

FINAL

**STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
November 19, 2008**

Chaired by Mark Burgess

Board Meeting Date and Location: November 19, 2008, Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio 43223

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. John Kubincanek, Mr. William Mallory, Mr. Mark Marchetta, Mr. Daryl McNutt, Dr. John Pakiela, Dr. Wendy Pomerantz, Mr. Mark Resanovich

Board Members Absent: Ms. Pamela Bradshaw, Mr. William Vedra

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

Guest and Public Attendance: Holly Dorr and Laura Tiberi, Ohio Chapter of the American College of Emergency Physicians (ACEP); Bill Hills, Joint Committee on Agency Rule Review (JCARR); Wesley Green, Madison Township Fire Department; Carol Jacobson and Rick Frank, Ohio Hospital Association (OHA); David Miller, Cleveland Emergency Medical Service

Mr. Burgess called the November 19, 2008 meeting to order at 10:00AM.

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

Mr. Mark Resanovich Here
Mr. William Vedra

Laura Tiberi, Director of the Ohio Chapter of the American College of Emergency Physicians (ACEP) provided information on the upcoming Star of Life Awards and banquet. The banquet will be held May 20, 2009 at the Crowne Plaza-Columbus North. She distributed a few copies of the form, which are also available on their website (<http://www.ohacep.org>).

Ms. Tiberi also provided information regarding the Ohio International Trauma Life Support (ITLS) Emergency Care conference that will be held at the Hyatt Regency Convention Center, Columbus, Ohio, from February 26 - March 1, 2009. She introduced her new assistant, Holly Dorr, who oversees both the Star of Life Award program and the annual ITLS conference.

OPEN FORUM

No business was brought forward.

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 10:01 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 Here
Dr. Jonathan Groner
Mr. James Holcomb Here
Mr. John Kubincanek Here
Mr. Daryl McNutt Here
Mr. William Mallory Here
Mr. Mark Marchetta Here
Dr. John Pakiela Here
Dr. Wendy Pomerantz Here
Mr. Mark Resanovich Here
Mr. William Vedra

A public hearing was held to receive comments and testimony regarding amending the Ohio Administrative Code (OAC) rules 4765-5-02 (Criteria for Eligibility), 4765-14-01 (Definitions), and 4765-14-02 (Determination of a Trauma Victim); adoption of Ohio Administrative Code (OAC) rules 4765-8-16 (Fees for Certification), 4765-8-18 (Reinstatement of Certificate to Practice), and 4765-14-06 (Amendments Affecting Regional Protocols); and Rescission of Ohio

Ohio Department of Public Safety
State Board of Emergency Medical Services
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Administrative Code (OAC) rules 4765-8-16 (Fees for Certification) and 4765-8-18 (Reinstatement of Certificate to practice).

This public hearing was held pursuant to and in conformity with Chapter 119 of the Ohio Revised Code (ORC).

*******Dr. Groner arrived at 10:05 AM *******

A public hearing was held on the above noted rules and concluded at 10:14 AM. A court reporter was present and full transcripts are available upon request.

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

REVIEW AND APPROVAL OF THE OCTOBER 15, 2008 EMS BOARD MINUTES

ACTION: Motion to approve the October 15, 2008 EMS Board minutes. Pomerantz first. Pakiela second. None opposed. Motion approved.

STAFF REPORTS

Chair's Report, Mark Burgess

Mr. Burgess opened the nominations for Board Chairman.

ACTION: Motion to nominate Mark Burgess as EMS Board Chairman. Resanovich first. Collins second.

Since no other names were brought forth for the office of Board Chairman, the nominations were closed.

ACTION: Motion to approve the nomination of Mark Burgess as EMS Board Chairman. Resanovich first. Collins second. None opposed. Burgess abstained. Motion approved.

Mr. Burgess opened the nominations for Vice-Chairman.

ACTION: Motion to nominate Dr. John Pakiela as EMS Board Vice-Chairman. Pomerantz first. Resanovich second.

Since no other names were brought forth for the office of Board Vice-Chairman, the nominations were closed.

ACTION: Motion to approve the nomination of Dr. John Pakiela as EMS Board Vice-Chairman. Pomerantz first. Kubincanek second. None opposed. Pakiela abstained. Motion approved.

State Medical Director, Dr. Cunningham

Dr. Cunningham distributed copies of multiple Regional Physicians Advisory Board (RPAB) applications and renewals. She recommended the Board approve Dr. Listerman's application.

ACTION: Motion to approve the RPAB membership application for Dr. Listerman (Region VIII). Pomerantz first. Mallory second. None opposed. None abstained. Motion approved.

Dr. Cunningham recommended the Board to reappoint the following RPAB members: Dr. Donald A. Locasto and Dr. Hamilton P. Schwartz (Region I); Dr. Richard Harover and Dr. Andrew Hawk (RPAB Region II); Dr. Valerie Lint (RPAB Region III); Dr. Robert Lowe (RPAB Region V); Dr. Michael Zorko (RPAB Region VII); and Dr. Arnold Feltoon and Dr. Richard Hausrod (RPAB Region IX).

ACTION: Motion to approve the RPAB membership reappointments for: Dr. Donald A. Locasto and Dr. Hamilton P. Schwartz (Region I); Dr. Andrew Hawk (RPAB Region II); Dr. Valerie Lint (RPAB Region III); Dr. Robert Lowe (RPAB Region V); Dr. Michael Zorko (RPAB Region VII); and Dr. Arnold Feltoon and Dr. Richard Hausrod (RPAB Region IX). Pomerantz first. Graymire second. None opposed. Abstained: Marchetta, Resanovich (Zorko), Dr. Pomerantz (Locasto, Schwartz). Motion approved.

Dr. Cunningham reported she attended the Regional Physician Advisory Board (RPAB) chair and annual All-Member RPAB meetings. She provided members with an update from the National Association of State EMS Officials (NASEMSO) conference. The RPAB chairs continue to be concerned about the national accreditation and credentialing issues and are eager to see the EMS Board future actions to address these issues. Mr. Erskine gave a presentation on the geriatric trauma triage during the All-Member meeting. All chairs gave an update for their region. Region I presented a hospital capability assessment report which Dr. Cunningham can send to anyone who is interested. Dr. Pomerantz requested a copy.

Dr. Cunningham provided an update on the Burden of Stroke study to the RPAB members. She reported that a survey regarding the American Heart Association's (AHA) ST-elevation myocardial infarction (STEMI) Mission Lifeline™ project has been placed on the EMS website. Responses are due by November 30, 2008.

As a follow-up to the Burden of Stroke study, the Ohio Department of Health (ODH) is selecting two cities to be the hubs for the REACH telemedicine project. Once the study cites are announced, she will inform the Board. The Division of EMS has hired an outside contractor to collect data for the Burden of Stroke project.

The RPAB chairs and membership were informed that the Emergency Medical Services Children (EMSC) committee has requested that the RPAB regions either appoint a physician with pediatric expertise or develop a close relationship with one in their community.

An article from the EMS Insider magazine regarding the NASEMSO resolution on the National Accreditation deadline was distributed.

Dr. Cunningham reported she was selected to serve on the Education Workforce Committee of the National EMS Advisory Council (NEMSAC), a committee of the National Highway Traffic Safety Administration (NHTSA).

Principal Assistant Attorney General, Yvonne Tertel

Ms. Tertel reported that the Report and Recommendation hearing for Mr. Dance has been moved to the January Board retreat. As Mr. Dance is currently incarcerated, he is of no threat to the general public. Mr. Burgess asked board members to bring this paperwork to the January retreat with them.

EMS Staff Legal Counsel, Heather Frient

Ms. Frient Provided the EMS Board an update on their request to separate Rule 4765-6-03 (Governor Declared Emergencies) into two rules. It was proposed to make paragraph B a separate rule (4765-6-05). In proposed 4765-6-05, one change is to remove reference to Mark I kit and nerve agent auto-injector kit. It was proposed to include language to “dispense” drugs in 4765-6-03. After reviewing laws and discussing the changes with the Pharmacy Board, language “to dispense” cannot be included as that is solely under the jurisdiction of the Pharmacy Board. According to their rule 4729-2-8, “no person who is not a pharmacist or not a pharmacy intern under the supervision of a pharmacist shall compound, dispense or sell dangerous drugs or otherwise engage in the practice of pharmacy.” Ms. Frient said this would not pass the Joint Committee on Agency Rule Review (JCARR) as they can invalidate a rule if there is a conflict with the Division’s rule and another agency’s law. Even if the law was passed, it would be in violation of the rule, making an EMT or first responder guilty of a third degree misdemeanor under the Pharmacy Board law 4729-9-9. She recommended leaving 4765-6-03 language as is, and change 4765-06-05 as discussed.

Mr. Resanovich understands the response, but this still leaves a dilemma for EMS because county disaster plans have EMTs dispensing drugs. If the laws are not revised to permit this to take place, as a member of the Homeland Security Committee of this Board, he challenges the Board of Pharmacy to develop such a distribution plan should there need to be a mass distribution of pharmaceuticals in a very rapid fashion and include the use of EMS in that process. Mr. Resanovich said there are not enough pharmacists to dispense drugs during a mass event. He said a blind eye might be taken during a disaster, but still could encourage civil liability issues. After a discussion, it was decided to call a meeting of the executive directors of the Ohio Emergency Management Agency (EMA), Ohio Emergency Medical Services (EMS), Ohio Department of Health (ODH), Ohio Homeland Security (HLS) and Ohio State Board of Pharmacy to discuss this issue. Other items to be considered are CHEMPACK, which is already

in the Center for Disease Control (CDC) policy, which might also infringe on pharmacy rules. Mr. Davis noted that someone from the Governor's office representing safety in the state of Ohio might need to be included to facilitate all parties working together.

Ms. Frient said over sixty-five rules were filed last week and she will be sending them to China Dodley to post on the EMS website. Bill Hills, JCARR Executive Director, who indicated rule 4765-2-04 requires that any rule the Board amends/adopts/changes/rescinds must be posted to the Registrar of Ohio website. Mr. Hills said this particular rule should be pulled and filed as an amended rule to include a reference that specifically states that any changes will be posted on the Registrar of Ohio website. Posting of amended rules and their status in the legislative process will assist anyone reading the rule to locate it.

ACTION: Motion to pull 4765-2-04 from rules filed today and re-file after the new year with new language recommended by JCARR as noted above. Pomerantz first. McNutt second. None opposed. Motion passed.

EMS Legislative Liaison, John Lang/Tonia Fitros

Ms. Dodson distributed copies of legislative updates as provided by Ms. Fitros.

Ms. Frient pointed out the following:

- House Bill (HB) 130 was up for a second hearing, but was not sure if it was voted upon today. This bill would require all Boards revise their rules and specifically list which felonies upon which they would take action. This should have no impact for the EMS Board since a 119 hearing is provided.
 - Companion bill HB 171 proposes restricting Boards from taking action on felonies except those that are criminal offenses related to the actual profession. She said this is expected to die in this session and the companion bill, HB 130, is expected to be amended. Ms. Frient indicated this bill would not allow the EMS Board to act on many cases that they now do and the EMS Board would have to define which offenses would directly relate to the practice of EMS and fire. She thinks the Department of Rehabilitation and Corrections (DRC) is behind the bill. Numerous Board members expressed their concerns and asked whether the Board should be opposed to this bill and take an active role. Ms. Frient said the Department of Public Safety (DPS) policy is to take a neutral stance on bills, and Ms. Frient defers to the legislative liaisons who are monitoring the bill.
- HB 320 (booster seat) is having a hearing today. Ms. Frient will check with Ms. Tonia Fitros for an update.
- HB 529 (living will) was scheduled for a hearing yesterday.
- HB 601 (MOLST/POLST), which does not appear on this list, was up for a hearing. Mr. Erskine indicated the first hearing was held last week for proponent testimony; the hearing today will be for both proponent and opponent testimony. It is his understanding that eight amendments have been filed by the Ohio Right to Life organization. At the Honoring Wishes task force meeting, the review found several of those amendments were unacceptable to most stakeholder organizations. The MOLST/POLST would only apply

to those individuals diagnosed with a terminal illness. Mr. Erskine said these bills are expected to die in this session and be introduced at the next session. He said the Trauma Committee supported this bill in its original form as well as hospitals, nursing homes and other organizations. Ms. Frient will review the new amendments and provide the Board with an update.

Executive Director's Report, Richard Rucker

It is with regret that Mr. Rucker informed members that Michael Senter has resigned from the EMS Board. Mr. Senter has taken a new position and no longer meets the criteria for this Board seat. Ms. Dodson is preparing letters to send to the nominating organizations informing them of his resignation and requesting submission of replacement candidates.

Mr. Rucker reported that the EMS Board currently has four vacancies and four seats pending renewal. He asked the Board if the January retreat should be postponed until springtime or after the appointments are made. After a brief discussion, members preferred to keep the retreat in January since they have arranged their schedules around the original dates. If Board appointments are not made, Board members will remain in their seats for sixty days, enabling them to participate in the January retreat. Mr. Rucker said the Board still has enough members to conduct Board business. He has been in contact with the Governor's office regarding nominations as has Director Guzmán. Mr. Rucker expects appointments to be made in the near future. Mr. Davis suggested that nominees for these seats be provided the 2009 Board dates in case they are nominated. Dr. Cunningham suggested to expedite matters that nominees be contacted to be sure they are still interested and eligible for the position. Mr. Rucker will contact the nominees.

Mr. Rucker reported that the last town hall meeting held in Marietta was well attended. The next one is scheduled for February 12, 2009, in the Cincinnati area. After discussion with Division staff, an additional town hall meeting will be held in the Columbus area in the spring. Even though EMTs in the Columbus area can attend a Board meeting, the information contained in the Town Hall meetings differs from what is discussed at a Board meeting.

After discussing the proposed open forum for Paramedics to provide input on the National Accreditation issue with EMS staff and Mr. Burgess, it has been suggested that a survey might be a better vehicle as a survey would reach a far greater number of people and generate a higher response. The Board was in agreement with this plan of attack. The survey will also go to first responders, basic and intermediate EMTs as well as paramedics. Dr. Cunningham reviewed the survey questions and provided suggested changes. Mr. Rucker will send the survey questions to Board members for their input prior to distribution.

Mr. Rucker announced that the Division's SIREN newsletter is going electronic. This enables the Division to save the cost to print and mail the newsletter. It will also provide unlimited space for additional articles, which Dr. Cunningham and various EMS staff will provide. If Board members know of a person or agency that has done something that deserves notice, please let him know for possible inclusion in the newsletter.

Mr. Rucker received a call from the chairperson of the legislative committee of the Ohio Fire Chiefs Association, Chief Bob Bates, who expressed concern regarding proposed legislation for identification cards to contain all state certifications, all of which would expire on an individual's birth date, and cost \$5. Chief Bates said his organization has been receiving a lot of calls and questions about this proposal, and he wanted to let the Board know that this proposal is very important to his organization. This proposal had been put on hold due to the moratorium on new fees which has now been lifted. Mr. Rucker and Ms. Frient believe this legislation can be passed if it can be added on to a bill as the language for it has already been written. Mr. Rucker informed the Ohio Fire Chiefs Association that this proposal is being worked on.

Dr. Pakiela asked Mr. Rucker how the Division is doing with the recent economic downturn and state budget cuts. Mr. Rucker said he is not at liberty to say, but Director Guzmán has a plan for a budget fix for the Division of EMS.

Education, John Sands

Mr. Sands said there were no initial accreditations or off-site requests to approve.

Accreditation Renewals

	Accred #	Exp Date	Name	County	Level(s)	Contingencies
1.	123	7/31/2008	Ohio Hi-Point Career Center	Logan	EMT-I	None

ACTION: Motion to approve the above listed renewal accreditation site(s) without contingencies. Fiffick first. Pomerantz second. None opposed. Motion approved.

2008 Statistics to Date:	Total Accredited Institutions to Date - 95	Accredited Institutions Renewed to Date - 26
	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 - 6

Initial Approvals

	Name	Personnel	Contingencies	County
1.	Pleasant Hill-Newton Twp. JFD	Pamela Denlinger, Program Director Dr. Patrick Vaglianti, M.D. Medical Director	None	Miami
	Total: 1			

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

Renewals

	Approval #	Exp Date	Name	Contingencies	County
1.	2116	10-31-2008	Malta& McConnellsville Fire Dept.	None	Morgan
2.	2238	9-22-2008	Central Fire District	None	Wayne

3	2115	10-31-2008	College Twp. Fire Dept	None	Knox
4.	2105	08-30-2008	Cleves Fire Department	None	Hamilton
5.	1273	11-30-2008	Scioto Twp. Fire Department	None	Pickaway
6.	1256	9-30-2008	Jerome Twp. Division of Fire	None	Union
Total:	6				

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

Mr. Sands said there were no offsite program or reinstatement requests to report. The Muskingum County (Accreditation #2101) certificate expired September 21, 2008, and did not submit for renewal.

2008 Statistics: New Programs – 24 # Certificate of Approvals due to renew in 2008: 157
 Renewals – 121 # Certificate of Approvals left to renew in 2008: 43
 Reinstatements – 5

Certifications, John Kennington

ACTION: Motion to approve the request for extension(s) processed for the period October 1, 2008 through October 31, 2008. Collins first. McNutt second. None opposed. Motion approved.

ACTION: Motion to approve three (3) requests for exemption regarding continuing education for individuals serving on active military duty during the certification period. Collins first. Pakiela second. None opposed. Motion approved.

ACTION: Motion to approve twelve (12) requests for reinstatements that were processed for the period October 1, 2008 through October 31, 2008. Pakiela first. Collins second. None opposed. Motion approved.

ACTION: Motion to ratify the 1,072 active EMT Certifications issued for the period of October 1, 2008 through October 31, 2008. Collins first. Mallory second. None opposed. Motion approved.

Mr. Kennington said to date, 7,593 EMS certifications have been renewed online. The goal was to reach 75% online for the year and it is currently 74.9%. 51,406 certifications have been issued this year, of which 45,779 have been processed online, including fire, which brings it to 89.1% people renewing online.

Dr. Collins asked for an update regarding the continuing education online course. Mr. John Sands said as soon as the purchase order is signed, he will meet with OmniPath to get the EMS CHEMPACK course online, which is 75% complete. This course is similarly structured like NIMS. Ms. Graymire asked how many continuing education courses will be online. Mr. Rucker said so far, the CHEMPACK and trauma triage will be online. Mr. Sands said the Division is looking at developing several fire courses to be offered online. Mr. Rucker said the Division plans to utilize this program as much as possible to provide this service to our constituents.

COMMITTEE REPORTS

Trauma Committee, Dr. John Crow

Dr. Crow gave an update on the Model Trauma System that the committee reviewed in March, 2008. Findings included that Ohio's trauma system is strong in prehospital care, disaster preparedness and information systems. Weaknesses in the system include lack of comprehensive trauma system plan, lack of integration with injury prevention programs, lack of statutory authority to enhance the system and the inability to assure a cost-effective system and use outcomes as a basis for improvements.

The committee is looking into bans on cell phone usage while driving in relation to safety, which many cities and states already have laws against this.

Dr. Crow reported that Dr. Virginia Haller has resigned from the Ohio Department of Health (ODH). He said a replacement is needed to continue the development of the trauma system and requested the Board send a letter to the Director of ODH strongly urging this position be filled. Dr. Crow said other organizations such as the Ohio Society of Trauma Nurses will be sending similar requests.

ACTION: Motion to approve the EMS Board submit a letter to the Ohio Department of Health requesting the liaison position be filled. Groner first. Pakiela second. None opposed. Motion approved.

Dr. Crow discussed the need for a unique patient identifier as it is essential for the elimination of the duplicate records in the trauma registry (approximately 10-15%). The Trauma Advisory subcommittee has suggested three different options for a tracking system: Identification (ID) bands, assign run numbers, or assign unique identifier at time of arrival at hospital. ID bands would cost approximately 50 cents each, but would probably be prohibitive to EMS agencies purchasing them. However, such bands applied to patients at the hospitals when patients are brought in via ambulance or walk in on their own. Mr. Resanovich asked whether any thought has been given to using the software system that the Ohio Hospital Association (OHA) has purchased. The system could also be used for other tracking purposes that hospitals may perform. Dr. Crow said the subcommittee will look at these options.

Mr. Resanovich asked what the Board needs to do to get hospitals in compliance with such a tracking system, using the third option of assigning a unique identifier. Dr. Crow said this is an easy and inexpensive fix and can be used with the trauma system. Ms. Graymire asked about the impact of time and cost and education of hospitals and staff. Dr. Crow said there will not be a problem with trauma hospitals; it is the non-trauma hospitals that will need educated. Mr. Erskine will approve a new data set and present at the next meeting. Mr. Davis asked if it would be easier to sell the unique identifier to hospitals so they can link to all their patients. Dr. Crow said currently only burn, cancer and trauma unit registries are entering patient information. All other patients in the hospital do not get entered into a registry. Mr. Erskine said the ID will include agency ID number and date of arrival, which is paired with the information the state

already receives from EMS. Mr. Erskine said the hospital number is only used in the unique identifier if the patient arrives at the hospital via a non-EMS method (walk-in).

ACTION: Motion to accept and approve the proposed registry changes for including unique identifiers. Resanovich first. Graymire second. None opposed. Motion approved.

******* Lunch 11:44 AM – 12:24 PM *******

COMMITTEE REPORTS

Data, Tim Erskine

There was no report.

Education Committee, James Holcomb

Mr. Holcomb said the committee continues to work on the continuing education proposals, which will go before the Board in January.

After the committee reviewed the *Guidelines for the Healthcare Provider* position paper. No changes were recommended and the paper stands as is, which Board members were in agreement with.

EMSC Committee, Dr. Wendy Pomerantz

Dr. Pomerantz recommended the following individuals be added to the EMSC committee: Mr. Ken Crank, EMS Coordinator, Cincinnati Children's Hospital; Dr. Carla Pruden, MD, ED Fellow, Cincinnati Children's Hospital; and Dr. Jerri Anne Rose, MD, ED Fellow, Rainbow Babies and Children's Hospital.

ACTION: Motion to approve Mr. Ken Crank, Dr. Carla Pruden, and Dr. Jerri Anne Rose as committee members of EMSC. Pomerantz first. Marchetta second. None opposed. None abstained. Motion approved.

The EMSC Committee will form three workgroups to address the EMSC Performance Measures: Pediatric Medical Direction, Pediatric Pre-hospital Equipment, and Pediatric Preparedness for Emergency Departments. Membership in these workgroups is open to all. Please contact Joe Stack if interested in any of these areas. All three groups will meet or hold a phone conference before the next EMSC Committee meeting, which is March 17, 2009.

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

Firefighter and FSI Committee, Phil McLean (John Sands)

The meeting yesterday was cancelled and no report was given.

Grants Committee, Daryl McNutt

Mr. McNutt was unable to attend the meeting and Alan Boster reported that the Priority I grants for the 2009-10 award year should remain the same: \$1,500 maximum for non-transporting agencies and \$2,500 minimum for transporting agencies. Indicators used will remain the same.

Mr. Boster asked Mr. Erskine and the Trauma Committee to determine focus areas for Priorities II, III and IV. Mr. Erskine said the committee made some slight changes to the applications, which will be in next month's Board packet. The trauma committee recommended narrowing the focus for Priority II to injury prevention for geriatrics and research on vehicle crashes in high-risk areas in accordance with the Ohio Comprehensive Highway Safety Plan.

Mr. Boster proposed combining the Grants committee with the Research committee due to the Grant committees dwindling membership. Mr. Boster said 90% of decisions made regarding grants are the same as made by the Research Committee. He said the other options would be to let the Grants committee run on the current skeleton committee or recruit providers or recipients to the committee. Dr. Collins and Dr. Pomerantz, chair and co-chair of the Research committee, agreed with Mr. Boster's proposal. The Board approved blending the Grants and Research committee in 2009.

Homeland Security Committee, Mark Resanovich

Mr. Resanovich conferred with Division staff regarding participation in another Ohio Department of Health (ODH) grant with a June 30, 2009 deadline. It would require providing training to all eight Ohio Homeland Security regions. He will work with Tom Macklin, Ellen Owens and John Sands on this project.

The Tactical EMS (TEMS) committee had an all-day meeting and completed the scope of practice. The committee worked on curriculum testing and medical director requirements yesterday and will work on drafting legislation for the TEMS certification. He reported that the University of Georgia Medical College has a document similar to the one being developed by the TEMS committee.

Mr. Resanovich announced there are two individuals who desire to be part of the TEMS committee and he recommends Board approval for Mike Grossman and Matt Ruth.

ACTION: Motion to approve Mr. Mike Grossman and Mr. Matt Ruth to be members of the Homeland Security TEMS committee. Resanovich first. Mallory second. None opposed. None abstained. Motion approved.

Mr. Burgess, Tom Macklin, Mark Resanovich and Joe Stack attended the rollout session on with the web-based patient tracking software that Carol Jacobson of the Ohio Department of Health (ODH) presented. There is a plan to have a drill in both northeast and northwest Ohio utilizing this software package.

Medical Oversight Committee, Dr. John Pakiela

The committee reviewed the one-on-one diversion program for alcohol and substance abuse in southwest Ohio as submitted to the Board from Chief Trish Brooks of the Forest Park Fire Department. Currently physicians and nurses are able to participate per the State of Ohio Nursing and Medical Boards. It has been suggested to expand this program to include paramedics and EMTs. Dr. Pakiela said there is no law to allow this to be used prior to a consent agreement, and there is a concern by providers that if treatment from this program is sought prior to a conviction that it would be held against them in disciplinary action by the EMS Board. Dr. Pakiela said this had been brought up to the Board several years ago by Mr. Davis and the Board unanimously supported it, following suit with the State of Ohio Nursing and Medical Boards. Dr. Pakiela suggested having a presentation on this given to the Board at the January retreat.

The committee reviewed the Attorney General's opinion on EMT and Paramedics performing blood draws for law enforcement for blood alcohol tests. The committee believes it is not in the scope of practice and is not involved in the acute care of the patient. After a brief discussion, the Board was in agreement that this is outside the scope of practice and EMTs should not be drawing blood for evidentiary purposes.

ACTION: Motion to approve position that EMTs and Paramedics can not perform blood draws for law enforcement on blood alcohol tests for evidentiary purposes as it is outside the scope of practice. Pakiela first. McNutt second. None opposed. None abstained. Motion approved.

Dr. Cunningham said as a local EMS Medical Director, she receives a lot of questions about this law. She will draft a statement regarding the Board's position to be placed on the EMS website and in one of the upcoming SIREN newsletters.

Recruitment & Retention Committee, Mr. Daryl McNutt

Mr. McNutt reported that the committee is working on getting someone from the Ohio Public Employees Employee Retirement System (PERS) to attend a future meeting and discuss how they interpret/enforce current rules and laws.

The committee will be placing various EMS/Fire training links on the website, including a link to the Explorer program for guidance for those interested in developing such a program.

Research Committee, Dr. Tom Collins

There was no meeting this month and no report was given.

Rules Committee, William Mallory

There was no meeting this month and no report was given.

***** Break 12:47 PM – 12:55 PM *****

OLD BUSINESS

Mr. Burgess will be chairing the Board's newly created National Accreditation committee and asked members interested in participating to contact him. He reported the EMS Board received an e-mail regarding the national accreditation issue. The person thought the national accreditation curriculum should be used and all states should not require reciprocity tests.

Dr. Groner brought a few copies of the uncited journal that was quoted in the *The Other Paper* article regarding executions.

Ms. Frient said it has come to her attention that the Ohio Hospital Association (OHA) wished to provide comments on proposed rules 4765-14-01 and 4765-14-02 even though the public hearing is over and the court reporter is gone. She said the Board could listen to the OHA comments and then decide whether to amend their earlier vote.

Mr. Rick Frank distributed the OHA's comments and apologized for them not being handed out during the public hearing. He said the OHA does not oppose geriatric trauma rules and appreciates what the Board is doing. Board members took a few minutes to read the document.

Ms. Frient summarized from the OHA comments submitted that they are saying the definition of a geriatric trauma victim in the EMS rules conflicts with the statute's definition. Ms. Frient said the statutory definition of trauma under section 4765-24-0 requires the Board to draft rules and protocol for adults and pediatrics. She said since 4765-14-01 did not define pediatric and geriatric, the Board was compelled to define them in order to comply with 4765-40. She questioned how OHA is saying that is inconsistent. Mr. Frank said he is not an attorney but believes the definition of a trauma victim is already defined in statute, and therefore cannot be redefined in rules, which they perceive the rule as making statutory change. Board members questioned the appropriateness of this conversation after the public hearing has been closed.

Dr. Cunningham stated that the trauma legislation applies to EMS and not to hospital employees or physicians in emergency departments. When an EMT sees a geriatric patient struck by a vehicle, they do not have the diagnostic equipment and tools to determine whether the person has underlying major trauma and a certain degree of over triage is evidence of good patient care. Mr. Erskine said this was discussed at length during the study period and found under triage was occurring because 16% of all geriatric patients who die of their injuries die in non-trauma centers. However, 16% is a lot of people dying in the wrong facility. Mr. Erskine said a certain amount of over triage is acceptable in order to minimize under triage, which is more immediately lethal whereas over triage is simply a burden on the system. Mr. Frank thanked the Board for hearing their comments. Mr. Frient asked the Board if they wanted to amend or let their earlier vote stand. The Board concurred to let it stand.

NEW BUSINESS

Dr. Pakiela requested that the review of the Air Medical Services position paper be tabled until the Air Committee is reactivated in 2009 and members agreed. As a related point, Dr. Pakiela attended the National Air Medical Meeting and the National Air Medical Physician Association

(NAMPA). NAMPA has been tasked to develop guidelines for utilization review that are similar to what is occurring in the state of Maryland. He recommends that the EMS Board Air Medical subcommittee review the proceedings in Maryland and believes Ohio can be a leader on these issues in 2009. Discussion was held regarding the current status of various state lawsuits regarding the ability of states to preempt federal legislation. Mr. Davis asked if there is any evidence that Commission on Accreditation of Air Medical Services (CAAMS) certified programs have fewer accidents than non-CAAMS certified agencies. Dr. Pakiela said nothing is published, but research has shown that programs that are more compliant with the CAAMS standards have fewer accidents. Ms. Dodson will resend the Air Medical position paper out to Board members.

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 1:20 PM. Pomerantz first. Collins 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. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. Mark Marchetta	Here
Dr. John Pakiela	Here
Dr. Wendy Pomerantz	Here
Mr. Mark Resanovich	Here
Mr. William Vedra	

******* Board returned from Executive Session at 1:30 PM *******

2008-590-308	
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ACTION: Motion to issue Notice(s) of Opportunity for Hearing(s) at the First Responder and EMT-Basic levels, and authorize the Attorney General to negotiate a

Consent Agreement for the above listed case(s). Pomerantz first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-517-101	2008-526-101
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ACTION: Motion to accept the Consent Agreement(s) for the above listed case(s). Pomerantz first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2005-517-304 2008-52-305; Rescind NOH & close case 2008-186-101 2008-362-403 2008-385-101; Rescind NOH& close case 2008-443-401; refer to local medical director	2008-515-602 2008-516-602 2008-552-601 2008-564-101 2008-580-101
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ACTION: Motion to close the above listed case(s) and reopen if subject(s) reapply. Pomerantz first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2003-158-102 2005-7-101 2005-57-101 2005-416-301	2006-30-304 2006-89-304 2006-139-304
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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). Pomerantz first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-412-101 2008-433-101	2008-565-102
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ACTION: Motion to issue Notice(s) of Opportunity for Hearing(s) for the above listed cases. Pomerantz first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

2008-538-305 2008-572-101 2008-573-305 2008-574-305 2008-576-305 2008-577-305 2008-578-101	2008-579-305 2008-581-101 2008-594-304 2008-603-101 2008-605-101 2008-608-101
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ACTION: Motion to close the above listed case(s) for one of the following reasons: inadvertently marked yes to conviction question, misdemeanor convictions which the Board has previously deemed “not involving moral turpitude,” continuing education cases which now meet the requirements, local non-patient care issues, and grandfathering issues of certification/conviction. Pomerantz first. Mallory second. None opposed. Fiffick, Holcomb abstained. Motion approved.

ADJOURNMENT

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

The meeting was adjourned at 1:36 PM.

FIRE BOARD MEMBERS

After a brief discussion regarding consistency in fire and EMS discipline, the EMS Board fire members scheduled a meeting with the Firefighter and Fire Safety Inspector Training (FFSI) committee members on Wednesday, December 17th at 8:30 AM prior to the EMS Board meeting at 1970 W. Broad Street in the Motorcycle Room.

ACTION: Motion to go into Executive Session for the purpose of discussing proposed disciplinary action against fire certificate holders which is pending or imminent court action under Revised Code 121.22(G)(3) and involves matters that are to be kept confidential under Revised Code 121.22(G)(5) and 149.43 at 1:42 PM. McNutt first. Mallory second. None opposed. Motion approved.

Roll Call

Mr. Mark Burgess	Here
Mr. James Davis	Here
Mr. James Holcomb	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. Mark Resanovich	Here

*****Fire Board returned from Executive Session at 1:50 PM *****

2008-372-706	2008-512-701
2008-390-701	2008-525-701
2008-496-701	2008-587-702

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

2008-207-706 2008-418-101 2008-520-705	2008-550-701 2008-551-701
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ACTION: Motion recommending that the Executive Director close the above Fire case(s). Mallory first. McNutt second. None opposed. Holcomb, Resanovich abstained. Motion approved.

2008-203-701 2008-205-701 2008-245-701 2008-267-701 2008-276-701	2008-402-706 2008-421-701 2008-451-701 2008-471-701
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ACTION: Motion recommending that the Executive Director close the above Fire case(s) as the individuals have met the stipulations of their Consent Agreements. Mallory first. McNutt second. None opposed. Holcomb, Resanovich abstained. Motion approved.

2008-413-701	2008-473-702
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ACTION: Motion recommending that the Executive Director issue a Notice of Opportunity for Hearing for the above Fire case(s). Mallory first. McNutt second. None opposed. Holcomb, Resanovich abstained. Motion approved.

2008-369-706	
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ACTION: Motion recommending that the Executive Director suspend the above Fire case(s). Mallory first. McNutt second. None opposed. Holcomb, Resanovich abstained. Motion approved.

ADJOURNMENT

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

The Board fire members meeting adjourned at 1:54 PM.