

Meeting Minutes

Emergency Medical Services Regulatory Board

Thursday, November 16, 2017, 10:00 a.m.

Minneapolis, Minnesota

Attendance: J.B. Guiton, Board Chair; Jason Amborn; Aaron Burnett, M.D.; Lisa Consie; Patrick Coyne; Steve DuChien; Scott Hable; Michael Jordan; Paula Fink-Kocken, M.D.; Kevin Miller; John Pate, M.D.; Mark Schoenbaum; Jill Ryan Schultz; Tony Spector, Executive Director; Tanner Berris, EMSRB Staff; Melody Nagy, EMSRB Staff; Jennifer Nath, EMSRB Staff, Jennifer Middleton, Assistant Attorney General; Greg Schaefer, Assistant Attorney General.

Absent: Rep. Jeff Backer; Lisa Brodsky; Megan Hartigan; Jeffrey Ho, M.D.; Matt Simpson

1. Call to Order – 10:03 a.m.

Mr. Guiton welcomed everyone to the meeting. He asked for introductions from members and guests.

2. Public Comment – 10:10 a.m.

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. Review and Approve Board Meeting Agenda – 10:15 a.m.

Motion: Mr. Miller moved to approve the agenda. Dr. Pate seconded. Motion carried.

4. Review and Approve Board Meeting Minutes – 10:20 a.m.

Mr. Hable asked for a correction to the minutes. He was not in attendance at that meeting.

Motion: Mr. Coyne moved to approve the minutes from the September 8, 2017, minutes with the correction as noted. Mr. DuChien seconded. Motion carried.

5. Board Chair Report – 10:25 a.m. – J.B. Guiton

Board Retirement

Mr. Guiton said Mr. Schoenbaum announced he is retiring. A plaque was provided along with the well wishes of Board Members. Mr. Schoenbaum commented that the Board is in a good place. He also noted that today is National Rural Health Day.

Board Vacancies

Mr. Guiton said there are five Board positions that will be open beginning January 1, 2018. The vacancies are posted on the Secretary of State's website. He encouraged current Board members to re-apply.

Proposed Board Meeting Schedule for 2018 – Action Item

Mr. Guiton asked for a motion to approve the proposed Board meeting schedule for 2018. The meetings will continue to be held at this location unless notified otherwise.

Motion: Dr. Fink-Kocken moved approval of the proposed Board meeting schedule for 2018. Ms. Consie seconded. Motion carried.

Education Standards Post-Transition Work Group Recommendations

Mr. Guiton asked Mr. Lawler to speak on this topic. Mr. Lawler said one of the recommendations from the workgroup is to make it a standing advisory committee. Mr. Guiton said the Board would want to reconsider membership if a standing committee were to be created. Mr. Guiton said the committee would need a charter.

Mr. Miller said more definition of scope also would be needed. This also needs to be considered with relation to the Internal Operating Procedures. The chair of a committee must be a Board member.

Motion: Mr. Jordan moved to evaluate the recommendations from the Education Standards Post-Transition Work Group to move to an Education Standing Advisory Committee. Additionally, the Executive Committee will be charged to develop an outline of the membership and charge of the committee. Dr. Fink-Kocken seconded. Motion carried.

Report of EMS Agenda 2050 Conference

Mr. Spector said there was interesting dialog. Several Board members and audience members present today attended the meeting. The format was a roundtable discussions of issues. It was challenging trying to predict the future through with today's lens. Some questions that that came up: Future technology impacting EMS as well as policy and politics impacting EMS.

Mr. Miller said this conference was sponsored by the National Highway Traffic Safety Administration. It was challenging to do out-of-the box thinking for 30 years into the future. How do we integrate to primary care? What will volunteerism look like?

Dr. Burnett said that there are four of these meetings being held throughout the United States. Having a meeting in Minnesota shows the impact of Minnesota on the national level.

Dr. Pate said funding concerns were discussed (federal funding levels). In many states most of EMS is volunteer. EMS professionals are a small percentage of the people involved. There is additional stress on these volunteers.

Dr. Fink-Kocken asked if there will be a written report. Dr. Pate said there is a website that provides information presented at the meetings: www.EMSagenda2050.org

Mr. Guiton said EMS is a supplier not a provider. That is a challenge for the future.

Dr. Burnett shared information about correspondence regarding DEA requirements for EMTs providing medications. Federal legislation recently passed and is waiting for the president's signature.

6. Executive Director Report – 11:15 a.m. – Tony Spector

E-Licensing Update

Mr. Spector provided a power point presentation with history and highlights of the development of the e-Licensing system. He complimented Mr. Berris for his efforts in developing the language for the landing page of the website. The website has been tested for accessibility issues.

A problem that occurred right after the launch of the system was that date of birth was not a mandatory field in the old system and is required to for individuals to claim their account in the new system. An email was sent to persons registered in the system. Staff were very busy with phone calls to update dates of birth and current email address. There have been very few complaints about the new system. Mr. Spector provided the dates for the rollout for other components. Mr. Edwards asked if this information can be shared.

Mr. Schoenbaum suggested this project should be submitted for the Governor's Quality Improvement Award. Mr. Spector thanked Mr. Schoenbaum for his guidance and service to the Board.

Mr. Spector said the new system will have capability for enhancements to inspections including being able upload files, including photographs. Ms. Hammann-Jacobs is working full time on the build-out of the new components and Mr. Norlen is working on this part-time.

Mr. Spector identified certain processes will continue to utilize "paper" applications: Education program initial applications, ambulance service initial applications, Medical response unit initial applications, and complaint submissions.

Mr. Spector said the process to transition to the new system started in June. This was an aggressive timeline. The project manager assigned by MN.IT has now resigned from this project and he said he will explore the reasons. The vendor continues to develop algorithms to import PDF documents from the legacy data.

Mr. Spector said there have been some issues with EMRs that have taken refreshers but never applied for registration. Staff will work with these individuals on a case-by-case basis to update records upon proof of meeting their education requirements. The new system can do reminder emails for future renewal issues.

Ms. Larson complimented staff's efforts.

Agency Update

Mr. Spector said there formerly was position for a Certification Specialist and that is being re-evaluated. One of the options is to create a position for e-License and MNSTAR data position. He said he is looking at what other boards do. He said the agency has funding to fill three positions.

Mr. Spector said he received an email from DHS regarding supplemental Medicaid payments and was seeking information as to public-sector ambulance services.

Mr. Spector said the Northwest EMS Specialist Position was posted in April/May. Implementation of the e-License system put the hiring on hold. The position was also posted incorrectly. The position was re-posted and applications have been received. The applications are being evaluated. Mr. Simpson was going to assist with interviews but that has changed since he now is the Acting Chief for St. Paul Fire. Ms. Hartigan said that she can assist with reviewing

applications, and Mr. Guiton is going to conduct the interviews with me. The applications are being reviewed for minimum qualifications.

Mr. Spector said the EMSRB is exploring matters pertaining to the MNSTAR v2 data, including record retention timelines. He said he is exploring data hosting with ImageTrend.

Mr. Spector said that investigations continue to move forward. The Attorney General's office and The Department of Corrections are consulting on investigations. There have been 102 investigations year to date. The EMSRB has developed a better process for documenting and assigning the investigations and following up on the processing of the investigations.

7. Health Professionals Services Program (HPSP) Presentation

Ms. Kimberly Zillmer from HPSP provided a video and offered to answer questions from Board members.

Mr. Guiton asked about the costs for toxicology screens. Ms. Zillmer said there is a contract with Hennepin County Medical Center and the cost is \$15.00 to \$25.00 dollars per screening.

Dr. Pate asked about the relapse rate for the program. Ms. Zillmer said she did not have the specific statistic for EMS but would provide this information to Mr. Spector.

Mr. Spector said the complaint review panel can refer individuals to HPSP for an assessment. This is reported to the Board as a non-disciplinary action. If the person does not follow the treatment plan then the discipline can move forward.

Ms. Zillmer said HPSP is not treatment. HPSP is the agency for tracking management of the illness. The treatment providers are the hands on providers of treatment. The first step is assessment. Providers are in the community. HPSP gathers the data for each participant. Some costs may be covered by insurance. If an individual is unable to participate in the costs they cannot be monitored by HPSP.

Dr. Burnett said that this provides an opportunity for providers to continue practicing while being safe.

8. Committee Reports – Committee Chairs – 11:15 a.m.

Ambulance Standards Work Group

Mr. Coyne said there was a meeting scheduled but a conflict with another national meeting would have greatly limited our attendance. Staff are looking for another meeting date. There is not a firm deadline for a deliverable at this time.

Mr. Guiton asked Mr. Coyne to consider a communication (podcast) to the ambulance services explaining the proposed rule change so this would be a non-controversial rule change.

CRP

Mr. Spector said Mr. Simpson is unable to attend today. Mr. Guiton said the new form of investigations has benefited the committee by providing consistency and additional depth of the investigation reports. Dr. Burnett said that the committee is discussing the assignment of investigations. Dr. Fink-Kocken said that there is a judgement call as to the depth of the investigations when they are being assigned. Mr. Spector said limited information is provided on the mandatory report. Staff must investigate and get more information.

Mr. Radde said from an ambulance provider point of view the employee may have unidentified issues. The mandatory report exists but there must be more information provided. Mr. Spector said the service should provide more information for discussion at CRP.

Mr. Guiton said that there can also be an anonymous complaint.

Data Policy Standing Advisory Committee

Mr. Spector said that Ms. Hartigan could not attend the meeting today, but provided this report. The committee met on September 27, 2017. There was discussion about the transition to MNSTAR version 3. Minnesota currently accepts data in version 2 and version 3. The committee will be providing a recommendation to move to MNSTAR version 3 by December 2018. Staff will be assigned to work with services to transition to version 3.

Mr. Spector said staff have gathered information on how many ambulance services are doing manual data entry and which services are currently using version 2 and version 3. A survey is being developed to ask services about barriers to move to version 3. The survey results will be provided to the Board. Staff will be working with services to provide assistance as requested.

Legislative Ad-Hoc Work Group

Mr. Miller said the work group is on hold. Mr. Miller said that he and Mr. Spector will be meeting soon. We will need to develop a package for the 2018 legislative session. We are a little behind in our timeline.

Medical Direction Standing Advisory Committee – Dr. Burnett

EMTs Administration of IV Medications

Dr. Burnett said that there was a motion passed at the MDSAC meeting to ask for a rule change to provide IV dextrose for patients that are hypoglycemic. This would be a new precedence in Minnesota. This condition can be measured objectively and this is life-threatening for patients. Dr. Gardner brought this to the attention of MDSAC. Shortages of medication are also a concern. The recommendation is for a rule change for an EMT with a variance from a medical director to administer a glucose solution at no stronger than 10%. Dr. Pate said in the rural areas this skill set will need to be taught. This is good public protection. Dr. Fink-Kocken said that this works well from the pediatric perspective.

Motion: Dr. Burnett moved to pursue a rule change and that staff would work with the Legislative Work Group on this request. Dr. Pate seconded. Motion carried.

Dr. Burnett said he attended the Medical Director's Council at the National Association of State EMS Officials (NASEMSO) meetings and they were discussing free standing emergency departments that do not accept ambulances. This should be discussed by the Board in the future.

Mr. Tim Held said there is a distinction between freestanding emergency departments and medical centers that are an extension of the hospital. A hospital affiliated facility can be a designated as a level four trauma facility. MDH is monitoring this scenario.

Dr. Burnett provided a handout (see link below) regarding occupational safety for providers. This was discussed at NASEMSO. He asked that this be shared with other EMS constituents. Mr. Guiton said this can be posted on the EMSRB website and shared with the EMS audience. Mr. Amborn said this can be distributed by the Department of Public Safety.

<https://www.whitehouse.gov/sites/whitehouse.gov/files/images/Final%20POSTER%20size%20of%20Fentanyl%20Safety%20Recommendations%20for%20First%20Responder....pdf>

9. New Board Business – 12:45 p.m.

Mr. Spector said that Ellis and Associates requested approval to be a CPR provider. A handout was provided to Board members. The Board previously approved a list recommended by MDSAC. The recommendation from staff is for approval. Mr. Spector said the Board has not established a system for Board approval for these requests. He asked if this should be a staff approval. Dr. Burnett said he wants time to consider the issue. He ask for information from staff to make a recommendation to the State Medical Director.

Mr. Spector said this is in statute: “a course as approved by the Board.”

The Board approved Ellis and Associates as an approved provider of courses in cardiopulmonary resuscitation.

Mr. Guiton said this issue of future approvals will be tabled until the January meeting.

10. Closed Session – 12:50 p.m.

Closed per Minn. Stat. § 144E.28, subd. 5 and Minn. Stat. § 13D.05, subd. 2(b) (*Complaint Review Panel*)

Disciplinary actions were discussed and voted on by Board members.

11. Re-Open Meeting – 1:22 p.m.

Mr. Guiton re-opened the meeting.

12. Adjourn – 1:25 p.m.

Motion: Mr. Miller moved to adjourn the meeting. Mr. DuChien seconded. Motion carried.

**Next Board Meeting:
January 25, 2018, at 10:00 a.m.
Minneapolis, MN**