

Meeting Minutes

Emergency Medical Services Regulatory Board

Thursday, May 21, 2015, 10:00 a.m. – 2:00 p.m.

University Park Plaza
Conference Room A, 4th Floor

Attending: J.B. Guiton, Board Chair, Aaron Burnett, M.D., Jennifer Deschaine, Steve DuChien, Mark Dunaski, Megan Hartigan, Jeff Ho, M.D., Michael Jordan (by phone), Paula Fink-Kocken, M.D., Mark Schoenbaum, Jill Ryan Schultz, Matthew Simpson, Mari Thomas, M.D.

Robert Norlen, Interim Executive Director, Greg Schaefer, Assistant Attorney General

Absent: Representative Jeff Backer, Lisa Consie, Patrick Coyne, Scott Hable, Senator Kathy Sheran

Call to Order – (10:00 a.m.) – J.B. Guiton, Board Chair

Mr. Guiton called the meeting to order at 10:04 a.m. Mr. Guiton announced that it is National EMS Week. Dr. Fink-Kocken said yesterday was EMSC Day.

Approve Agenda – J.B. Guiton

Motion: Ms. Deschaine moved to approve the agenda for the May 21, 2015 Board meeting. Dr. Fink-Kocken seconded. Motion carried.

Consent Agenda – J.B. Guiton

All items listed under the consent agenda are considered to be routine by the EMSRB and will be enacted by one motion and an affirmative vote by a majority of the members present. There will be no separate discussion of these items unless a Board member requests to remove an item from the consent agenda and then the item will be considered a separate subject of discussion.

Approve Board Minutes:

- March 19, 2015

Motion: Mr. DuChien moved to approve the Consent Agenda for the May 21, 2015 Board meeting. Mr. Simpson seconded. Motion carried.

Recognition of Retiring Board Members – JB Guiton

Mr. Guiton presented plaques to Representative Dan Schoen, Jennifer Deschaine, and Mari Thomas, M.D. He thanked these members for their service to the Board.

Public Comment – J.B. Guiton

The public comment portion of the Board meeting is where the public may address the Board on subjects which are not part of the meeting agenda. Persons wishing to speak must complete the participation form provided at the meeting room door prior to the start of the meeting. Please limit remarks to 3 minutes. The Board will listen attentively to comments but, in most instances, will not respond at the meeting. Typically, replies to issues or concerns expressed will be made via letter or phone call within a week.

Representative Schoen said that it was an honor to serve the Board. He said that he wanted to express some disappointment that the regional programs did not move to the Minnesota Department of Health (MDH). He said he was concerned about the grant dollars and how they are used and the priorities of the Board.

The State is at 97 percent funding for seat belts. He said that he would like to work with EMSRB staff to look at regional program administration. It was discussed that this funding could be permanent. The future of regional programs will require further discussion and there may be auditing needed (Legislative Auditor). Some legislators are upset including the Governors' office. I wish the people who decided to withdraw the legislation had spoken to me.

Mr. Guiton said that Mr. Schoenbaum of MDH was very professional and accepting of this change. I do not know if we have the right answer, but we will have further discussion. Mr. Schoenbaum said that EMS is a high priority for MDH and we will work on efforts with staff.

Rep. Schoen said we want to protect the integrity of the Board and the industry.

Board Chair Report – (10:30 a.m.) -- J.B. Guiton

- Retiring Staff Member

Mr. Guiton said that Ms. Biladeau retired as of May 9, 2015. He said that he wanted to thank her for the time and work she put in as the Executive Director for the EMSRB.

- DPSAC Membership (handout provided)

Mr. Guiton said that we want to reinstate the Data Policy Standing Advisory Committee (DPSAC). He asked if any Board member wants to participate. We need this committee for many reasons including data requests. Mr. Norlen has had conversations with the potential members listed on the handout.

Mr. Norlen said that he has had conversations with MAA and EMSC for membership candidates. Mr. Norlen said that we can run NEMSIS 2.2 and 3.0 at the same time. This is an easy change for ImageTrend.

Motion: Mr. Jordan moved to approve the non-Board member appointments to DPSAC. Mr. Simpson seconded. Motion carried.

- HPSP Committee Member

Mr. Guiton said that Ms. Hartigan is willing to fill the position on a temporary basis. She also is the representative for MAA. Ms. Deschaine said that the committee met yesterday and this meeting can occur by conference call. This is a quarterly meeting.

Mr. Guiton said that this appointment will occur in July and Ms. Hartigan will fill the position on a temporary basis. (no motion was made)

- Revised Internal Operating Procedures (IOP) (handout provided)

Mr. Guiton said that the revised IOP is provided in the Board packet. The format has been changed and improved. The treasurer position was eliminated. The Executive Committee has proposed a secretary/treasurer position.

Mr. Schoenbaum asked what the duties of the treasurer were previously. The language was provided. Mr. Guiton said a monthly financial report is available and the treasurer duties will include review of the monthly financial report.

Mr. Norlen said that in the previous IOP the Legislative and Finance committees were eliminated. The treasurer would provide a financial report to the Board monthly in conjunction with the Executive Director.

Mr. Schoenbaum said we should review this document again in six months or a year. It should be done before the legislative session. The current IOP calls for a Board review each even numbered year. It was suggested to change this to each calendar year.

Motion: Ms. Ryan-Schultz moved to approve the revised IOP and post it to the EMSRB website. Dr. Ho seconded. Motion carried.

Regional Systems/Programs FY16 & FY17 Grant – (11:00 a.m.) -- J.B. Guiton

- Presentations by Regional System/Program Grant Applicants
 - *Each Applicant is Allowed 10 Minutes to Present to the Board*
Regional Program Director's present at the meeting declined to speak to the Board. (Regions represented at meeting: Arrowhead EMS Association, Central Minnesota EMS Region Joint Powers Board, Metropolitan Emergency Service Board, and Southeastern Minnesota EMS Region Joint Powers Board. Regions not present at meeting: Greater Northwest EMS, Inc., South Central Minnesota EMS Region Joint Powers Board, Southwest Minnesota EMS Corporation, and West Central Minnesota EMS Corporation.

Mr. Guiton said that staff did a great job of getting this RFP out on time. The grant contract begins July 1, 2015. The law did not change so the regional programs remain with the EMSRB.

- Conflict of Interest Declaration – Greg Schaefer, Assistant Attorney General
Minnesota Statute [144E.01, subdivision 7](#), provides: No member of the Emergency Medical Services Board may participate or vote in board proceedings in which the member has a direct conflict of interest, financial or otherwise.

Mr. Schaefer said if Board members have a direct conflict of interest they should not vote. Ms. Deschaine asked about an RFP for research projects that may occur in the future. Mr. Schaefer said that would not be an obstacle for this vote.

Dr. Ho said that he provides medical directions for two agencies in the regions. Dr. Ho declared a conflict for the Metro and Southwest region.

Mr. DuChien said that he is a representative of a regional program. Mr. Schaefer said that this is not a direct conflict that you are a member. Mr. Schaefer said that we want to be aware of perception of a conflict.

Dr. Burnett said he has received funding from research projects in the past. Mr. Schaefer said it is good to disclose this and it may not impact this vote. He suggested that Dr. Burnett recuse for Metro regional program vote. Mr. Guiton said that he would recuse for voting on all contracts. Dr. Thomas said that she must recuse for the Central region.

Mr. Schaefer referred to the IOP page 6 the code of conduct and asked members to review this information.

Mr. Spector said he participated in the review of the proposals and wanted to disclose law enforcement involvement with Southwest region.

- Recommendations from RFP Review Committee

Mr. Norlen said the goals overview from the RFP is provided as a handout. Mr. Norlen said that the members of the review committee are included in the handout. He thanked the members of the review committee. A detailed review of the proposals submitted is included in the board materials.

- Board Action on RFP Proposals:

Ms. Deschaine moved to accept the grant proposal from the Arrowhead EMS Association to be designated as the Regional System grantee for FY 2016-FY 2017 in the Northeast Region upon execution of a signed grant contract. Dr. Fink-Kocken seconded. A roll call vote was taken. Mr. Guiton and Mr. DuChien recused and the motion carried.

Discussion: Mr. Schoenbaum noticed there were some conditions that are outlined in the handout and inquired if they had been met. Mr. Norlen confirmed that some additional clarification was sought and conditions have now been met prior to the Board meeting today.

Dr. Fink-Kocken moved to accept the grant proposal from the Central Minnesota EMS Region Joint Powers Board to be designated as the Regional System grantee for FY 2016-FY 2017 in the Central Region upon execution of a signed grant contract. Ms. Ryan Schultz seconded. A roll call vote was taken. Mr. Guiton and Dr. Thomas recused and the motion carried.

Mr. DuChien moved to accept the grant proposal from the Greater Northwest EMS, Inc. to be designated as the Regional System grantee for FY 2016-FY 2017 in the Northwest Region upon execution of a signed grant contract. Dr. Thomas seconded. A roll call vote was taken. Mr. Guiton recused and the motion carried.

Dr. Fink-Kocken moved to accept the grant proposal from the Metropolitan Emergency Service Board to be designated as the Regional System grantee for FY 2016-FY 2017 in the Metro Region upon execution of a signed grant contract. Ms. Deschaine seconded. A roll call vote was taken. Mr. Guiton, Dr. Ho, and Mr. Simpson recused and the motion carried.

Dr. Ho moved to accept the grant proposal from the South Central Minnesota EMS Region Joint Powers Board to be designated as the Regional System grantee for FY 2016-FY 2017 in the South Central Region upon execution of a signed grant contract. Dr. Burnett seconded. A roll call vote was taken. Mr. Guiton recused and the motion carried.

Dr. Thomas moved to accept the grant proposal from the Southeastern Minnesota EMS Region Joint Powers Board to be designated as the Regional System grantee for FY 2016-FY 2017 in the Southeast Region upon execution of a signed grant contract. Ms. Ryan Schultz seconded. A roll call vote was taken. Mr. Guiton recused and the motion carried.

Discussion: Dr. Ho asked about TNCC training for nurses. Mr. Norlen said this is supporting EMS in hospitals.

Ms. Ryan Schultz moved to accept the grant proposal from the Southwest Minnesota EMS Corporation to be designated as the Regional System grantee for FY 2016-FY 2017 in the Southwest Region upon execution of a signed grant contract. Dr. Thomas seconded. A roll call vote was taken. Mr. Guiton and Dr. Ho recused and the motion carried.

Dr. Ho moved to accept the grant proposal from the West Central Minnesota EMS Corporation to be designated as the Regional System grantee for FY 2016-FY 2017 in the West Central Region upon execution of a signed grant contract. Mr. Jordan seconded. A roll call vote was taken. Mr. Guiton recused and the motion carried.

Mr. Guiton thanked staff. Mr. Norlen said that he would be seeking comments on process improvement. The Board may want to have further discussion on the basis of Rep. Schoen's comments. This discussion will need to occur sooner rather than later. The grantees are established regions and need to be part of this discussion.

Mr. Jordan said that this is an excellent point and this should be an agenda item for the July meeting. He suggested inviting Rep. Schoen to this discussion.

Committee Reports

- **Complaint Review Panel (CRP) – Mr. Simpson**
Mr. Simpson said that the CRP is busy and staff prepares the cases brought to the Board. He thanked Rose Olson for her work on this. He said we have HPSP referrals and actions to take today in closed session. We handle the cases and provide a message for public protection.
- **HPSP Report – Ms. Deschaine**
Ms. Deschaine said that the committee met yesterday and discussed a policy for media relations. The Board does not speak on behalf of HPSP. Media inquiries should be referred to the Executive Director of HPSP. Conference call meetings were discussed and require a 10 day public notice. EMSRB has 18 enrollees. Additional information is provided on their website.

Interim Executive Director Report – (12:30 p.m.) – Robert Norlen

- **Agency Budget Presentation – Juli Vangsness, Administrative Services Unit**
Mr. Norlen said an updated handout was provided in the packet and was posted to the website yesterday. Mr. Norlen is pleased to have Ms. Vangsness here to present information to the Board. She is going to provide an overview of the EMSRB budget and is able to answer questions.

Ms. Vangsness said she has been with the Health Related Licensing Boards for a long time and was part of the migration for EMSRB. This Board has four funding sources. She provided more details about the information on the worksheet. She said this is a year that any funds not spent by June 30 cancel to general fund. If a fund does not cancel it can carry forward. This funding is monitored daily and she meets with staff monthly. The EMSRB pays a fee to ASU for services provided. EMSRB can pre-pay for services for ASU for the next fiscal year if there are funds remaining.

Mr. Guiton said this information is provided to each Board each month. Ms. Vangsness said she can provide more data or less data or other information. Please let her know what the Board would like to see.

Dr. Ho asked if we will be \$15,000 over. Ms. Vangsness said we are over budget but the numbers in the encumbrance change as the year closes. We will have cushion in some accounts.

If there is any money left on June 30 it can go to the ASU contract. Two years ago we pre-paid the extra to the ASU contract. Mr. Guiton thanked Ms. Vangsness for her presentation.

Mr. Simpson left the meeting at 12:35pm.

- Quarterly Board Metrics / Definitions

Mr. Norlen provided a definitions document to accompany the quarterly Board metrics. He said he specifically wanted to discuss the regional grant metrics (item 4). He noted the decrease in length of time for processing of grant reimbursement. We have instituted a process improvement. Mr. Norlen said he will be working with Mr. Spector during the transition on other metrics needed.

Mr. Guiton asked about metric five regarding passing rates for EMTs. Mr. Norlen said this information is provided by National Registry. The EMS Education Standards Transition Workgroup will be discussing this and the workgroup will be meeting soon.

Mr. Jordan thanked staff for the definitions. He said he needs this information for discussion for the Executive Director's evaluation that will happen in May. This will give Mr. Spector clear direction on what he will be accountable for. Mr. Guiton suggested that this discussion occur at the July meeting.

- Volunteer Education Reimbursement

Mr. Norlen said a Volunteer Education Reimbursement handout was provided. This information is as of May 14. We are at 75% of the dollars spent today. If no more applications were received we would need to redistribute funds to Regional Programs.

Mr. Norlen said he wanted to provide more detail on the process improvement of this program. The Board may want to consider some options for this program. This would include a discussion of recruitment and retention. We are losing volunteers. The reduced number of applications reflects this trend. We reimburse \$275 for refresher training and \$600 for an initial course. The cost for attending the course is always higher than the reimbursement amount. If a paramedic is a "volunteer" they can be paid for this renewal.

Mr. Norlen said he is making a recommendation for a change to the statute. Information is provided in the handout. We will need to discuss future funding of the program. We may want to consider changing the reimbursement amount. We can provide comparison information on other years funding spent.

- HF 423 (Ambulance Staffing / PSA Coverage)

Mr. Norlen said a statutory change was made relating to ambulance staffing requirements. Staff has reviewed this statutory change. This was not brought forward by EMSRB.

Mr. Norlen said BLS services may determine staffing levels without completing a variance or informing the EMSRB. Mr. Norlen said he wanted the Board to be aware of the regulatory implications (see handout provided). This is staff interpretation. We will have recommendations for changes to this later. We want minimum staffing requirements for ambulance services. The standard should be changed in statute so as to not have conflicting statutes. We will provide proposed legislative language.

Ms. Deschaine asked for the definition of "community". Mr. Norlen said the metro region is exempt. This applies to populations of 2,500. This allows those communities to provide part time ambulance service. Mr. Schoenbaum said that "community" should be defined. Mr. Norlen said this was not EMSRB language. We will have an opportunity to make this more clearly defined and statutorily correct.

Mr. Guiton said the EMSRB was not responding to requests expediently or this would not have occurred and Mr. Norlen has corrected this customer service issue.

Mr. Norlen said this allows an ambulance to not provide coverage for 12 hours. From a regulatory standpoint this may cause some problems. This would allow border states to provide regular service in Minnesota. This also conflicts with other Minnesota statutes. He provided the thinking/talking points that can be used to discuss this with ambulance services. We want to protect the citizens of the communities who are using this option. We want to have further discussion with MAA on this statute change.

Dr. Ho left the meeting at 1:00pm.

Ms. Deschaine asked if there are services who intend to use this option. Mr. Norlen said ambulance services are not required to report this to the State. The goal was to have ambulances work together better.

Mr. Snoke said this was not a MAA bill. It was brought forward by a legislator. Mr. Snoke said that he would like to have a conversation with staff on this topic. The response time in rural areas is different than drive time. We also want to discuss definitions of ambulance personnel. Mr. Norlen said that he wanted the Board to be aware of this change and we will work with MAA on any proposed change.

- MNSTAR – NEMSIS Version 3 (Border States)

Mr. Norlen said Wisconsin will be moving to NEMSIS 3.0 by January 2016. They will be keeping their system open for services that have not made this transition yet. There will be a year for transition. This gives Minnesota the opportunity to make this change. We may want to do something similar in Minnesota.

Mr. Schoenbaum said there should not be a problem in making this change. He thought it could be discussed at DPSAC.

- Ebola Funding Legislation

Mr. Norlen said this legislation passed and the EMSRB received \$148,000 for ambulance services. Staff will be working with MDH to receive the money and develop criteria for ambulance services to apply for the money. I will provide a further report when available.

- Southwest EMS Specialist Hire

Mr. Norlen said at the March meeting he made recommendations for hiring an EMS Specialist for the Southwest region. The Board authorized this hiring. We completed the hiring process. The person hired is Patrick W. Lee and his employment begins June 10.

- Computer Equipment for Board Members

Mr. Norlen said a spreadsheet is provided for the Board. Most of the other health licensing boards are providing computers to Board members. Information will be provided on Share-point to assure security. Board members will need to have a state email address to access the Share-point site. This would allow us to have computers for 5 years. The annual cost is \$285 for email accounts for each Board member.

Mr. Guiton said the Executive Committee made this decision and the funds are encumbered in the current fiscal year. Mr. Spector said that confidential information can be provided and secured. Mr. Norlen said this will also provide staff time efficiencies in distributing information.

- Office Remodeling

Mr. Norlen said we will be doing some renovation to our office space. We have been a Board for 20 years and moved here with equipment from MDH that we will be replacing and we will be painting and carpeting the office. Mr. Guiton said that money is in the current budget.

New Board Business – J.B. Guiton

Mr. Guiton asked the retiring Board members to come to the July board meeting to mentor the new board members.

Mr. Norlen said that we need a motion to accept the regional grant proposals and enter into the contracts.

Motion: Ms. Deschaine moved to accept the regional grant proposals and grant permission for the executive director to sign the contracts. Dr. Thomas seconded. A roll call was vote taken, motion carried.

Closed Session*– (1:30 p.m.) – J.B. Guiton

*Closed per Minnesota Statutes [144E.28, subdivision 5](#) and Minnesota Statute 13D.05, Subdivision 2(b) (*Complaint Reviews*) or Minnesota Statutes [13D.05, Subd. 3\(2\)](#) (*Personnel Matters*)

Disciplinary Actions were discussed and voted on by Board members.

Re-Open Meeting – J.B. Guiton

Mr. Guiton re-opened the meeting.

Other New Business

Dr. Fink-Kocken said she was asked to look at certification of community paramedic programs. She said Dr. Wilcox was asked to be involved in this discussion. She will provide a report at a future meeting.

The Community EMT legislation passed. There is no curriculum and EMSRB staff should not create this curriculum.

Mr. Norlen thanked the Board for the opportunity to serve and the confidence to provide this information to the Board. We want to make EMS better. The dedication of the Board members to the agency is appreciated.

Adjourn – (2:00 p.m.) – J.B. Guiton

Motion: Dr. Thomas moved to adjourn at 2 p.m. Ms. Deschaine seconded, motion carried.

Next Board Meeting: Thursday July 16, 2015, 10:00 a.m.