

FINAL

**STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
December 15, 2010**

Chaired by James Davis

Board Meeting Date and Location: December 15, 2010, Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio 43223

Board Members in Attendance: Ms. Pamela Bradshaw, Dr. Deanna Dahl-Grove, Mr. James Davis, Ms. Joyce Fischer, Ms. Vickie Graymire, Mr. John Kubincanek, Mr. William Mallory, Mr. Mark Marchetta, Mr. Daryl McNutt, Dr. Wendy Pomerantz, Dr. John Pakiela, Mr. William Quinn, Mr. Mark Resanovich, Mr. Craig Self, Mr. Bruce Shade, Dr. Brian Springer, Dr. Steve Steinberg,

Board Members Absent: Ms. Deanna Harris, Mr. James Parrish, Mr. William Vedra

Staff Members Present: Alan Boster, Dr. Carol Cunningham, Aleta Dodson, Tim Erskine, Heather Frient, Tom Gwinn, Allison Imhoff, John Kennington, Thomas Macklin, Vanessa Mertz, Linda Mirarchi, Sue Morris, Doug Orahood, Ellen Owens, Carol Palantekin, Brian Pfeffer, Millie Pontious, Richard Rucker, Bob Ruetenik, John Sands, Joe Stack, Yvonne Tertel, Melissa Vermillion

Guest and Public Attendance: Jay Clevenger, Ohio Fire Academy; Charlie Dixon and John Wilt, Columbus Division of Fire; Tom Duffee and Rick Heronimus, Clark State Community College; Ken Gardner, Ashland Fire; Kathy Haley, EMS Board Trauma Committee; Suzanne Hoholik, Columbus Dispatch; Terrie Stewart, Ohio State Medical Center; Harold Williams, West Licking; Lynn Yeaten, Wyandot County EMS

OPEN FORUM

Mr. Davis called the meeting to order at 9:07 AM.

Roll Call

Mr. James Davis	Here
Mr. Mark Resanovich	Here
Ms. Pamela Bradshaw	Here
Dr. Deanna Dahl-Grove	Here
Ms. Joyce Fischer	Here
Ms. Vickie Graymire	Here
Ms. Deanna Harris	
Mr. John Kubincanek	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	
Mr. Mark Marchetta	Here
Dr. John Pakiela	Here
Mr. James Parrish	
Dr. Wendy Pomerantz	Here

Mr. William Quinn, Jr. Here
Mr. Craig Self
Mr. Bruce Shade
Dr. Brian Springer Here
Dr. Steve Steinberg Here
Mr. William Vedra

Mr. Davis noted for the record there was a quorum to conduct business.

OPEN FORUM

A public forum on the adoption of the new National EMS Education Standards' alternative advanced airway curriculum and its potential impact upon the Ohio EMS scope of practice of EMT-Basics. The Board's adoption of the National EMS Education Standards will be the avenue through which EMT-Basics establish advanced airways in their patients. Orotracheal intubation of pulseless and apneic patients using dual lumen and supraglottic airway devices will remain in the EMT-Basic scope of practice and their EMT curriculum. However, the EMS Board voted to remove endotracheal intubation of pulseless and apneic patients by EMT-Basics via direct laryngoscopy with a laryngoscope and a single lumen endotracheal (ET) tube. Pamela Bradshaw spoke as member of the Board's Education Committee and as leader of the EMT-Basic subcommittee that was tasked to look at curriculum for all four levels of Ohio EMS providers. She reported Ohio is the only state that allows EMT-Basics to intubate. Evidence indicates that intubation skills at the paramedic level may not be optimum.

Pamela Bradshaw reported after the Education Committee's review, the recommendation was to remove endotracheal intubation via direct laryngoscopy from the skill sets for EMT-Basics since EMT-Basics are restricted to intubating pulseless and apneic patients. The consensus was that the public is better served if EMT-Basics use supraglottic devices such as the King or SALT airway. Ms. Bradshaw said that intubation with an ET tube will only be in the skill set of EMT-Paramedics. John Kubincanek, Education Committee Chair, said it was determined the Ohio should comply with the National EMS Standards. The Board's Medical Oversight and Regional Physician Advisory Board committees made the same recommendation. Mr. Davis wanted to clarify that the recommendation is to remove endotracheal intubation with an ET tube from the EMT-Basic curriculum while retaining rescue airway devices or supraglottic devices for the EMT-Basic curriculum. Linda Mirarchi, Division of EMS Lead Education Coordinator, wanted to ensure that people fully understand, and for clarification in the meeting minutes, that no form of intubation has been removed from the EMT-Intermediate or EMT-Paramedic curricula. These skills are only being removed from the EMT-Basic curriculum. No one in the audience provided comment. John Sands, Division of EMS Operations Chief, reported that five e-mails and one phone call were received prior to today's meeting that were included in the Board packet for members review.

ACTION: Motion to remove the skill set of endotracheal intubation from the Ohio EMT-Basic scope of practice while retaining supraglottic airway devices in the EMT-Basic curriculum. Bradshaw first. Pomerantz second.

Ellen Owens, Division of EMS Special Projects Manager, wanted to clarify that this will take effect once the new rules are in place and not after today's meeting.

None opposed. None abstained. Motion approved.

STAFF REPORTS

Chair Report, James Davis

Mr. Davis reported the Board retreat will be held in February and new and/or additional committee assignments for 2011 will be determined at that time. Before the Board retreat, he will discuss potential committee assignments that may be of interest with the new Board members. In addition, the Board will discuss its goals and objectives for 2011.

State Medical Director Report, Dr. Carol Cunningham

Dr. Cunningham presented three doctors for approval to the Regional Physician Advisory Boards (RPAB) as follows: Reappointment of Dr. Thomas R. Krzmarzick and Dr. Jason R. Pickett, Region II, and appointment of Dr. Paul Zeeb, Region V.

ACTION: Motion to re-appointing Dr. Thomas R. Krzmarzick and Dr. Jason R. Pickett to the Region II Regional Physician Advisory Board (RPAB), and appointing Dr. Paul Zeeb to RPAB Region V. Marchetta first. Pomerantz second. None opposed. Motion passed.

Dr. Cunningham said the updated version of the State of Ohio EMS Adult and Pediatric Guidelines and Procedures manual was e-mailed to Board members for review. The EMS-C, Medical Oversight (MOC), and RPAB committees are aware that rules are being drafted to amend Ohio's EMS scope of practice to be more compliant with the National EMS Scope of Practice Model. However, the American Heart Association released their new guidelines for CPR and Emergency Cardiac care in October. To expedite updating protocols to make sure those sections of the state guideline documents are up to date in time for the upcoming National Highway Traffic Safety Administration (NHTSA) review, Dr. Cunningham updated those sections so it could be presented to the Board for approval and post to the website before the next Board meeting.

ACTION: Motion to approve the updated State of Ohio EMS Adult and Pediatric Guidelines and Procedures manual. Pomerantz first. Marchetta second. None opposed. None abstained. Motion passed.

Dr. Cunningham received a press release from the Ohio Department of Health (ODH) that documents that the incidence of stroke has dropped from the third to fourth leading cause of death in Ohio. Several years ago, the Board participated on the Burden of Stroke project with ODH.

CONSENT AGENDA

ACTION: Motion to approve the consent agenda as posted on the website, items including: October 19, 2010 EMS Board minutes; EMS certifications granted for the period of October 1, 2010 through November 30, 2010 and continuing education extensions

granted for the period of October 1, 2010 through November 30, 2010; and initial and renewal applications for education certificates of approval and accreditation for the period of October 1, 2010 through November 30, 2010. Pomerantz first. Marchetta second. None opposed. Motion approved.

Assistant Attorney General, Yvonne Tertel

Ms. Tertel reported there is a possibility that a Report and Recommendation might be presented at the February meeting. Hearings are being scheduled for 2011. Ms. Tertel suggested that the Board, during their upcoming retreat, might want to review the types of cases heard over the last year and revisit the history and philosophy of the Board discipline, especially for the newer members. She is not suggesting anything needs changed, but that it is always a good practice to provide a review, especially when new Board members are appointed.

EMS Staff Legal Counsel, Heather Frient

No report was given.

Legislative Liaison, Justin Long

An updated copy of the EMS legislative matrix report was distributed.

Executive Director, Richard Rucker

Mr. Rucker congratulated the reappointed Board members, James Davis, Vickie Graymire, and James Parrish. He introduced and welcomed new Board members Deanna Harris, Bruce Shade, and Dr. Brian Springer. Unfortunately, Ms. Harris could not attend today's meeting.

The Division has been holding regional meetings throughout the state with local law enforcement, EMS agencies, and providers to educate them on Senate Bill 58 issues regarding OVI blood draw for evidence. He said the meetings are going well, but attendance has been disappointing. Mr. Sands reported the meetings are successful in that a lot of EMS agencies and law enforcement will meet at a local level to discuss how to handle OVI blood draws.

Mr. Rucker said the Division will be accredited by Pro Board in January, 2011, at their annual education training conference. He thanked Doug Orahod for his hard work on the project.

The National Highway Traffic Safety Administration (NHTSA) reassessment of the state of EMS in Ohio will be conducted simultaneously during the EMS Board retreat which will be held on February 15-17, 2011 at Deer Creek State Park.

Education, Linda Mirarchi

Linda Mirarchi, Division of EMS Lead Education Coordinator, said that, in addition to the accreditation sites approved in the Consent Agenda today, there are two off-site training requests from Mid-East Career Technical Center. As the Board may recall, Mid-East entered into a consent agreement through a Notice of Opportunity for Hearing. Because they are under a consent agreement, they needed to submit a request to the Board for off-site locations which has been submitted and was distributed to the Board members in advance of today's meeting. They have made significant improvements, and their pass rate has increased. Due to the closing of training programs in that area, Mid-East is the sole training program in the southeast area with

the exception of an academic center based program where there are no available classrooms and prospective students are held on wait lists. Mid-East offsite training would be limited to two sites: Buckingham Cole and Amanda Fire Department. Buckingham Cole will teach EMT-Basic classes, and the Amanda Fire Department will teach EMT-Basic and EMT-Intermediate classes and provide continuing education. Staff recommends that these be approved.

***** Bruce Shade arrived at 9:25 AM *****

ACTION: Motion to approve two off-site training centers for Mid-East Career Center. Pomerantz first. Dahl-Grove second. None opposed. None abstained. Motion approved.

Ms. Mirarchi entered into the record a signed consent agreement for Case 2010-362-300E (U.H. Geauga Medical Center Accreditation 206) for the EMT-Basic, EMT-Intermediate, and EMT-Paramedic levels of training and Case 2010-198-300E (Four County Career Center, Accreditation 205) for the EMT-Basic level of training.

Certifications, John Kennington

Mr. Kennington presented one request for exemption for continuing education from certificate holder due to active military service (certificate number 67141).

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

Mr. Kennington presented one request for exemption for continuing education from certificate holder due to active medical hardship (certificate number 66660). The individual had completed some CE training prior to receiving a serious medical diagnosis.

ACTION: Motion to approve one request for exemption for continuing education for individual due to medical hardship during the certification period. Quinn first. Bradshaw second. None opposed. Motion approved.

Mr. Kennington said the implementation of the one card / one expiration date process planned to roll out January 3, 2011 will be delayed due to an IT security issue that needs fixed. He indicated the roll out would still occur by the end of the month and still be within the 90-day period as required. Mr. Kennington reported he has been speaking to local fire departments and organizations about the process.

***** Craig Self arrived at 9:34 AM *****

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 required to be kept confidential under Revised Code 4765.102(B) at 9:37 AM. Pomerantz first. Marchetta second. None opposed. Motion approved.

Roll Call

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

***** Mr. Mallory arrived at 9:50 AM *****

******* Board returned from executive session at 9:57 AM *******

ACTION: Motion to close the case and renew the certificate of accreditation without contingency in the matter of case number 2010-296-E300. Dahl-Grove first. Pomerantz second. None opposed. Bradshaw, Mallory abstained. Motion passed.

2009-663-102	2010-317-BE100	2010-450-E300	2010-494-E300
2009-777-304	2010-400-E100	2010-454-BE100	2010-495-E300
2010-34-BE100	2010-403-E300	2010-471-E100	2010-514-E100
2010-49-E100	2010-419-E300	2010-490-E300	2010-515-E300
2010-149-BE100	2010-439-E100	2010-491-E300	2010-516-E100
2010-210-E100	2010-440-E100	2010-492-E300	2010-535-BE100
	2010-444-E300	2010-493-E300	

ACTION: Motion to accept the Consent Agreement(s) for the above listed case(s). Dahl-Grove first. Pomerantz second. Bradshaw, Mallory abstained. None opposed. Motion approved.

2006-106-602	2010-360-E400 (<i>Defer to local discipline</i>)	2010-485-E400
2009-329-502	2010-433-E100	2010-507-E100
2010-132-E400	2010-442-E500 (<i>Defer to local discipline</i>)	2010-511-E400
2010-145-BE100		2010-521-E500
2010-298-E400		

ACTION: Motion to close the above listed case(s). Dahl-Grove first. Pomerantz second. Bradshaw, Mallory abstained; Davis abstained 2010-132-E400. None opposed. Motion approved.

2007-55-102 2007-176-102	2009-286-602 2009-290-101	2010-509-BE100
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ACTION: Motion to close the above listed case, re-open if subject reapplies. Dahl-Grove first. Pomerantz second. Bradshaw, Mallory abstained. None opposed. Motion approved.

2006-440-101 2006-477-101 2007-45-102 2007-262-101	2007-435-304 2008-44-102 2008-49-304 2008-379-304	2009-735-302 2010-77-BE100 2010-114-E100 2010-256-E100	2010-304-E100 2010-322-BE100
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ACTION: Motion to close the above listed cases; individuals have met the stipulations of their Consent Agreements. Dahl-Grove first. Pomerantz second. Bradshaw, Mallory abstained. None opposed. Motion approved.

2010-358-E100	2010-418-E300	2010-420-E300
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ACTION: Motion to issue Notices of Opportunity for Hearings for the above listed cases. Dahl-Grove first. Pomerantz second. Bradshaw, Mallory abstained. None opposed. Motion approved.

2010-241-BE100 2010-443-BE100 2010-461-E100 2010-487-BE100 2010-499-E100 2010-500-E100 2010-502-E100 2010-504-E100	2010-505-E100 2010-506-E100 2010-512-E100 2010-520-BE100 2010-523-E100 2010-530-BE100 2010-534-BE100 2010-537-E100	2010-538-BE100 2010-539-BE100 2010-540-E100 2010-543-BE100 2010-544-BE100 2010-553-E100 2010-558-BE100 2010-559-BE100	2010-562-E100 2010-572-E100 2010-575-E100 2010-576-E100 2010-578-E100 2010-584-BE100
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ACTION: Motion to close the above 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. Dahl-Grove first. Pomerantz second. Bradshaw, Mallory abstained. None opposed. Motion approved.

COMMITTEE REPORTS

Education Committee, John Kubincanek

Mr. Kubincanek said Jim Holcomb did an outstanding job of leading the committee in the past and he hopes to continue working on the aggressive agenda for next year.

EMS-Children, Dr. Wendy Pomerantz

Dr. Pomerantz submitted the committee's annual report to Ms. Dodson.

The committee continues to work on emergency department pediatric preparedness and is collaborating with University Hospitals in Cleveland to pilot the program. They have received buy-in from the American College of Emergency Physicians, the Emergency Nurses Association, and Ohio Hospital Association. Once the pilot program has been completed, the goal is to outreach and provide these measures to the rest of the state.

The survey on pediatric equipment and medical direction has just been released to EMS providers and hospitals. To date, they have received 26% response from EMS and 16% response from hospitals. They need 80% response by February 28, 2011.

The committee has begun planning a pediatric disaster preparedness symposium for the fall of 2011. Since Ginny Haller left the Ohio Department of Health, no one at the state level has been embraced the pediatric disaster preparedness mission or taken a lead on this project.

They are working with the Division of EMS Trauma Data Registry to obtain and review data regarding pediatrics to define the age of the pediatric patient although the age of 16 has been adopted in the Ohio trauma triage rules. They will be looking at outcomes from adult trauma centers versus pediatric trauma centers. They are also going to replicate the simplified motor score study done for adults and see whether they can use the simplified motor score to determine outcomes instead of the 15-point Glasgow Coma Score.

Firefighter and Safety Inspector Committee, Doug Orahood for Phil McLean

Mr. Orahood said the FFSI committee hopes to have the National Fire Protection Association (NFPA) 1403 live burn training for instructors completed in time for their January meeting. They continue working on developing the live fire training module and the skill sheets for the Pro Board process, which the Division received accreditation for. The Fire Alliance will be holding a meeting December 20, 2011.

Homeland Security, Mark Resanovich

The committee has changed their meeting schedule due to their increased workload and will now conduct all-day meetings, one of which will be tomorrow.

The committee completed their SWOT analysis and submitted it to the Strategic Planning Committee. The committee is currently working on reviewing the CHEMPACK annex, and the disaster plan for the Ohio EMA EMS annex. The committee is working on a new project through the Medical Coordination Planning Committee which is led by the Ohio Hospital Association and is working in conjunction with the Ohio EMA and other stakeholders. Dr. Cunningham is on the steering committee and Mr. Resanovich is on the Planning Committee, which is the group charged with getting the bulk of the operational and logistic framework completed. They have completed the inclusion/exclusion criteria for scarce resources for the state of Ohio for crisis management mode in the event of a large scale or pandemic event. This criteria has been completed and the work must be completed and submitted to the larger group

by May 31, 2011. At tomorrow's meeting they will work on the EMS component which includes emergency medical dispatching and personnel resources.

The committee's year-end report and goals will be completed and submitted at the retreat.

Legislative Committee, William Quinn

There was no meeting and no report was given.

Medical Oversight Committee, Dr. Deanna Dahl-Grove

The committee's annual report was submitted into the Board packet for people to look at.

At yesterday's meeting, the committee reviewed their annual report, revised the SWOT analysis, and discussed updates on the informational meetings on SB 58 that have taken place. The committee discussed the 12-lead EKG educational program. They are replacing copyrighted material with the committee's own product as well as images from Good Samaritan Hospital. Once completed, this will be placed on the Division of EMS website. The committee reviewed the American Heart Association updates that were included in the Adult Guidelines for EMS Procedures Manual. A lengthy discussion was held on whether to include albuterol nebulizers in the scope of practice for EMT-Basics at the request of RPAB Region II. After reviewing the literature and national scope of practice, it was determined that the skill sets and training necessary to administer that were not there. They also discussed the skill of endotracheal intubation by EMT-Basics in preparation for today's open forum.

Committee goals for 2011 include reviewing intubation for EMT-Basics, creation of a work group with the Ohio Medical Transportation Board (OMTB) to begin a dialogue toward uniform standards for public and private squads in Ohio, selection of an individual to sit on the OMTB to have representation in the private squad arena, and identification of legislative partners/stakeholders to begin to explore authority over medical directors.

National Accreditation, James Davis

Mr. Davis said Linda Mirarchi attended a two-day training session on the application process for national accreditation to CoAEMSP to assist schools moving in that direction.

Recruitment and Retention Committee, Daryl McNutt

Mr. McNutt said they are working with the Ohio Fire Chiefs on the Safer Grant issue and expect an announcement on this by February.

Research and Grants, Daryl McNutt

The committee received an application from Michael Nowak, Ph.D., to become a member of the committee. He has extensive research background and is the Regional Data Manager for the Northern Ohio Trauma System. The recommendation is to approve.

ACTION: Motion to approve Michael Nowak as a member of the Research and Grants committee. McNutt first. Pomerantz second. None opposed. None abstained. Motion passed.

The committee discussed the possibility of receiving less funding for the 2011-12 grants due to reduced revenue. The committee worked on a proposal to activate in the event that funding is decreased. The committee proposed that the minimum award for transporting agencies may be reduced from \$2,500 to \$2,000 and the maximum award for non-transporting agencies may be reduced from \$1,500 to \$1,000. The committee requests that this proposal be approved so the Division of EMS can move forward with the grants application distribution and processing.

ACTION: Motion to approve the following changes to the Ohio EMS Grant Program: If seatbelt funds available for the 2011-2012 award years are less than last years available funding of \$3.5 million, the following changes in the grant awards will apply:

- 1. The minimum award for transporting agencies will be reduced from \$2,500 to \$2,000.**
- 2. The maximum award for non-transporting agencies will be reduced from \$1,500 to \$1,000.**

McNutt first. Pomerantz second. None opposed. None abstained. Motion approved.

The committee also presented grant application forms with minor changes for approval. These are basically the same as last years form with just some minor changes.

ACTION: Motion to approve the Priority 1 (training and equipment) grant application form. McNutt first. Pomerantz second. None opposed. None abstained. Motion approved.

Mr. McNutt said the Priority 2 application changed front page to cover "EMS" and not just "Trauma".

ACTION: Motion to approve the Priority 2 (injury prevention research) grant application form. McNutt first. Pomerantz second. None opposed. None abstained. Motion approved.

Mr. McNutt said the Priority 3 and 4 applications changed to "EMS" and not just "Trauma".

ACTION: Motion to approve the Priority 3 and 4 (injury prevention research) grant application form. McNutt first. Pomerantz second. None opposed. None abstained. Motion approved.

Rules, William Mallory

Copies of the committee's 2010 year end report were distributed. Included on the list were committee members for approval as follows: Bill Mallory, Chair, EMS Board members Pam Bradshaw, Jim Davis, and Daryl McNutt.

ACTION: Motion to approve the committee members as presented. Mallory first. McNutt second. None opposed. None abstained. Motion approved.

There is still a vacancy for this committee that needs filled and Mr. Davis said perhaps one of the new Board members would be interested.

Specialty Care, Mark Resanovich

Mr. Resanovich would like to discuss the Board's pleasure or direction for this undertaking at the retreat before committing any more resources to it.

Strategic Planning/NHTSA, Craig Self

Mr. Self said the committee has completed the internal SWOT analysis and a few committees are still making some changes. The Strategic Planning committee will meet on January 19th to start reviewing committee input, identifying trends, and preparing a summary document for the Board and the upcoming NHTSA reassessment visit. At the retreat, the plan is for the NHTSA Technical Assistance Team (TAT) to provide their report Thursday afternoon to the Board on their findings and recommendations. The Strategic Planning Committee will then meet in March 2011 to review and incorporate the TAT recommendations into the 5-year strategic plan framework for presentation to the Board in July.

Trauma Committee, Kathy Haley

Vickie Graymire reported that the Trauma Visionary group wants to present the Board with their plan on how to move forward on the model trauma framework. Ohio's trauma system has been established for ten years. There has been a lot of discussion about what the trauma system has accomplished in terms of transporting trauma patients to the right place, what elements still need to be addressed, and improvements in citizen health. Ms. Graymire will provide a copy of the framework report to the new Board members.

Ms. Graymire said the committee discussion centered around the next steps in the process. The Visionary Committee's first focus is on strong data. The TRAS committee report last month spoke to the need for more Division of EMS full time employees (FTE) to enter, analyze, and utilize the data. A motion is needed to determine funding or legislation to provide staffing necessary for the Trauma Registry's Ohio databases (Rehab, EMSIRS, etc.). Mr. Davis said the Division has three FTE and one part-time intern, and the Trauma Committee is recommending five to five and a half FTEs. Mr. Resanovich said this is the ten-year anniversary of the trauma system and one of the hurdles is what is the data and what does it demonstrate. Data needs to drive the Board's decision making and what is needed for trauma care in Ohio. One of the downsides is the Division doesn't have the people (epidemiologist and statistician) to digest the data. Considering the state of the economy in Ohio and budget deficits, money needs to be used appropriately and drive the Board's decisions based on concrete evidence. The committee is hesitant to move forward any further until we have adequate information to facilitate that arrival at a good decision. At yesterday's committee meeting, the decision was to take the recommendation from the TRAS group, work with the Executive Director, and to figure out to complete this goal. Mr. Resanovich said now is the time to look at where we are, find out what we are doing, and the first thing we need to do is look at the data. Mr. Davis said the other portion of the strategic plan is to have the American College of Surgeons do a statewide assessment of the Trauma System, if it can be funded.

Kathy Haley, EMS Board Trauma Committee chair, elaborated that one of the requests of the Trauma committee was to work with TRAS during 2010 to identify the state of affairs and complete a benchmark report, which you have before you. There are recommendations for staffing for the Registry (Trauma and rehab registries). During the years there has been some

identification regarding the understaffing of the Trauma Registry, mainly by the media. The assignment was to provide the Board justification for a FTE to patient encounter purely from a data perspective. In the report, Ohio is on the far end of the spectrum for FTE support for registry/data encounters. TRAS presented their findings to the Trauma Committee and, in review, identified the need to provide the Board with a detailed FTE recommendation to pull those two Ohio registries up to a more meaningful and useful level with a capability to provide data more readily. The report identifies 5.5 FTEs, which excludes Mr. Erskine's position of Director of Trauma and Research, and shows that an additional 4.5 FTEs are needed. The Trauma Committee did not get a detailed job description for these FTEs, but it certainly has the expertise to do so. The bullet points in the report highlight the experience required for these positions. The positions identified would be three data coordinators, one epidemiologist, and 0.5 statistician (filled by an intern). The committee values the Board's input for a timeline of bringing this to reality. Mr. Davis will add this as an agenda item to be discussed at the retreat.

Ms. Graymire said in last month's minutes that the Data Registry Dictionary was completed and will be available to the Board in December. Dr. Pomerantz said that was included in the consent agenda and approved today.

OLD BUSINESS

Nominations for Chair and Vice-chair for next year were made at the October meeting and need to be voted on today.

ACTION: Motion to accept election of James Davis as Chair. Dahl-Grove first. Pomerantz second. None opposed. None abstained. Motion approved.

ACTION: Motion to accept election of Mark Resanovich as Vice-chair. Dahl-Grove first. Pomerantz second. None opposed. None abstained. Motion approved.

NEW BUSINESS

Mr. Davis asked for input for items for the Board Retreat agenda. Dr. Pomerantz asked whether a grant recipient would give a presentation/report and Mr. Erskine responded affirmatively. Mr. Davis said that if anyone had additional suggestions, they should be sent electronically to him, Mark Resanovich, or Richard Rucker.

ADJOURNMENT

ACTION: Motion to adjourn with the exception of the Fire Board members, who will remain for discussion of fire issues. Bradshaw first. Dahl-Grove second. None opposed. Motion approved. The meeting was adjourned at 10:37 AM.

FIRE BOARD MEMBERS

Mr. Davis brought the meeting of the EMS Fire Board members to order at 10:51 AM.

Roll Call

Mr. James Davis	Here
Ms. Joyce Fischer	Here

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

REPORT AND RECOMMENDATION

Mr. Davis said the Fire Board members will be deliberating on one Report and Recommendations, Fire Case Number 2009-403-701, Daniel S. Peter. The respondent did not file objections to the Report and Recommendation in the case. Mr. Davis recognized Yvonne Tertel, Principal Attorney General, for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

Ms. Tertel said this case had originally been presented at the meeting on October 19, 2010, and had a motion that was unable to be sustained due to lack of a quorum. This was a case where the Hearing Examiner's recommendation was amended by the EMS Board the October Board meeting. The case involved convictions for sexually oriented offenses of a nature where Mr. Peter attempted to show private areas of his body to female students at a community college. Ms. Tertel said the Board accepted the findings of facts and the conclusions of law, but the discipline was modified by adding the following: Fit for duty evaluation annually for two certification periods, BCI checks for two certification cycles, immediate notification of any criminal charges, and a letter of continued approval from the employer at time of renewal for two certification cycles were added. The underlying finding was a revocation, but stayed, pending all of these stipulations. Ms. Tertel asked members to renew their previous motion to adopt the recommendations as written by the Board. Mr. Peters was present at this meeting and at the October meeting. Mr. Peters addressed the Board again and asked for members to accept the Hearing Examiner's recommendations with any further disciplines you deem fit. Mr. Peter said he is deeply sorry for what happened and has taken many steps to prevent this from ever happening again.

ACTION: Motion to go into private session for the purpose of quasi-judicial deliberations on these matters at 10:56 AM. Quinn first. Mallory second. None opposed. Motion approved.

Roll Call

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

*****Fire Board returned from Private Session at 11:09 AM*****

ACTION: In the matter of Fire Case Number 2009-430-701, Daniel S. Peter, Fire Certificate Number 58865, the committee recommends to the Executive Director to accept the findings of fact and conclusions of law. However, recommend to the Executive Director to modify the recommendation issued by the Hearing Examiner based upon the egregious nature of moral turpitude of the misdemeanor conviction. The committee recommends that the Executive Director renew Mr. Peter's Level II Firefighter certification. This certificate shall then be revoked, however, the revocation shall be stayed until successful completion of the following stipulations: fit-for-duty evaluation, as determined by a licensed mental health professional and approved by the Executive Director annually for two certification cycles; a BCI & I background check for renewal for two certification cycles; immediate notification to the Division of EMS of any further criminal charges; and a letter of continued approval to practice from the employer, at the time of renewal for two certification cycles. Mallory first. Quinn second. None abstained. Motion approved.

ACTION: Motion to go into Executive Session for the purpose of discussing proposed disciplinary actions against fire certificate holders which is pending or imminent court action under Revised Code 121.22(G)(3) and involves matters that are required to be kept confidential under Revised Code 149.43 at 11:11 AM. Mallory first. Quinn second. None opposed. Motion approved.

Roll Call

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

*******Fire Board returned from Executive Session at 11:16 AM *******

2009-664-702 2010-34-BF100 2010-97-F100	2010-121-F100 2010-149-BF100	2010-317-BF100 2010-454-BF100 2010-535-BF100
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ACTION: Motion recommending that the Executive Director accept the above Fire case(s) consent agreement(s). Mallory first. McNutt second. None abstained. None opposed. Motion approved.

2009-750-702 2010-145-BF100 2010-316-F100	2010-384-F300 2010-431-F500 (<i>Rescind NOH & close</i>) 2010-438-F500	2010-455-F500 2010-470-F500 (<i>Rescind NOH & close</i>)
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ACTION: Motion recommending that the Executive Director close the above Fire case(s). Mallory first. McNutt second. None opposed. Motion approved.

2009-287-706	2009-291-701	2010-509-BF100
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ACTION: Motion recommending that the Executive Director close the above Fire case(s) and re-open if re-applies; individuals have convictions, however their certifications have expired. Mallory first. McNutt second. None abstained. None opposed. Motion approved.

2008-587-702 2008-701-701 2009-19-706	2009-352-706 2010-77-BF100	2010-247-F100 2010-322-BF100
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ACTION: Motion recommending that the Executive Director close the above case(s) as the individuals have met the stipulations of their Consent Agreements. Mallory first. McNutt second. None abstained. None opposed. Motion approved.

2010-23-F100	2010-213-F100
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ACTION: Motion recommending that the Executive Director Issue Notices of Opportunity for Hearings for the above Fire case(s). Mallory first. McNutt second. None abstained. None opposed. Motion approved.

2010-54-F100	2010-517-F100	2010-539-F100	2010-565-F100
2010-241-F100	2010-520-F100	2010-543-F100	2010-567-F100
2010-443-F100	2010-522-F100	2010-546-F100	2010-571-F500
2010-480-F100	2010-525-F100	2010-550-F100	2010-579-F100
2010-482-F100	2010-528-F500	2010-554-F100	2010-580-F100
2010-483-F100	2010-529-F500	2010-555-F100	2010-581-F100
2010-484-F100	2010-530-F100	2010-556-F100	2010-582-F500
2010-487-F100	2010-531-F100	2010-557-F100	2010-584-F100
2010-496-F100	2010-532-F100	2010-558-F100	2010-586-F100
2010-497-F100	2010-534-F100	2010-559-F100	
2010-508-F100	2010-538-F100	2010-564-F100	

ACTION: Motion recommending that the Executive Director Close the above Fire cases due to one of the following reasons: inadvertently marked yes to conviction question, misdemeanor convictions that have previously been deemed “not involving moral turpitude”, local non-patient care issues, and grandfathering issues of certification/conviction. Mallory first. McNutt second. None abstained. None opposed. Motion approved.

OLD BUSINESS

No old business was brought forward.

NEW BUSINESS

Mr. McNutt asked if there is going to be a meeting with the Fire Alliance. Mr. Davis said there is going to be a meeting on December 20th among the FFSI and Fire Alliance. Mr. Resanovich and Mr. McNutt plan to attend. Mr. Davis said that if someone can't attend but has comments

they want relayed, please send to him or Mr. Rucker. Mr. Davis suggested having a discussion to be sure we are all on the same page with the collective message we want to give to the committee next week with the fire committee members, specifically the subject of reinstatement. Mr. Davis said Mr. Kennington has been very involved in this and asked for any comments. Mr. Kennington said that, during his meetings with fire departments and county associations, the reinstatement process its associated time frames had been discussed. He noted that, although the time frame is not unreasonable on the fire side, a firefighter who has not renewed his card over an 18-month period will have to retrain. He asked if this practice placed a burden on the departments and their training budgets, and the overwhelming response was it should never get to that point. Mr. Kennington said he knows that we are hearing cries from individuals that this method is unfair, but departments and fire chiefs support these measures. Mr. Sands suggested that rather than comparing the length of certification renewal times for EMS versus Fire, they should be examining the amount of time needed to retrain versus taking a practical or written examination. Mr. Rucker said he hears from legislators who are contacted by their constituents stating that the process is unreasonable. The bottom line is 52,000 people complied with the process properly and a few hundred did not. Mr. Rucker said there should be consistency between the EMS and Fire certifications during the recertification process. Mr. Kennington has spoken to some volunteer chiefs who have inquired that since they have authority to authorize continuing education, why can't the Division of EMS accept training for those people that had been training with their department. For those people who aren't affiliated with an agency and have not completed any training, they do not have an issue requiring these individuals to undergo retraining. However, for those individual who slipped through the cracks, this is the first time we have now passed the 18-month deadline and they are required to retrain if they have been active with the fire department during that time. There have been a few situations where they were admonished by their city directors or mayors, including one of those individuals who is on this committee. They have told me it should have never escalated to this point, but they have continued to train and remained active with the department. This is probably not within the parameters of the law, but they have been training. The fire chiefs want to know if there can be something done for this situation to give them credit.

Mr. McNutt met with the officers of the Ohio Fire Chiefs' Association and they are in total support for consistency between EMS and Fire as long as it is fair. With the one-card system, consistency has inherently become more important. Mr. Davis summarized the discussion by stating that the current rule is what is legally in place. The purpose of the meeting with the Fire alliance is to confirm with them that this process is currently working well. If not, we will need to make it consistent, take it back to the FFSI Committee, and determine the direction in which to proceed. Mr. Mallory wants the \$75 reinstatement fee instituted. Mr. Davis just wants a collective message regarding the issue to be discussed.

Mr. Quinn wanted to comment on the fire case previously discussed, and he voted affirmatively to maintain consistency in disciplinary actions between the EMS Board and the Fire Board. Not to diminish the EMS Board, he noted that most of the people on the Fire Board are actual EMS practitioners who hold the cards that we manage. For dual card holders, and he doesn't know logistically how to accomplish this, but he request that dual card holder cases come before the Fire Board first. He thinks Mr. Resanovich and the comments he made on the case are something we should consider especially when trying to regulate members of our profession.

Reluctantly, he voted affirmatively to follow suit and remain consistent with the fire discipline for the EMS Board, but if he had been given the opportunity, his vote may have been different. Mr. Davis asked Mr. Quinn if he is saying that dual card holder cases should come before this group first before it goes to the EMS Board. If that is what you are saying, please explain why. Mr. Quinn said for the reasons we discussed in this case, he would rather take the lead on cardholders that share his profession. Ms. Fischer said we're out in the field and a lot of them are not. Ms. Tertel said this might be a topic that could be discussed at retreat. You could summarize the philosophy behind what you are suggesting and see how the other Board members feel about it. Mr. Rucker said he could see other Board members saying the same reason you gave reiterating that has been said. A simple way to accomplish this does not exist. Mr. Resanovich said what we are trying to say is this group, this is what we do--it is our profession--we are EMS and Fire practitioners. I'm not a nurse and I'm not a physician; this is EMS and Fire here. As a dual practitioner, Mr. Resanovich felt that there should be a way that dual practitioners can evaluate the people coming before the Fire Board versus the twelve EMS Board members who are not functioning EMS or Fire practitioners. Ms. Vermillion said her issue is about scheduling the cases, which need to be on the same day, to enable cases be journalized and released on the same day so individuals are not receiving two separate appeal packages, two separate orders, etc. She said sending separate orders can generate confusion, then her concern is it could potentially cause an EMS provider not to follow through in responding. Ms. Tertel said the big issue is practitioner has to be here and many occupations do not always allow a lot of flexibility.

Mr. Davis said this is an opportunity to change the way hearings are conducted and the members of the Fire Board will be the hearing examiner. It would require a lot more time on the part of the Board members to listen to the facts of the case instead of receiving a recommendation from a hearing officer. Other Boards act as their own hearing examiner and hear both sides presented. Mr. Rucker said we are talking about having the hearings which would be another commitment for one to take time to listen to the facts of a case instead of receiving it from a hearing examiner. Ms. Tertel stated you would still have to have a hearing examiner. Ms. Vermillion said it would require a lot of time and would be a scheduling nightmare. Mr. Davis said that if the Fire Board members really feel this is the road they wish to traverse in 2011, it needs to be discussed at the retreat with the entire Board and the topic needs to be placed on the agenda.

Ms. Frient said the Board is based on all occupations even though they're not an EMT or firefighter. Mr. Rucker said the law set it up this way. Mr. Resanovich said historically, Board philosophy changes with new members. Members were placed in a dilemma today in an effort to send a consistent message. A split vote would send a worse message, especially regarding felonies and sex crimes. A conversation needs to take place with the entire Board with a formal discussion on the topic at the retreat. Ms. Tertel and Ms. Frient can advise us during the discussion. Mr. Davis said members can be that passionate in the EMS portion of the discussion. Ms. Frient said one viewpoint can sway the vote. Mr. McNutt wants to raise the bar. He does not want to say it is appropriate to avoid a split vote simply to redeem a person. Mr. Davis said that Board members must place faith in the investigative staff, the attorney general, and the hearing examiner who are involved in the entire process. Board decisions must be based on facts of law and evidence; but receive fair and equitable treatment. Ms. Tertel said members do not have to vote the same on both EMS and Fire investigative cases.

Ohio Department of Public Safety
State Board of Emergency Medical Services
December 15, 2010
FINAL

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

The meeting adjourned at 11:46 AM.