

State of Minnesota
Emergency Medical Services Regulatory Board
Legislative Ad-Hoc Committee Meeting Notes
December 11, 2015

Attendance: Kevin Miller, Ad-Hoc Committee Chair; J.B. Guiton, Board Chair; Tom Fennell, Gold Cross Ambulance; Bill Snoko, MAA Rep. (Alternate); Tom Vanderwal, Greater Northwest EMS Inc.

Absent: Rep. Jeff Backer, Board Member; Lisa Brodsky, Board Member; Lisa Consie, Board Member; Sen. Kathy Sheran, Board Member; Jill Ryan Schultz, Board Member; Gordy Vosberg, MAA Rep.

EMSRB Staff: Robert Norlen, Field Services Supervisor; Melody Nagy, Office Coordinator; Mary Zappetillo, EMS Specialist; Tony Spector, Executive Director (Absent)

1. Call to Order – 10:00 a.m.

Mr. Miller called the meeting to order at 10:02 a.m.

2. Approve Agenda – 10:10 a.m.

Mr. Vanderwal moved to approve the agenda. Mr. Snoko seconded. Committee Consensus

3. Chair's Comments:

Mr. Miller provided information on the membership of the Ad-Hoc Committee. He will be providing information on the charter in the future.

Objectives for today:

- identify the simple fixes (cleanup language)
- obtain consensus on items
- discuss a supplemental budget request
- discuss statute changes and rule repeal

Mr. Miller said the Medical Direction Standing Advisory Committee (MDSAC) has a recommendation for legislation for a "Health Officer". The Post Transition Education Workgroup may have some legislative suggestions once they present their recommendation to the Board for final approval.

4. EMSRB Supplementary Budget

Mr. Miller asked Mr. Guiton if the Executive Director is in agreement with this supplemental budget. Mr. Guiton said that the Executive Director wants flexibility to assign staff positions outlined in the proposed supplementary budget. Mr. Guiton said he is looking for a recommendation to bring this forward. Mr. Miller said we want this to be a permanent increase to the base budget. Mr. Guiton suggested separating MNSTAR to be a one-time request. Mr. Snoko said we can change the wording of the request to be IT related expenses.

Mr. Guiton said the current licensing system will be going away. MNIT is offering to build a system. ImageTrend also has a system that can be purchased for approximately \$150,000.

Mr. Guiton said the other boards are implementing finger printing. We want to explore this for the EMSRB. Mr. Norlen said we would need a statute change to allow us to charge for fingerprinting. Mr. Miller asked how this would impact staff time. He suggested adding additional staff expense. Mr. Fennell said this is a licensing requirement. EMT's are certified. Does this change the perspective of the industry? How does the fingerprinting happen? Mr. Snoko said we need to discuss this proposal further. Mr. Guiton said fulltime fire fighters are licensed. Partime fire fighters may choose to be licensed. We want to consider a similar model. We may want to consider licensing paramedics.

Note: Future agenda item – EMS licensing for clinical positions

Mr. Norlen stated the Health Licensing Boards will be working on a supplementary budget plan as well and the EMSRB proposal could be included with other proposals moved forward by the Health Licensing Boards.

Mr. Miller asked for a one page summary of the supplementary budget items.

Mr. Snoke moved to advance the supplemental budget and recognize that the Executive Director has discretion to implement budget parameters if additional funding is received. Mr. Guiton seconded. Committee Consensus

5. EMSRB Statute Review

The Ad-Hoc Committee moved to statute and rule reviews that had been outlined in the “Proposed Legislative Changes-2016 Tracking Log” provided to committee members. The items discussed by the committee are listed and referred to by File number in the tracking document. The committee reviewed File # 2 related to MS 144E.285 -- Education Program Requirements at all levels which would move all education program approval requirements under one statutory area. The current language has Emergency Medical Responder (EMR) education programs under another statute in section MS 144E.27.

After discussion by the committee, Mr. Snoke moved to have this move forward in a separate bill. This would not be considered for a cleanup language bill. Mr. Vanderwal seconded. Committee Consensus

The Ad-Hoc Committee moved to File # 5 MS 144E.275 -- In 2012 the statutes were changed from “training” program to “education” program. The Community EMT language was added last year. The language in the Community EMT section uses “training” program with the recommendation to change it to “education” program.

After discussion by the committee, Mr. Snoke moved to accept this as a consensus item as written and included in housekeeping cleanup bill language. Mr. Vanderwal seconded. Committee Consensus

The Ad-Hoc Committee moved to File # 3 MS 144E.50 -- related to regional program audit reporting requirements. The committee discussed the current audit requirements and the proposed change. Mr. Miller asked Mr. Vanderwal to seek input from the regional programs on this proposal and bring comments back to the next committee meeting. The committee noted feedback from the regional programs on this is essential to ensure there will be no unintended consequences if language changes as proposed are made.

After discussion by the committee, Mr. Guiton moved to accept this language, pending the feedback and comments that are received from the regional system programs. Mr. Snoke seconded. Committee will determine consensus once Mr. Vanderwal reports his findings to the committee.

The Ad-Hoc Committee moved to File # 5 MS144E.123 -- related to prehospital care data. This proposed language change would add a time requirement for a copy of the patient care report to be provided to the receiving hospital. The Committee discussed this change. Mr. Fennell asked to partner with MAA on this request. Mr. Miller said this may be a controversial matter with the legislature and other special interest groups. Mr. Miller recommended the committee consider tabling File #5 on the tracking log.

After discussion by the committee, Mr. Miller moved to exclude this from any proposed bills until further discussion and strategies can be developed to move it forward. Mr. Fennell seconded. Committee Consensus

The Ad-Hoc Committee moved to File # 6 MS 144E.283 -- brings instructor requirements for all levels under MS 144E.283 and eliminate separate instructor requirements for EMR instructors under MS 144E.27. The Committee discussed instructor requirements. Mr. Miller suggested moving this forward separately either this year or next year. We want industry support. We also want to write a definition for primary instructor that would be proposed to be included in MS 144E.001 – definitions.

After discussion by the committee, Mr. Guiton moved to advance MS 144E.283 [File #6] as a separate bill and not as cleanup language with the addition of a definition of primary instructor to be proposed for MS 144E.001 –definitions. Mr. Snoke seconded. Committee Consensus

The Ad-Hoc Committee moved to File # 7 Minnesota Statutes 144E.285 – requirements from 144E.27 to be moved to 144E.285 of the statute. Mr. Guiton said that this changes requirements for EMR instructors. Mr. Snoke suggested separate bills.

Mr. Guiton suggested moving proposed changes to MS 144E.27 (File #2) and MS 144E.285 (File #7) to a separate legislative proposal and moving the recommended strikeout language under MS 144E.285 subd.2 (d) (1-5) to a housekeeping cleanup bill. Mr. Snoke seconded. Committee Consensus

Mr. Miller asked that the remaining items on the tracking spreadsheet be discussed at the next meeting.

6. EMSRB Rule Repeal

Mr. Miller asked the Committee to look the items that conflict with statute. Some rule repeals will require things to be moved to statute. This will require further discuss at our next meeting.

Mr. Fennell asked if there is a requirement for a national EMS frequency. It is in rule not in statute. Mr. Miller stated, the Board adopted the state radio requirements. We did not repeal the rule. Mr. Miller said we need regulations for radios to be defined. Mr. Norlen said the ambulance standards ad-hoc committee may have recommendations on this as well. Mr. Miller asked for a motion to make a recommendation to the Board that staff begin the process for rule repeal.

Mr. Guiton said it is easy to repeal a non-controversial rule. If it is controversial it is a very expensive process. Mr. Norlen said that there will be staff time involved in the rule repeal. Mr. Miller said that if that becomes costly then then we look at our decision again.

Motion: Mr. Vanderwal moved to make a recommendation to the Board that staff being the process for repeal of non-controversial rules. Mr. Snoke seconded. Committee Consensus

A question was raised on File # 1 and File # 13. Mr. Norlen explained there was a bill passed last year that is now law and cited as MS 144E.101, subdivision 12 (b) regarding staffing and coverage for ambulances. There is conflicting language in this with other statutes in Chapter 144E. The language eliminated the hardship staffing variance for BLS services and allows services to operate for less than 24 hours with an agreement for coverage with neighboring ambulance services. File # 1 is the suggested/recommended changes for associated language in statute and File # 13 relates to talking points that were developed last year when the language in MS 144E.101 subd. 12 b was introduced and passed by the legislature. Mr. Guiton said we want standards for coverage and staffing. Mr. Miller asked for more discussion of this at our next meeting.

7. Next Steps

- Mr. Vanderwal will meet with regional directors to discuss audit requirement language.
- Committee members need to look at other items that are complex
- Consider compromises or hold till next year

8. Other Committee Business

Mr. Snoke shared the MAA legislative initiative. Mr. Guiton thanked Mr. Snoke for providing this information and their cooperation.

9. Adjourn

Mr. Snoke moved to adjourn. Guiton seconded. Committee Consensus - Meeting adjourned.

Next Meeting: Friday, January 22, 2015, at 10:00 a.m.in Duluth