

Summary Minutes

Emergency Medical Services Regulatory Board

Executive & Legislative Committee Meetings

Wednesday, March 10, 2010, 8:30

Telephone Conference Call

2829 University Avenue SE

Minneapolis, Minnesota

Members Present

James Rieber, Chair (by phone)
Paula Fink-Kocken, M.D. (by phone)
Pat Lee
Kevin Miller (by phone)
Gary Pearson (by phone)

Lisa Consie (by phone)
Bonnie Engen (by phone)
Mark Schoenbaum (by phone)

Members Absent

Rep. Jeremy Kalin
Sen. Gary Kubly

Guests

Buck McAlpin
Ron Robinson
Lance Ross
Bill Snoke

Staff Present

Katherine Burke Moore
Melody Nagy
Robert Norlen

I. Call to Order

Mr. Rieber called the meeting to order at 8:36 a.m.

II. Approval of Agenda

Mr. Rieber suggested several additions to the agenda. Mr. Lee moved approval of the revised agenda. Mr. Miller seconded. A roll call vote is required for telephone meetings. The members voted as follows: Dr. Fink-Kocken, Mr. Lee, Mr. Miller, Mr. Pearson, and Mr. Rieber voted yes. Motion carried.

III. Approval of Minutes

Dr. Fink-Kocken moved approval of the minutes (after the date has been corrected). Mr. Pearson seconded. The members voted as follows: Dr. Fink-Kocken, Mr. Lee, Mr. Miller, Mr. Pearson, and Mr. Rieber voted yes. Motion carried.

IV. EMS Related Bills in the Legislature

Mr. Miller said that the only potential bill of interest relates the complaint review panel and this will be delayed until next year.

Ms. Burke Moore said that we do not have a legislative initiative. We do have a budget initiative to restore the \$450,000. In a house bill the amount was reduced to \$432,000. She said that she has not seen a senate bill. I think we are in good shape even if we receive the reduced amount.

Ms. Burke Moore said that there is an initiative to move CALS to MDH that is being presented by the MAA. This will be a loss of administrative funds for the EMSRB. This will likely pass. Mr. Schoenbaum said that Mr. Doyle is lobbying for this on behalf of the non-profit CALS Corporation. Mr. Rieber said that CALS does not have anything to do with EMS – it is hospital based. Mr. Rieber asked what value CALS brings to the EMSRB. Mr. Rieber said that the only value is the administrative fees. This does not fit with the EMS goals. Dr. Fink-Kocken said that this may impact trauma level designation for level 3 and 4. Mr. Pearson asked how much funding this is? Ms. Burke Moore answered \$5,000. Ms. Burke Moore said that the EMSRB's management of this grant has been exemplary. Mr. Schoenbaum said that we have no concerns about the grant management.

Mr. Miller asked about the \$100,000 that was removed from CALS budget. Ms. Burke Moore said that CALS did not lose funding. Every other program funded by the EMSRB had reductions. In 2009, CALS requested and received an extra \$100,000 from the legislature. The Executive Committee worked on the distribution of the budget reduction. Mr. Miller said that there is really a \$100,000 lost from the CALS budget. Ms. Burke Moore said that they did not get cut by \$100,000, but their budget line stayed at the same amount as in previous years. All other programs had a cut. Mr. Miller said that they will not receive the \$100,000. Mr. McAlpin said that this is a line item appropriation for the program. It is important to restore the base budget.

V. Other Bills that may Impact EMS

Mr. McAlpin said that there is a community paramedic bill that was being considered – but has been pulled for this year to work on the language.

Mr. McAlpin said that the EMSRB has been involved with an ambulance issue and there are questions about the service's part time BLS plan for coverage when they could have mutual aid when they have no staffing. Mr. McAlpin cited an example of coverage for services and asked if this can be accomplished under current statute. Mr. Norlen said that some services provide service in a neighboring area under contract. A licensee may contract with another entity to cover their PSA. Mr. Norlen said that the service must be able to cover the response time requirements in the PSA. Mr. Rieber asked about staffing of a base of operation. What is the time requirement for response? Mr. Norlen said that the PSA must be no more than 25 miles or 30 minutes response time but this can be interpreted in many ways. Mr. Rieber said that to serve any city in the PSA you must be able to respond in 30 minutes or 25 miles. Mr. Rieber said that there is a potential to have mutual aid cover the majority of our calls when staffing is not available. This would give us the potential of having areas that are not covered. Mr. Rieber said that this is also a financial issue. Mr. Norlen said that this is not the only place in the state where a volunteer ambulance service contracts with another service to provide coverage in their area. Mr. Norlen said that the EMS Specialists discuss these issues with ambulance services on an individual basis (when an issue of calls not being covered arises). Mr. Norlen said that a PSA can be expanded to provide good coverage. Some ambulance services need to determine if they are viable to continue to provide 24/7 service. There is a process that services need to go through to determine if they should continue to provide coverage. Mr. Rieber said that I am concerned that we do not open this up for a cost shifting (budget saving) for services. We need to do this for the right reason.

Mr. McAlpin said that we all want to help ambulance services. The concern we have with the statute is liability and does the Board have the authority to issue this type of license. We do not need to change legislation if we have this authority. Mr. Norlen said that the EMSRB is not issuing another license. The license holder is responsible for 24/7 coverage. The license holder is contracting with a provider to provide this coverage. The license holder remains responsible for the 24/7 coverage of the PSA.

Mr. Norlen said that we provide advice to the license holder. The person under contract has to meet the contract obligations. Mr. Norlen said that he would not like to see this become a legislative change. Some ambulance services may not survive in the future. If the Board wants us to stop giving this advice to ambulance services – that is a Board decision. Mr. Snoke said that this is a great approach. This reduces cost and staffing. Mr. Rieber said that we need to make sure that the ambulance service understands the requirements do not change for response to the public 24/7.

Mr. Norlen said that dispatch centers must know of this arrangement. If an ambulance service closes then the neighboring ambulance services will cover those areas without moving a base of operation to the town. When an ambulance service closes the surrounding services divide the territory appropriately to cover the PSA.

Mr. Norlen said that this gives the ambulance service that is closing the opportunity to have a good first responder team in the community. Mr. McAlpin said that when we discussed this with the governor – he asked about volunteer ambulance services. We want to maintain our volunteer ambulances as long as possible.

Mr. Miller said that the statute refers to PSA not response time. Mr. Norlen said that response time has an unclear definition. The standard is to have the base within 25 miles and 30 minutes.

Mr. McAlpin said that no legislative action is needed. Mr. Norlen said that we all need to consider these issues and what is best for ambulance services in serving the public.

Mr. Rieber asked if he makes a change on Thursday and contracts with another service – does he need to notify the State of this change. Mr. Norlen said no, as long as the service is covered by the license holder. Mr. Norlen said that the EMS Specialists ask for a copy of the contract to know the coverage plan. Mr. Norlen said that services should not seek a loophole but this is an option to serve the public. Mr. Norlen said that in many cases the City is the owner of the license but the actual work is completed by the volunteers. The city council gets involved when there are issues. Mr. Snoke said that this could also provide a good contract for fire based services to assure coverage.

Mr. Norlen said we do not want to confuse this with mutual aid. Mutual aid is when the primary service has all of its resources in use and mutual aid is called to provide coverage. Mutual aid is not the same as primary coverage. Mr. Rieber said that this has been manipulated by providers.

Mr. Rieber suggested that this be referred to the legislative committee for a conversation with the Minnesota Ambulance Association to see if any further action needs to be taken. Mr. Norlen said that this would be a regulatory change and I would hope that MAA would support finding solutions. This is a Board discussion for a legislative change and then we would look for support from MAA to make a change. Mr. McAlpin said that they will not draft a bill on this issue. Mr. Rieber said that we need to have a mutual discussion with the MAA before any action is taken. Mr. Norlen said that there is a fine line between regulation and advocacy with our licensees.

Mr. Rieber said that a change that needs to be made because Minnesota is a restrictive regulatory state. South Dakota is a passive state. What the EMS Specialists are doing is both. We need to help ambulance services through the process. Ms. Burke Moore said that we assist services in being in compliance with regulation. Mr. Rieber asked that the MAA continue to update staff on the status of this conversation with legislature.

Mr. Pearson asked why it is not a requirement to see the contract. Mr. Norlen said that in most cases a discussion has occurred with the EMS Specialist and the EMSRB has provided sample templates to services and then we voluntarily receive a copy of the signed contract. Mr. Rieber suggested that this could be a change for a housekeeping bill for next year.

VI. State EOC Coverage

Mr. Rieber said that we have had several meetings to discuss how the EMSRB works with the State EOC and have learned some lessons from the past activities. Mr. Ross and Mr. Robinson

have put together some processes – (a flow plan) on how information should flow. Mr. Rieber said that this relates to how EMS responds and how services are called. This is an opportunity to improve our system. We now have added someone to the SEOC table and this will improve our communication. We must have a coordinated communication response. Ms. Burke Moore said that Mr. Norlen provided a flow chart also.

Mr. Norlen said we do not want to refer to this as HSEM. That is homeland security. This needs to be a coordinated response to declared emergencies. Mr. Rieber asked if this is under HSEM operations. Mr. Ross said that this is under HSEM if the State EOC is opened. This is the EMS response for the State of Minnesota. Mr. Rieber said that we are a support resource for the State of Minnesota. Mr. Norlen said that the EMSRB has specific responsibilities under the state response plan. The EMSRB response is when the state makes a request. When there is a regional or local EOC then it is handled at that level.

Mr. Ross said that the regional systems under statute have a specific response as regional programs. Mr. Ross said that we have agreed that we can do some things together. Mr. Ross referred members to the power point presentation that breaks it down in a piece by piece response.

Mr. Norlen said that from his view we are dealing with emergency medical services and do not have authority over law enforcement, public works or others. We coordinate with other agencies. We have communication both ways with other entities.

Mr. Norlen said that MNTRAC is listed on the chart as a communication tool that is available for use when at the EOC. Mr. Nolen explained the flow chart. Mr. Norlen said that when a local emergency operations center requests assistance from the State emergency operations center then this is sent to logistics which is the operations section at HSEM and the EMSRB sits in the operations section. There is communication and requests from this group to deploy resources. When the request for assistance comes to the State -- the EMSRB has responsibility to provide information on how the request is fulfilled. When the event becomes more long term the coordination needs to be developed and processed as appropriate through the system to deploy the appropriate resources. There needs to be communication on the deployment of the resources both ways. We cannot meet these obligations alone – we do not have the resources, staff, and equipment so we must partner with the other resources available. This gives each region autonomy in their planning.

Mr. Miller asked if there will be a person at the SEOC. Mr. Norlen said if the EOC is activated we must have someone at the EOC based on what the State EOC requests. Mr. Norlen said that we have had phone conferences in the winter weather advisory situations. Mr. Norlen said that is why the EMSRB has staff on call 24/7 to respond. Mr. Miller asked if we would have staff at the regional location as well. Mr. Norlen replied that it would depend on the situation. Mr. Norlen said that there would be communication with the regional EOC on what resources are needed. Mr. Norlen said that the MEOP includes responsibility for staffing at the local level. Mr. Miller asked if we have staff available to cover all these requests. Mr. Norlen said that we need to coordinate our resources. Mr. Ross said that coverage is available if it is coordinated.

Mr. Rieber asked Mr. Ross to provide information on his flow chart. The charts are very similar. Mr. Rieber said that when this is presented to the Board the acronyms need to be made clear to the layperson. Mr. Ross said that regions can call mutual aid as needed. When the local resources are exhausted then the State EOC is opened. The liaison desk is activated and EMSRB staff sits there and other persons could staff this with the EMSRB for a multiple day event. As soon as the

State EOC is opened then the liaison should be called for coordination. This group would work with regional partners and the EMS specialists to send the requested resources. Mr. Ross said that communication needs to constantly improve. Mr. Ross said that this will provide more people for the statewide response. We could have a daily report of costs available at the sit-reps. Mr. Norlen said that both charts mean the same thing. When we talk about disaster response there is concern about reimbursement and it is a difficult thing to guarantee reimbursement. Mr. Norlen said that he communicates with ambulance services that there is no guarantee of reimbursement until a disaster is declared. This is an issue for resource deployment. Mr. Miller objected to Mr. Nolen's response about counseling someone not to respond. Mr. Norlen said that is not what he said.

Mr. Rieber said that there was not clear communication in the deployment of resources during the last incident. Mr. Rieber said that one crew worked 24 hours straight and one crew was never deployed from the parking lot. Mr. Rieber said that what the regional programs are providing is the logistics of the response. There will be costs involved in this response. Mr. Rieber said that this needs to be an organized response. This will be a sustainment for a long term response – not the initial on scene disaster response.

Mr. Robinson said that this does not represent day to day operations for a disaster. When there is a significant event then the regional or State EOC is activated. Mr. Ross said that we need to educate everyone on what it means to respond. Mr. Ross said that this is a best practices response from lessons learned. We cannot be fragmented.

Mr. Rieber said that FM Ambulance has signed agreements for flood response for this year. The State EOC will only be called if this becomes a larger issue. If local resources are depleted then the additional resources would be called upon. Mr. Norlen said that regional programs can provide additional local resources before the State EOC is activated. If this would work as planned the first step is to seek regional resources. Mr. Ross said that regional programs working together is a great thing – they need to keep the state informed by sit-reps. Mr. Robinson said that the MEOP must be NIMS compliant. This involves training and getting the resources informed throughout the State. Mr. Miller asked for a different term than EMS MAC. Mr. Ross said that when the rescue group is on scene the county EOC and EMS MAC would be a statewide MAC. Mr. Robinson said that this would involve statewide grants – this would be a joint operations center.

Mr. Miller kiddingly said that we have a house and senate version of the flow charts. He suggested that Mr. Norlen and Mr. Ross meet to develop one chart agreed upon by all. Mr. Miller said that there are persons that always respond to the scene – it is good to have good information at the scene. Mr. Ross said we do not want to hinder the process but we want to respect our roles and work together for a statewide response. We have some draft plans that are being developed. The goal is to have these resources available regionally. Mr. Rieber said that he needs logistic backup in his region. We need communication with the state command. Mr. Ross said that he has had conversations on the logistics for deployment. We do not need too many people (levels) on this communication. Ms. Burke Moore said that we need to emphasize the need for two way communication.

Mr. Rieber asked for a report for next Wednesday's Executive Committee meeting. Mr. Norlen said that MNTRAC is a common communication tool. This is a key to making this happen. Mr. Ross said that other tools can be used (800 mzh) as a redundant communication tool. Do not confuse how the communication happens.

Mr. Lee asked for a report from Kim Ketterhagen on which flow chart will work best. Mr. Rieber asked for one chart to present to Kim Ketterhagen. Mr. Ross asked how staffing will be deployed at multiple locations. Do we want an agreement for assistance in staffing multiple locations for multiple days? Mr. Norlen said that when we drill on this at the state level the SEOC is activated and we automatically incorporate the regional call chain to notify the other regions of the potential need for activity. Mr. Norlen stated that each field staff and regional program is called and the Chair of the Board is notified. Mr. Norlen said that we have shifted staff to cover our obligations. The EMSRB has a staffing plan in place. Mr. Ross offered to provide additional automated text/fax/phone and email/paging for alert notifications. Mr. Ross said that he would like to provide this at the regional and state level. This would provide a record of who responded to the page. Mr. Norlen asked if this is available in MNTRAC. Mr. Ross said no, MNTRAC cannot do this.

Mr. Rieber said that this could be used to deploy ambulances for flood response. Mr. Ross said that the persons allowed to put out information on MNTRAC are limited. Mr. Ross said that this system is more flexible. Mr. Norlen asked if EMSRB on call staff will be able to send out alerts. Mr. Rieber asked that this be discussed and brought back for a report next week.

VII. Flood Planning

Mr. Rieber asked if the EMSRB has flood planning in place. Mr. Rieber said that he is concerned about staff time needed to call all these resources. This is duplicated by the regional programs. Mr. Ross said that he and Mr. Norlen will discuss this issue. Mr. Norlen said that the only response for the EMSRB is if this is a request from the State EOC. The role at the regional level is a response for the regional level. Mr. Norlen said that the regional people are the best to respond at the regional level based on what resources are needed.

Mr. Norlen said that the State agencies are meeting today to discuss flood preparations. There are regional meetings occurring in the NW, WC and SW region. Staff has attended the regional meetings at the request of the local emergency managers. Mr. Norlen said that a service that has only one vehicle maybe should not respond. We have contact information from last year. We have discussed having multiple services respond and have one team leader to coordinate this response. Mr. Norlen said that there may not be a request at the State EOC because it may be handled at the regional level. Mr. Ross said that he has had discussion with Kim Ketterhagen to identify resources available for flood response.

Mr. Robinson asked Mr. Norlen to share the data base with the regional programs. Mr. Miller asked for the after action report from last year. Ms. Burke Moore said that this is an internal document that can be discussed in closed session. Mr. Rieber asked that this be discussed at 8:30 Executive Committee meeting on March 18 in closed session.

VIII. 2010 Board Goals and Workplan

Mr. Rieber said that he provided a template for a goals document. Ms. Burke Moore said that she worked on this document and will share information this with Mr. Rieber. Mr. Rieber said that we are developing measurable objectives. Ms. Burke Moore said that some goals are difficult to measure. Mr. Miller said that we need to determine what has been accomplished to evaluate the Executive Director. He said that we can determine that there is progress made on the goals. Mr. Rieber asked that this be emailed to the Executive Committee for review before the next meeting on March 17th. Ms. Burke Moore said that she has not put in weights and targets. She said that her review must also relate to her position description. Mr. Rieber said that this will be discussed with Ms. Burke Moore.

IX. Charging for Phone Calls

Mr. Miller asked where this money goes. Ms. Burke Moore said that this would go to pay for the call. With our current budget, we cannot afford to absorb this cost for members of the public. These are public meetings and any number of public could participate. We would not charge Board members. Mr. Miller said that it will cost significant staff time to process these charges. Ms. Burke Moore disagreed about how much staff time this would require and said that this is allowed in the statute.

X. Other Business

None.

XI. Adjourn

Mr. Miller moved to adjourn. Mr. Lee seconded. Motion carried.

Mr. Rieber adjourned the meeting