

## Summary Minutes

Meeting of the  
**Emergency Medical Services Regulatory Board**  
10:00 a.m., September 10, 2010  
Arrowwood Resort, Nokomis Room  
Alexandria, Minnesota

### Members Present

James Rieber, Chair  
Dawn Bidwell  
Lisa Consie  
Bonnie Engen  
Michael Gormley  
Kathleen Haney  
Paula Fink Kocken, M.D.  
Pat Lee  
Kevin Miller  
Gary Pearson  
Paul Satterlee, M.D.  
Mark Schoenbaum  
Mari Thomas, M.D.

### Members Absent

Brenda Brown  
Michael Jordan  
Rep. Jeremy Kalin  
Sen. Gary Kubly  
Matt Simpson  
Marlys Tanner

### Guests

(did not sign in)

### Staff

Katherine Burke Moore  
Melody Nagy  
Robert Norlen  
Debby Teske

### **I. Call to Order**

Mr. Rieber called the meeting to order at 10:05 a.m.

### **II. Introductions**

Mr. Rieber asked members and guests to introduce themselves. He welcomed Dawn Bidwell who is recovering from her illness. She received a round of applause from the group.

### **III. Approval of Agenda**

Mr. Rieber said that item 13 is an action item and the numbering on the agenda is wrong. Ms. Engen moved approval of the agenda. Mr. Pearson seconded. Motion carried.

### **IV. Approval of Minutes**

Mr. Miller moved approval of the July 15, 2010 minutes. Dr. Thomas seconded. Motion carried.

### **V. Chair's Remarks**

Discuss Board Role in License Process

Mr. Rieber said that he wanted to discuss the Board role in the licensing process. He said that he spoke to the Attorney Generals' office about this. He said he wants a group to review the licensing processing. The Board should have more involvement. He asked if this should be handled by the Executive Committee or do others want to participate? This does not include certification. This is for ambulance licensing and training program licensing. Mr. Schoenbaum asked if this is work flow process. Mr. Rieber responded that this is for final approval by the Board with verification from staff that each step has been completed and a signed affidavit is to be provided to the Board.

Mr. Rieber suggested that the appointed committee would review the documents first and then bring a recommendation to the Board or the committee can approve the licenses if this authority

EMSRB Minutes  
September 10, 2010

is granted. This may delay the licensing process. Mr. Schoenbaum asked if there is an issue that brought this forward. Mr. Rieber said that this was delegated to staff and we are not comfortable with this level of authority.

Dr. Fink Kocken asked how frequently this would occur. Mr. Rieber said that this could be handled during the monthly Executive Committee meetings. Ms. Burke Moore commented that there would be delays in issuing licenses. Mr. Rieber said that we should consult with the Attorney Generals' office and staff and then develop a plan and report back to the Board.

Mr. Miller said that the appointed committee completed the deviation process in a timely manner.

#### Financial Projection for the Upcoming Session

Mr. Rieber said that we need to have a plan in place because there is a six billion dollar statewide budget deficit. We do not have a document available at this time but will have a definite plan available for the November meeting. This plan will include a 5%, 10% and 15% reduction. There have also been rumors of a 20% reduction. Mr. Rieber said that we need to be able to discuss at the legislature what the reductions will affect in layoff of staff and how ambulance inspections will be conducted.

Mr. Schoenbaum asked about revenue scenarios should be discussed this with stakeholders. Mr. Rieber said that we discussed raising ambulance licensing fees but have not taken this any further. Mr. Schoenbaum said that MDH is looking at a 15% potential reduction. He said that this would be very damaging. To discuss revenue increases we would have to have a consensus. Ms. Burke Moore said that our fees go to the general fund. Our fees are not dedicated to the EMSRB.

Mr. Rieber said that we could contract ambulance inspections to state patrol because they inspect school buses. We would do the paperwork for licensing but contract out the inspections. Mr. Rieber said that we need to provide a certain level of service to keep the public safe but we also need to be fiscally responsible.

Mr. Miller agreed that planning for a 20% reduction would be prudent. He said that last year we only had anecdotal statements on how this would affect the agency.

Mr. Rieber said that he wants to furnish this information to MAA and Mr. Doyle. Ms. Burke Moore said that Minnesota Management and Budget Division (MMB) has notified the health related boards that we may not be asked to make cuts this year. This is good news if it stands. Mr. Rieber said that these other agencies are fee supported. He said that it is in our best interest to be prepared for cuts.

Mr. Pearson clarified that this proposal is for the next biennium. What we propose will not be the same as what the results are. We have some options to move money and people.

#### Discuss Appointing a Committee to Look at Visioning for the Future

Mr. Rieber said that this was discussed a year ago. In January we should do some goal setting. The current goals are a one year plan. We are looking for assistance from the Management Analysis Division (MAD) to develop a four year plan. This will make us a more stable organization and set priorities. We need a vision in the face of these potential reductions.

We need to stay to our main focus. Mr. Rieber asked that this be discussed at the January meeting and include a half-day goal setting session. Ms. Burke Moore offered to research what this will cost. She said that MAD will have experience in having these discussions with other agencies. Mr. Rieber asked for a report on this for the November Board meeting.

Mr. Lee asked if this is for Board members only or do we include the MAA and regional systems. Mr. Rieber said that the first meeting will be Board members and then we can ask for input from our stakeholders. Ms. Burke Moore said that this will be an expensive process.

#### **VI. Executive Director's Report**

##### Workgroup to Review RFP for 2012/13 Regional Systems

Ms. Burke Moore said that a new RFP will be developed for the regional systems. She said that we will be developing the language for the RFP. There will be a second workgroup to score proposals when they are received. This needs review by volunteers other than staff. She asked for three volunteers.

Mr. Rieber said that he will sit on both workgroups and would invite MAA and regional member participation. Mr. Rieber asked that interest persons submit an email to Ms. Burke Moore and we will review the applications and select members. Ms. Burke Moore asked for background information from each applicant.

Ms. Engen asked what the timeline is for this process. Ms. Burke Moore said that the RFP is published in March and the contracts will be approved by the Board in June for a July contract start. Mr. Rieber asked for an email of this timeline.

Mr. Lee said that it will be difficult to complete this without knowing our budget for the year. Mr. Rieber said that this will be written on the concept of what a regional system does -- not how much is spent on each task.

#### **VII. Executive Committee Report**

##### Budget Preparations

Mr. Rieber said that the Executive Committee is meeting every other week. The minutes from these meetings are posted on the EMSRB website. We are doing budget preparations and will have information available for the next meeting. Mr. Rieber said that the Executive Committee is spending considerable time on these tasks.

#### **VIII. Rescind Approval of the Glencoe Application**

Mr. Rieber said that there was an approval sent to Glencoe and it must now be rescinded. Mr. Rieber said that he has discussed this with Mr. Hart of the Attorney Generals office. We will need to start the project over with corrected documentation. All mailings will be conducted by certified mail.

Mr. Rieber asked for a motion. Ms. Bidwell moved to rescind approval of Glencoe's application. Dr. Fink Kocken seconded.

Mr. Miller said that the rescinding is because of a procedural issue. Mr. Pearson asked how long it will be to get through the process. Mr. Rieber said that there is a defined process including a 30 day comment period. Mr. Schoenbaum asked if the ambulance service has been notified. Mr. Rieber said that they will be notified that this is rescinded after the meeting. Mr. Schoenbaum asked for comments from Glencoe. Mr. Rieber said that since due process was not

EMSRB Minutes  
September 10, 2010

followed we need to start the process over. Mr. Hart had a family emergency and could not be here today to provide this information.

Mr. Waibel from Glencoe Ambulance said that he did not receive notice that this would be discussed at the Board meeting today. He said that the ambulance service passed inspection and they have invested considerable efforts to have this license approved. He did not hear from anyone on the staff of the regarding the Board action today. Mr. Rieber said that he was notified of this from the Attorney General's office on Wednesday. Mr. Schoenbaum said that this needs to be expedited. Ms. Burke Moore apologized that Mr. Waibel was not notified. Mr. Rieber said that we must comply with the 30 day notice requirement.

Mr. Miller said that if this is a violation of law does the Board have to act on this? Mr. Rieber said that staff issued this license without Board approval. Because it was issued on behalf of the Board we need to rescind the license. He said that new licenses should be approved by the Board. Mr. Miller asked what would happen if the motion did not pass today. Mr. Rieber said that the Attorney General's office would determine that the license is not valid then it would go to a contested case hearing. The legal process was not followed to issue the license.

Mr. Waibel from Glencoe asked what was not followed. He said that he was assured by Ms. Burke Moore and Ms. Olson that the process was followed. He said that there was a rapid backpedaling by the EMSRB. The citizens of Glencoe will be concerned that they were promised a level of service that cannot be provided. Mr. Rieber said that he understands the frustration, but the Board must follow the legal process – the procedural process cannot be discussed. Mr. Rieber suggested that the process can move forward and is possible that the Executive Committee could approve this if that is the Board's wish.

Mr. Rieber said that letters will go out next week and we will inform Glencoe Ambulance Service of the action taken. Ms. Burke Moore said that as soon as we receive information from the Attorney General's office Mr. Waibel will be informed.

Mr. Schoenbaum said that he will abstain from this vote because he does not have enough information to vote. Mr. Rieber said that the Attorney General's office is recommending that we rescind the license. Mr. Miller said that if we vote "yes" the process moves forward. If we vote "no" the license will be further delayed. The Attorney General's office will notify Glencoe Ambulance that the license is not valid. Ms. Engen suggested that the Executive Committee be granted authority to act on this license.

Dr. Satterlee asked if Glencoe is providing ALS care. Mr. Waibel said they were told to hold off.

Mr. Rieber asked for a vote on the motion to rescind. Voting Yes: Dawn Bidwell, Lisa Consie, Bonnie Engen, Michael Gormley, Kathleen Haney, Paula Fink Kocken, M.D., Pat Lee, Kevin Miller, Gary Pearson, James Rieber, Paul Satterlee, M.D., Mari Thomas, M.D.  
Mark Schoenbaum abstained. Motion carried.

Mr. Miller moved that the Executive Committee be granted authority to act on the license. Mr. Pearson seconded. Motion carried.

Mr. Rieber said that the Board will receive an update on this at the next meeting.

**IX. MDSAC Report**

Dr. Thomas said that the Medical Direction Standing Advisory Committee met this morning and discussed the status of a state medical director. Dr. Wesley is no longer the contract state medical director. The three Board physicians have discussed sharing the duties of a state medical director. Dr. Thomas said that this will be a temporary situation until a contract medical director could be hired or a future plan is developed to change this in the Board's IOP and have a formal medical director relationship with a member of the Board.

Dr. Thomas provided a document that shows the proposed changes. The document will be sent out for review by physicians and Board members. Dr. Thomas said that this will be ready for presentation at the Long Hot Summer Conference in March.

Dr. Thomas said that discussion also included the EMS education standards.

Ms. Engen asked if physicians will be available for face to face meetings. Dr. Thomas said that the chair of the MDSAC fulfilled these duties before. The language and duties have changed over time. Dr. Thomas said that she will be the contact point for questions and needs as the state medical director and the other two physicians will be back up as needed. Dr. Thomas said that questions should go to the Executive Director for referral to a physician. Mr. Rieber said that we may delegate the other two physicians as assistant medical directors. Mr. Rieber said that in the future we may want to look at if this position should be a contractor or an employee. A contractor has a limited role and he said that he thinks this person should be an employee of the Board.

Dr. Thomas said that the physicians have been asked to document their time in working on medical direction tasks for the Board. The committee also discussed a plan/purpose for MDSAC and intends to include this in the plan for the future. We will look at guidelines in one year and look at the medical direction course in the opposite year.

Ms. Burke Moore said that a contractor can be held accountable for their contract responsibilities and duties. An employee will be considerably more expensive than a contractor.

Mr. Rieber thanked all three physicians for their efforts on behalf of the Board.

**X. MDSAC/Board Physician Drug Variance Approval Process**

Tabled

**XI. EMS Education Standards Presentation**

Dr. Satterlee said that there will be an action item proposed after this presentation.

Dr. Satterlee provided an overview of the committees work to develop recommendations to bring to the Board.

Mr. Wright said that the standard is competency based and there are suggested minimum hours. Mr. Wright said that there may be increased hours to absorb the knowledge base. This gives the educator the flexibility in how the information is presented. Ms. Teske said that the NHTSA recommended standards but said that minimum hours must be included for the MNSCU colleges. Ms. Teske said that there will be a lot of flexibility in this.

Mr. Rieber asked if this will standardize licensing throughout the state. Mr. Rieber said that the National Registry, a private company, is the only standard. Dr. Satterlee said that this is being discussed and they are moving toward a standard practice. Ms. Teske said that there are always states rights that trump the national recommendations. Mr. Rieber said that the goal is a national standard.

Dr. Satterlee said that public meetings will be conducted throughout the state to provide information to stakeholders.

Ms. Consie said that there was considerable discussion at the workgroup level to come to these recommendations.

## **XII. EMS Education Standards Workgroup Recommendations**

Ms. Consie read the recommendations from the committee. Ms. Consie moved to accept the recommendations. Dr. Fink Kocken seconded the motion.

Mr. Rieber asked about First Responder registration dates. He said that this will impact a lot of entities (law enforcement and businesses with response groups). Mr. Rieber said that these are very good recommendations. He said that it is good to have First Responders registered. Ms. Engen asked how this will affect staff. Ms. Teske said that this will require a legislative change but we believe with a change of process this could be handled by staff appropriately. Ms. Teske said that a different renewal date than the March date for EMT renewals will be selected.

Ms. Bidwell said that the firefighters union opposed this previously. We are trying to set a standard. First Responders can take their training whenever it fits their schedule but they will have a standard renewal date. Ms. Bidwell said that she has discussed this and they are in favor of having a set date for renewal.

Dr. Thomas said from a rural perspective the hours need to be explained. We need to emphasize competency based. Dr. Thomas said that this will be an issue for EMT I's because they will need to choose to go to EMT or take additional training to reach Advanced EMT. This needs to be discussed at the public level.

Ms. Teske said that Dr. Satterlee and she will be developing a community presentation for delivery at regional locations throughout the state and available on the EMSRB website. The committee members are involved in planning the community meetings and are planning ITV sessions. Ms. Teske thanked the committee members for their efforts and dedication.

Mr. Rieber asked for an implementation plan. Ms. Teske said that an implementation plan will be developed as legislation is brought forward. Mr. Miller asked if this will be referred to the legislative committee. Ms. Teske showed the chart of the proposed timeline.

Mr. Rieber asked for a vote on the motion to accept the recommendations. Motion carried.

Mr. Rieber thanked the committee members.

## **XIII. Approval of CRP Standard Operating Procedures**

Ms. Bidwell provided this document at the last meeting and said that no comments/correction were received from Board members.

Ms. Bidwell moved that the SOP be adopted with the correction noted. Mr. Miller seconded. A Board member suggested changing the wording from “license” to “certification”. Motion carried.

**XIV. Complaint Review Panel Report**

Mr. Miller reported that the panel met on August 2, 2010.

- 40 Disclosure files were reviewed (39 passed with no further action required, more information was requested for one case)
- 9 complaints/mandatory reports were reviewed and three were closed and six cases were referred by the Minnesota Department of Revenue for Suspension

**XV. Data Policy Standing Advisory Committee Report**

MNSTAR Data Dictionary Change Review Process

Dr. Satterlee said that the Data Policy Standing Advisory Committee met on August 9. We discussed adopting the 3.0 data set. We are proposing to open the state data set for a three month comment period. There was considerable discussion on the pros and cons of adoption at this time and one large consideration is the cost. A lot of services do direct data entry and this will not cost them. There are several vendors developing software for conversion to 3.0.

Mr. Norlen provided handouts and said that the EMSRB has been collecting data with the current program but as in any program there are proposed changes. This information is reported at a national level. Mr. Norlen said that in May 2007 the Board closed the data dictionary in order to have services stabilize their data input. Mr. Norlen said that a recent requirement was to move to the 2.2.1 data set. All services have met this requirement and we have significantly improved the quality of the data. NEMSIS has developed the 3.0 data set. The committee looked at the other versions, suggested additions and deletions to the data set. Version 3.0 will bring us into standard with health licensing 7 standards. This will provide national and international standards. We have to make sure the EMS system is able to communicate with other data systems.

Mr. Norlen said that we want to shift to standard data sets. The DPSAC discussed these changes with a small group in February. The 469 items in the data set were reviewed. A recommendation was made on what should be collected and what should be retired from the data set. The data dictionary is available on the website. Mr. Norlen said that in the 2.2.1 set we had some Minnesota specific elements. Mr. Norlen said that the recommendation is to stay with the national standard data set.

Mr. Nolen provided information on the timeline of the workgroup. Mr. Norlen said that we need some additional information to link with the trauma system. We looked at CARES data to see if we are including this information in the data set. We would like one place for the information to be collected. Mr. Norlen said that this will improve the data collected. This will also link better with hospital data. This will help with evaluation of cardiac care etc.

Mr. Norlen said that the DPSAC is recommending the Board open the data set for a three month comment period with adoption at the January Board meeting. We would then set a timeline for implementation which may be January 2012 but may change based on software availability. Some services will have significant changes to come into compliance.

Mr. Miller asked why ImageTrend has not provided information. He asked about the costs. Mr. Miller said that the state data base would need to be changed. Mr. Norlen said that he is

EMSRB Minutes  
September 10, 2010

discussing this with ImageTrend and said that it would be a contract change for a software improvement – and would not be a significant cost. There will also be adjustments to the run report form. Mr. Rieber asked for this information in writing. Mr. Norlen agreed.

Mr. Norlen asked that the Board consider opening the data dictionary for comment. We are asking for comments from the ambulance services on the costs. The DPSAC will be discussing the cost issue further. Mr. Norlen said that some services will not be able to meet the data submission standards with their current software. We want the comment period to explain the changes so that ambulance services can have this discussion with their software vendor.

Mr. Miller asked if there will be a testing server for development. Mr. Norlen said that problems happened when services were on different versions. Mr. Norlen said that everyone will have the same testing software from NEMSIS. Mr. Miller asked about the cost of a validation server. Mr. Norlen said that we have that capability available with our current hardware. Mr. Norlen said that NEMSIS will be changing the validation process. He said that there were flaws in the previous system. Some test cases were submitted that were flawed. The process at NEMSIS will change.

Mr. Schoenbaum said that this will be an important change to have the data the same for electronic medical records. This will be an advance.

Mr. Guiton said that we are all on a XML data base and this will be a great move and we will not have a lot of issues to make this change. Ambulance Services with outside systems will have a greater difficulty converting.

Mr. Schoenbaum said that there is still a legislative issue in sharing data but this may improve data sharing. Mr. Rieber asked if we should propose legislation for data sharing. Mr. Schoenbaum urged caution at this time. Mr. Rieber suggested that this be a joint venture.

Mr. Rieber asked what we are doing with the data. Mr. Norlen said that the data is being provided to MDH trauma systems and injury prevention data to bring the picture together on patient outcome. Mr. Norlen said that the proposed changes will include looking at performance measures for specialties. Integrating this data we will see the picture of how important the EMS interventions are for the patients. Mr. Norlen said that this will be provided to the payors to see the improved outcome for EMS intervention for improved patient care.

Mr. Rieber said that he is asked what we do with our data. Mr. Rieber said that this information needs to be provided to the public. Mr. Norlen said that we hope that ambulance services are using this data for QA and operational decisions. He said that the data quality improves as the services use the data. The data quality starts at the data entry level. Our data quality has improved over the past few years.

Dr. Satterlee said that at the next DPSAC meeting we will be discussing providing data to ambulance services. Dr. Satterlee suggested a quality report be sent to the state quarterly from ambulance services. Mr. Rieber said that this can be included in the vision for the EMSRB.

Dr. Satterlee moved that the data set 3.0 be opened for public comment and then reviewed by the Board in January 2011. Dr. Fink Kocken seconded. Motion carried.

**XVI. Other Business**

None.



**XVII. Public Comment**

None.

**XVIII. Adjourn**

Mr. Miller moved to adjourn. Mr. Lee seconded. Motion carried. Meeting adjourned at 12:18 p.m.

Reviewed and Approved by:



\_\_\_\_\_  
Pat Lee, Secretary

11/15/10\_\_\_\_  
Date

\_\_\_\_\_  
James Rieber, Chair

\_\_\_\_\_  
Date