

Meeting Minutes

Emergency Medical Services Regulatory Board

Friday, September 9, 2016, 9:00 a.m.

Alexandria, Minnesota

Attendance: J.B. Guiton, Board Chair; Jason Amborn; Aaron Burnett, M.D.; Lisa Consie; Scott Hable; Megan Hartigan; Paula Fink-Kocken, M.D; Kevin Miller; John Pate, M.D.; Matt Simpson; Tony Spector, Executive Director; Tom Frost, EMS Specialist; Melody Nagy, Office Coordinator; Rose Olson, Licensing Administrator; Chris Popp, Compliance Supervisor; Greg Schaefer, Assistant Attorney General.

Absent: Rep. Jeff Backer; Lisa Brodsky; Patrick Coyne; Steve DuChien; Jeff Ho, M.D.; Michael Jordan; Mark Schoenbaum; Jill Ryan Schultz; Senator Kathy Sheran.

1. Call to Order and Introductions – 9:00 a.m.

Mr. Guiton called the meeting to order at 9:12 a.m. He announced that there would not be a quorum until Dr. Burnett arrives. Mr. Guiton asked Board members and guests to introduce themselves.

2. Public Comment

The public comment portion of the Board meeting is where the public is invited to address the Board on subjects which are not part of the meeting agenda. Persons wishing to speak are asked to complete the participation form located at the meeting room door prior to the start of the meeting. Please limit remarks to three minutes.

None.

3. Oath of Office for Board Members

Mr. Guiton administered the Oath of Office to Ms. Consie and Mr. Amborn consistent with the requirements of Ms. Consie's renewed appointment to the Board and Mr. Amborn's assignment to the Board as the Commissioner of Public Safety's designee.

4. Review and Approve Board Meeting Agenda

Motion: Mr. Simpson moved to approve the agenda for the September 9, 2016, Board meeting. Mr. Amborn seconded. Motion carried.

5. Review and Approve Board Meeting Minutes from July 21, 2016

Motion: Mr. Miller moved to approve the minutes from July 21, 2016, Board meeting. Ms. Hartigan seconded. Motion carried.

6. Board Chair Report

2017 Board Meeting Calendar

Mr. Guiton said it is tradition to convene the September Board meeting each year at the Medical Director's Conference. The Board may wish to consider alternate locations (other than the metro area) for another Board meeting during the year. Mr. Guiton said there is a EMS Conference in Rochester in March and the Board could convene its meeting there.

Mr. Spector said the January Board meeting date conflicts with the Arrowhead EMS Conference. The alternate meeting date being suggested is January 26 with a possible location of Woodbury Public Safety.

EMSRB Celebrating 20 Years

Mr. Guiton said that 20 years ago the EMSRB came into existence. The EMSRB was previously a section in the Minnesota Department of Health. Mr. Guiton said that three employees have worked for the agency for 20 years: Melody Nagy, Robert Norlen, and Rose Olson. Cake will be served at the EMSRB booth during the conference to celebrate this anniversary.

7. Executive Director Report

Cooper/Sams Volunteer Ambulance Award Program Status Report

Mr. Spector reported on the amount of funding in the Cooper/Sams Award trust fund. (handouts provided) Mr. Popp reported that money is being paid out of the trust fund at a greater rate and there are more applicants each year than the fund will support. There was a \$6-million-dollar reduction to the trust fund by the legislature in 2010 to help balance the state's budget. That amount was never replenished. Mr. Spector said it is a statutory responsibility of the agency to assure continued funding for the account and explore seeking replenishment from the legislature.

Mr. Miller said it will be a challenge to get the legislature to fund this. Mr. Popp said to maintain the fund yearly we are looking at a \$1.2 million payment in 2020. Mr. Guiton said that it is important to support the rural efforts in the state.

Mr. Buck McAlpin, representative of the Minnesota Ambulance Association and attending the Board meeting, said there is support to maintain the fund. The Minnesota Ambulance Association has discussed this and Mr. McAlpin will be talking to legislators. Mr. McAlpin invited Mr. Spector and Mr. Popp to the next meeting of the MAA. Mr. McAlpin said obtaining the governor's support for this important matter would be beneficial.

Hiring of Southwest EMS Specialist

Mr. Spector said that 46 applications were received. The applications are being reviewed and interviews will be scheduled soon.

Budget Update

Mr. Spector noted the handout provided in the Board packet and invited questions from the Board.

Small Agency Report

Mr. Spector noted the Small Agency Report document was contained in the Board packet. The document has been submitted to the legislature as required, and encouraged Board members to review the document.

Board Metrics

Mr. Spector said the Board metrics report also is found in the Board packet, and he invited questions from the Board members. Mr. Spector noted that the format of the metrics report has improved, and more detail is provided on investigations and CRP activities.

8. Committee Reports

Ambulance Standards Ad-hoc Work Group Report

Mr. Coyne is absent. A written report was provided. The next work group meeting is October 18. The work group will be bringing a recommendation to the Board at the November meeting. Mr. Miller said he is looking for suggestions for legislative action. Mr. Spector said the work group is looking at potential rule changes.

Complaint Review Panel and HPSP

Mr. Simpson said the metrics provides information on case actions. If you have any questions, please let me know. HPSP handouts were provided in the Board packet.

Data Policy Standing Advisory Committee Report

Ms. Hartigan said the committee brought a motion forward to the Board but the motion was tabled for lack of clarity.

Mr. Spector said the MNSTAR version upgrade will involve a \$20,000 increase in costs to the agency in connection with hosting, maintenance, and support fees from the vendor. The EMSRB did not receive the requested funding to cover this. Mr. Spector will attempt to be creative with the current budget this fiscal year, but cannot do so on a continuing basis. The agency must receive adequate funding for MNSTAR and cannot sacrifice staffing in favor of technology.

Mr. Spector reminded those in attendance that the agency will no longer seek or accept social security numbers in the MNSTAR data base. Mr. Spector had consulted with the Attorney General's office on this decision. The field box found on the paper data entry form no longer will be labeled as social security number. If services want to enter a patient's social security number in that unlabeled field for the benefit of the service, that is the choice of the service.

Mr. Tom Fennell, a member of the Data Policy Standing Advisory Committee attending the Board meeting, said the timeline for the upgrade is by the end of 2017. Mr. Fennell said services will have difficulty in reporting to other states in different format. He said that this question needs to be resolved and communicated to the services. Mr. Spector said the vendor has the infrastructure to accept the data. The agency needs to be able to pay the increased costs. He is asking for support at the legislature (dedicated funds).

Ms. Hartigan asked if there will be correction orders issued for services reporting with different versions. Mr. Spector said no. The vendor is willing to work with the agency. Mr. Guiton said the Board can make a motion to accept the upgraded data.

Medical Direction Standing Advisory Committee

Dr. Burnett said 14 medical directors attended the meeting and there was also good public attendance and participation. The updated Advanced Life Support /Basic Life Support Pediatric Guidelines were presented by Dr. Fink-Kocken. Dr. Pate is presenting at the Board's Medical Director's Course for new and newer ambulance medical directors, a course occurring at the same time as the Board meeting. The committee discussed information provided by the White Earth Reservation Ambulance Service regarding epinephrine administration and a proposed option for the volume-limiting syringe. The committee discussed the Provider Orders for Life Sustaining Treatment (POLST) form and suggested some changes to the form. The motion by the committee was to recognize that a POLST form is the best way for a patient to communicate their wishes to EMS.

Dr. Burnett said the committee discussed the advanced cardiac life support and cardiopulmonary resuscitation requirements for renewal. The statutory requirements were discussed. A medical director has a wide amount of authority for training of his/her staff. A specific course is not mandated. No statute change is required.

Motion: Dr. Burnett moved to require cardiopulmonary resuscitation (CPR) education approved by the Board or medical director for EMR renewal. Dr. Fink Kocken seconded. Motion carried.

Post Transition Education Work Group

Ms. Consie said the work group met on August 25. The work group discussed licensing versus certification. The work group recommends no difference between license and certification.

Ms. Consie said the work group is recommending a change to the statute regarding instructor qualifications. This will be referred to the Legislative Work Group for possible inclusion.

Brad Wright, a member of the Post-Transition Education Work Group, asked to speak to the Board about the instructor qualification change recommendation. Mr. Wright expressed his opinion that the change recommendation may set a bad precedence. The requirements as proposed do not include patient care experience. The faculty at Minnesota State require two years of verifiable experience. Ms. Consie asked to define “verifiable experience.” Mr. Spector read the current statute and asked how this is verified.

Mr. Spector said the Police Chief’s Association and Fire Chief’s Association were invited to the last meeting to provide input. These agencies would like to continue to provide education in-house. They have staff that would qualify as educators. Mr. Spector asked how EMSRB staff verify qualifications.

Dr. John Lyng, a member of the Medical Direction Standing Advisory Committee and attending the Board meeting, said this topic was discussed at the National Association of EMS Physicians (NAEMSP). Certification at any level that is the minimum qualification does not address proficiency. Dr. Lyng suggested the Board should establish the minimum instructor qualifications.

Mr. Guiton asked Ms. Consie to have this discussed by the work group again. Use the wording “active experience.” Mr. Guiton suggested the wording “as approved by the Board”. Ms. Consie said these can be considered equivalents. Ms. Consie referred to Minn. Stat. § 144E.27. The refresher course language is outdated. The work group discussed being able to broaden the options. National Registry certification will not be required for EMR.

Motion: Ms. Consie moved that a Board approved refresher course is defined as the 16-hour U.S. Department of Transportation (DOT) refresher course, or, the NREMT Emergency Medical Responder National Continued Competency Program Model. Dr. Pate seconded. Motion carried.

Ms. Consie said the work group recommends that National Continued Competency Requirement components are taught by education programs approved by the EMSRB.

Motion: Ms. Consie moved to correct the work group’s past recommendation to correct the language to read “all National Continued Competency Requirement (NCCR) components taught in Minnesota are administered by education programs approved by the EMSRB. Dr. Pate seconded. Motion carried.

Mr. Guiton thanked Ms. Consie and the work group for their efforts.

9. New Board Business

None.

Mr. Guiton moved the meeting to a closed session for discussion of disciplinary actions.

10. Closed Session

Closed per Minn. Stat. § 144E.28, subd. 5 and Minn. Stat. § 13D.05, subd. 2(b)
(*Complaint Reviews*) Disciplinary actions were discussed and voted on by Board members.

11. Re-Open Meeting

Mr. Guiton re-opened the meeting.

12. Adjourn

Motion: Dr. Burnett moved to adjourn. Dr. Fink Kocken seconded. Motion carried.

Meeting adjourned at 11:00 a.m.