificate of Approvals due to renew in 2008:	157
	Renewals -	12	# Certificate of Approvals left to renew in 2008:	57
	Reinstatements -	0		
	Inactivated -	5		

Certifications, John Kennington

ACTION: Motion to approve the request for extension(s) processed for the period September 1, 2008 through September 30, 2008. Pomerantz first. Collins second. None opposed. Motion approved.

ACTION: Motion to approve nine requests for reinstatements that were processed for the period September 1, 2008 through September 30, 2008. Pomerantz first. Bradshaw second. None opposed. Motion approved.

ACTION: Motion to ratify the 1,079 active EMT Certifications issued for the period of September 1, 2008 through September 30, 2008. Collins first. Pomerantz second. None opposed. Motion approved.

Mr. Kennington distributed a small version of a poster designed to stress the urgency of firefighters needing to renew their certification cards. If anyone would like a poster, please let him know. He is in the process of mailing one to every fire department in the state.

To date, 36,000 firefighter and fire service certifications, including fire safety inspectors, have been processed. A total of 49,000 certifications have been done so far this year. Normally, this is 24,000 per year. With the online certifications, the office is processing certifications every 1.3 minutes the office is open. Mr. Rucker said probably six or seven staff members would have needed to be hired to complete that work that can now be done with the online process. Mr. Kennington said when they were processing 24,000 per year with three employees, they were performing one certification every 4.5 minutes the office was open. Mr. Burgess requested that this information be included in the SIREN and the EMS website citing the statistics on the short certification completion time. Delays in receiving certification cards are a frequent complaint from those who are not currently utilizing the on-line process. These statistics show this is not the case if the on-line process is used.

Mr. Kennington said with the Listserv now operational, over 900 emails have been sent to fire departments about the need to renew. They hope to set up Listservs to notify EMTs via e-mail when their cards are due to expire, which will save the Division approximately \$50,000 per year in postage.

***** **Lunch 11:18 AM – 12:04 PM** *****

COMMITTEE REPORTS

Data, Tim Erskine

Neither the Trauma Registry Advisory sub-committee (TRAS) nor the Incident Reporting System Advisory Committee (IRSAC) had a quorum, so no meetings occurred.

Mr. Erskine informed the Board that the EMS Performance Improvement Center in North Carolina has a program called “EMS TOOLKITS”. This attaches to a data service like EMS Incident Reporting System (EMSIRS), where departments can click a button and receive a report on their performance for a number of topics including stroke, trauma, MI, and overall response time. It will benchmark their agency’s performance against other agencies in the region that match similar demographics (volunteer/paid, suburban/urban, etc.). It might be possible for the Division to install the stroke module through an agreement with the Ohio Department of Health, who has received funding from the Coverdale Stroke Registry. Valuable information would be able to be provided to the agencies who submit data through EMSIRS. Mr. Erskine will put together details on this for the next Board meeting. Mr. Burgess said this would be an excellent tool for agencies to improve their performance and the performance of EMS as a whole.

Education Committee, James Holcomb

Mr. Holcomb said the committee reviewed the rules for accreditation renewal, which will come before the Board at a later date. The committee also began reviewing the *Guidelines for the Healthcare Provider* position paper and will continue working on that at their next meeting, as well as setting goals and guidelines for 2009.

EMSC Committee, Dr. Wendy Pomerantz

The Health Resources and Services Administration (HRSA) has released the grant guidelines for the 2009-2011 EMSC Partnership Grant. The deadline for application is December 2, and Joe Stack is working on that.

The EMSC Committee will add several new committee members in the near future. Specifically, emergency medicine fellows at pediatric facilities have been encouraged to take a role on the committee. The candidates will be submitted at the November Board meeting.

Mr. Stack will have information from the PowerPoint presentation on pediatric equipment delineated by EMS/Trauma region at the December Board meeting.

Firefighter and FSI Committee, Phil McLean (John Sands)

The committee approved additional National Fire Protection Association (NFPA) 1403 training for Ohio fire instructors regarding the live burn aspect of training. The committee is working on determining the length of training and how it will be conducted. This training will be for new instructors, but once approved and in effect, it will be required for current instructors in their next certification cycle.

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A website server problem temporarily caused an inability to access the web based fire testing. The IT department fixed the problem and will endeavor to minimize future occurrences.

Grants Committee, Daryl McNutt

The committee did not have enough members to hold a meeting. If anyone is interested in becoming a member, please let him know.

Homeland Security Committee, Mark Resanovich

Mr. Resanovich reported that Dave Gerstner of Dayton Fire has prepared a CHEMPACK after action report, which will guide the committee in making changes in deployment protocols. Mr. Gerstner will attend the January Retreat and provide a report of the drill conducted on May 1st. The report will be available either online or on a CD.

Mr. Rucker will propose participation in the Ohio Department of Health's (ODH) CHEMPACK grant for the next cycle to Director Guzmán for consideration and approval. Ms. Frient reported all memorandums of understandings (MOU) contracts must go through Legal and Purchasing first, even if it does not involve the transfer of funds.

The Tactical EMS (TEMS) committee has scheduled an all-day meeting for October 20th at the Ashland Fire Department from 9:00 AM to 5:00 PM.

There will be a training session October 29th at the Ohio Emergency Management Agency (EMA) facility at 10:00 AM on the patient tracking system that Carol Jacobson presented to the committee last month. Mr. Burgess and Mr. Resanovich will be in attendance. Tom Macklin said this particular tracking system was one of seven reviewed by a statewide task force and is a web based system.

Medical Oversight Committee, Dr. John Pakiela

There was no meeting this month.

The Rapid Sequence Intubation (RSI) position paper draft 4.0 was distributed to members for discussion and approval. Dr. Pakiela reported input was received from outside agencies and RPAB members.

ACTION: Motion to approve the Rapid Sequence Intubation (RSI) position paper. Resanovich first. Bradshaw second. None opposed. Motion approved.

Ms. Dodson will have the position paper posted to the EMS website.

Dr. Pakiela indicated a need for representatives from the northwest and southeast portions of the state for the committee. Dr. Cunningham has this on the agenda for discussion at the Regional Physicians Advisory Board (RPAB) all member committee meeting.

Recruitment & Retention Committee, Mr. Daryl McNutt

The Recruitment and Retention webpage is now available on the EMS website.

Mr. McNutt recommended the Board consider and approve Karen Beavers, Wes Green, and T.J. Rombach as members on the Recruitment and Retention Committee.

ACTION: Motion to approve Karen Beavers, Wes Green, and T.J. Rombach as members of the Recruitment and Retention Committee. McNutt first. Senter second. None opposed. Motion approved.

Research Committee, Dr. Tom Collins

Dr. Collins was not at the meeting and deferred to Tim Erskine to provide the report. Mr. Erskine said four EMTs were recruited to be on the committee. Three attended yesterday's meeting and time was spent orienting them to the committee's process.

The committee reviewed a published abstract from the Annals of Emergency Medicine that resulted from one of the trauma research grants. The article was by Doctors Caterino and Cudnik who validated the Glasgow Coma Scale (GCS) scores as applied to the geriatric population. Mr. Erskine will forward this to the EMS Board members.

The committee began discussing items that would be required for a project proposal for Board-approved research that exceed the scope of practice. A researcher submitting a proposal for a project to the Board can simplify the process by submitting the materials sent to their institutional review board (IRB) as well as a copy of the approval letter. Additional information will still need to be submitted such as the identities of the agencies that will be involved in the research, levels of EMTs whose scope of practice will be expanded, and letters of commitment from applicable medical directors. Mr. Erskine will put together a draft form for the committee to review.

Mr. Erskine said the committee discussed creating guidelines for disseminating research results for Board-funded trauma research. The Division can put the information on the EMS website and in the SIREN newsletter as well as provide a synopsis for all research studies. Mr. Burgess asked if the grant research projects are submitted electronically. Mr. Boster said they are not, but this will be a requirement for the new grant awards for 2009.

Rules Committee, William Mallory

The committee did not meet. A packet of rule changes was sent to Board members for review and approval. Ms. Frient distributed a smaller packet of rules that have been changed since the last time members looked at them; the changes were mostly typos.

ACTION: Motion to approve:

- **Amending the following Rules: 4765-02 (Board and Committees) (entire); 4765-03 (Regional Physician Advisory Boards) (entire); 4765-08-02, 4765-08-04, and 4765-08-19 (certificate to practice); 4765-07-01, 4765-07-02, 4765-07-09, 4765-07-11, and**

4765-07-12 (online training); 4765-07-07 (accreditation); 4765-12 (First Responder) (entire); 4765-18 (Instructor) (entire);

- **No Change Rules: 4765-06-01, 4765-06-02 (curriculum); 4765-07-04, 4765-07-05, 4765-07-06, 4765-07-08, 4765-07-10 (online training); 4765-10-05, 4765-10-06 (state board powers).** Fiffick first. Holcomb second. None opposed. Motion approved.

Mr. Resanovich asked that wording such as “dispense” or “distribute” be added to Rule 4765-06-03 so that EMTs could do more than just “administer” drugs or dangerous drugs. Ms. Frient stated that she would contact the Pharmacy Board and research the legality of changing this wording as she recalled legal differences regarding the two terms. Board members indicated such a change is needed to provide a level of protection for providers acting in times of emergency that are already contained in multiple county emergency plans.

For Rule 4765-06-05, Mr. Resanovich asked to remove “including a MARK I kit” since the Duodote™ will be changing. Dr. Cunningham recommended removing all brand names from this rule and using “nerve agent antidote auto-injectors” when MARK I kits, Duodote, and other brand name products are referenced. Rules 4765-06-03 and 4765-06-05 were pulled and will be re-submitted to the Board at a later date.

Ms. Frient said everyone should have received notification that 4765-05-02, 4765-14, and 4765-08-16 and 4765-08-18 (reinstatement) were filed and will be presented next month for a public hearing.

Trauma Committee, Tim Erskine

No report was given.

REPORT AND RECOMMENDATION

Mr. Burgess said the EMS Board will be deliberating on one Report and Recommendation (R & R) in the matter of EMS Case Number 2007-288-102, Kelly L. Corbin, EMS Certificate Number 136377. No objection to the Report and Recommendation was filed. Mr. Burgess recognized Principal Assistant Attorney General, Yvonne Tertel, for the purpose of providing a brief synopsis and a recommendation for disciplinary action.

Ms. Tertel said one of the Report and Recommendation cases would not be heard today (Mr. Dance) and asked members to retain the R & R for next month’s meeting. In regard to the Corbin case, Ms. Corbin was convicted on a fourth degree felony for drug trafficking. Throughout this case, Ms. Corbin has not been in contact with the Division. Since she had requested a hearing, there was no opportunity to discuss a consent agreement, and the Division could only proceed with putting a case on the record, which was proved. A revocation was requested and the Hearing Officer granted that. There is a minor correction on page four of the R & R. In the findings of fact, in paragraph six, the Hearing Officer mentioned a different name and it is clear that throughout the report he is talking about Ms. Corbin.

ACTION: Motion to go into private session for the purpose of quasi-judicial deliberations on this matter by roll call vote at 12:46 PM. Pomerantz first. Collins second. None opposed. Motion approved.

Roll Call

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

******* Board returned from private session at 12:50 PM *******

ACTION: In the matter of EMS Case Number 2007-288-102, Kelly L. Corbin, EMS Certificate Number 136377, the board accepts the findings of fact except corrects Item Number 6 to read “Respondent Corbin”, the conclusions of law and the recommendation issued by the hearing examiner to revoke Ms. Corbin’s EMT-Basic certificate to practice for her conviction for *Trafficking in Drugs*, a fourth-degree felony, in violation of Section 2925.03 of the Ohio Revised Code and Administrative Code 4765-10-03(B)(2)(c). Pomerantz first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

GOLDMAN PROCEEDINGS

The Goldman Proceedings were called to order at 12:53 PM.

Roll Call

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

Mr. James Holcomb	Here
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. Mark Marchetta	
Dr. John Pakiela	Here
Dr. Wendy Pomerantz	Here
Mr. Mark Resanovich	Here
Mr. Michael Senter	Here
Mr. William Vedra	Here

A majority of the Board members were present. Two adjudication proceedings will be held in the matters of EMS Case Number 2006-200-102, Lashon D. Weaver, EMS Certificate Number 73754 and EMS Case Number 2008-83-304, Michelle N. West, EMS Certificate number 122202.

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.

Ms. Tertel said these are straightforward affidavits. Both respondents failed to respond to the Division regarding their cases and neither requested a hearing. Mr. Weaver has a fifth degree felony conviction regarding non-payment for a rental car he was still using. In the case of Ms. West, she had a random continuing education audit. Through case review, the recommendation is to revoke both certificates to practice.

ACTION: Motion to admit the sworn affidavit(s) and the accompanying exhibit(s) in the aforementioned case(s) 2006-200-102 and 2008-83-304 into evidence. Pomerantz first. Bradshaw second. None opposed. Motion approved.

There being no further evidence to come before the Board, the Goldman Proceeding was closed at 12:57 PM. Mr. Burgess asked for a motion to deliberate on the sworn affidavits and exhibits. He noted that a written copy of the Board's decision will be mailed to the respondents.

ACTION: Motion to go into private session for the purpose of quasi-judicial deliberations on these matters by roll call vote at 12:58 PM. Pomerantz first. Mallory second. None opposed. Motion approved.

Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	

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

******* Board returned from private session at 1:00 PM *******

ACTION: In the matter of EMS Case Number 2006-200-102, Lashon D. Weaver, EMS Certificate Number 73754, the Board finds that Mr. Weaver was convicted of *Unauthorized Use of a Vehicle*, a fifth degree felony in violation of Ohio Revised Code Section 2913.03(B), which violates Ohio Administrative Code Section 4765-10-03(B)(2)(a); therefore, the Board moves to revoke Mr. Weaver's certification as an emergency medical technician. Pomerantz first. Groner second. None opposed. Fiffick, Holcomb abstained. Motion approved.

ACTION: In the matter of EMS Case Number 2008-83-304, Michelle N. West, EMS Certificate Number 122202, the Board finds that Ms. West committed fraud, misrepresentation or deception in applying for the renewal of a certificate to practice as an emergency medical technician and failed to accurately document all continuing education requirements after attesting to the fact that she had satisfied the requirements to renew her certificate to practice in violation of Ohio Administrative Code Sections 4765-10-03(A), 4765-10-03(B)(1), 4765-9-01(I), 4765-8-04(A)(2)(b) and 4765-15-03; *amend page 1, #2, changed Mr. Lewis to Ms. West*; therefore, the Board moves to revoke Ms. West's emergency medical technician certificate to practice. Pomerantz first. Groner second. None opposed. Fiffick, Holcomb abstained. Motion approved.

******* Dr. Pomerantz and Mr. Vedra left at 1:02 PM *******

OLD BUSINESS

The national accreditation issue was discussed earlier. No other matters were brought forward.

NEW BUSINESS

The Board Position Paper, *Weapons of Mass Destruction (WMD) Guidelines and Procedures Manual*, was reviewed. Tom Macklin noted that on the page referencing CHEMPACK, the

“fifty or more” criteria has been removed (page 7). The Board agreed the paper stands as is with the edition suggested by Mr. Macklin.

Mr. Burgess reported that the position papers are getting lengthier. Ms. Dodson reported there are several more position papers that still need reviewed. She and Mr. Rucker are researching to see if there are any new items that have been added recently as well as determining if some items on the website are considered position papers. Board members agreed to continue reviewing position papers.

Investigations, Melissa Vermillion

ACTION: Motion to go into Executive Session for the purpose of discussing proposed disciplinary action(s) against certificate holder(s) which is pending or imminent court action under Revised Code 121.22(G)(3) and involve matter(s) that are to be kept confidential under Revised Code 4765.102(B) at 1:06 PM. Mallory first. Bradshaw second. None opposed. Motion approved.

Roll Call

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

******* Board returned from Executive Session at 1:20 PM *******

2004-48-101	2008-446-101
2006-472-101	2008-449-101
2008-248-304	2008-495-101
2008-302-404	2008-499-101
2008-358-101	2008-501-101
2008-364-305	2008-530-304

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

2006-73-304	
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ACTION: Motion to close the above listed case(s) and reopen if subject(s) reapply. Groner first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2005-440-101 2006-490-102 2008-270-401** No violations of ORC/OAC Chapter 4765	2008-417-101 2008-480-308 2008-533-401
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ACTION: Motion to close the above case(s). Groner first. McNutt second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-491-401	2008-514-401
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ACTION: Motion to close the above listed case(s) and refer to local medical director/department. Groner first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-399-401	
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ACTION: Motion to close the above listed case(s) and defer to local department(s) discipline. Groner first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2003-214-102 2005-514-304 2006-71-304 2007-9-102 2007-470-101 2008-169-101	2008-202-101 2008-266-101 2008-360-10 2008-377-101 2008-415-101 2008-438-101
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ACTION: Motion to close the above listed case(s). The individual(s) have met the stipulations in their Consent Agreement(s). Groner first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2006-228-305 2008-569-602	2008-502-101
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ACTION: Motion to issue Notice(s) of Opportunity for Hearing(s) for the above listed cases. Groner first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-19-102	2008-537-101
2008-394-305	2008-540-101
2008-527-101	2008-541-101
2008-529-101	2008-557-305
2008-531-101	2008-561-305

ACTION: Motion to close the above listed case(s) for one of the following reasons: inadvertently marked yes to conviction question, misdemeanor convictions which the Board has previously deemed “not involving moral turpitude,” continuing education cases which now meet the requirements, local non-patient care issues, and grandfathering issues of certification/conviction. Groner first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-6-304	
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ACTION: Motion to rescind Notice of Opportunity; consent stands as is. Groner first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

ADJOURNMENT

ACTION: Motion to adjourn with the exception of Fire Board members, who will remain for discussion of fire issues. Senter first. Kubincanek second. None opposed. Motion approved.

The meeting adjourned at 1:28 PM.

FIRE BOARD MEMBERS

Due to the resignations of Carl Jordan and Mark Mankins, there was not a quorum to consider fire disciplinary matters. Mr. Rucker suggested until replacements are appointed, only one person will be on the fire case review to ensure a quorum.

A discussion was held regarding the most recent Fire and FSI (FFSI) committee meeting where some members again voiced the opinion that since they sold the new rules to the fire community, they should handle the fire disciplinary issues. Ms. Frient reiterated that individual FFSI committee members do not have ownership of the rules, no more than individual EMS Board or staff members own the EMS rules. The rules are written to outlast any one individual’s membership on a particular board or committee. Mr. Rucker stated that FFSI committee members will change over time, and have already done so with the resignation of Mr. Mankins. With the upcoming appointment of two new fire Board members, it is possible we could see additional members change.

Ohio Department of Public Safety
State Board of Emergency Medical Services
October 15, 2008
FINAL

Mr. Resanovich questioned why this issue was being discussed again as the Board already addressed it. He suggested that if FFSI committee members continue to have a problem with this issue, then they should contact their EMS Board members (at which time the Board member can discuss whether to continue the designee's membership on the committee).

Mr. Burgess said the FFSI committees will be at the retreat in January to review the disciplinary process. Mr. Resanovich stated that he and other Board members do not have time to discuss issues at the retreat that have already been addressed; there are too many important items on the agenda already. Mr. Resanovich suggested that the EMS Board fire members could attend the November FFSI meeting, thereby eliminating the need for the Fire Committee members to attend the Retreat.

ADJOURNMENT

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

The Fire Board members meeting adjourned at 1:47 PM.