Call to order and introductions – 9:00 AM

Review and approve agenda – 9:05 AM

Review and approve meeting minutes – 9:10 AM (Attachment M1)

Public comment – 9:15 AM
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 email emsrb@state.mn.us. Please limit remarks to three minutes.

Board chair report – 9:20 AM

Action Items – 9:25 AM
6.1. Approve transfer of a BLS license from the City of St. Charles to the City of Lewiston: “Motion to approve the transfer of a BLS license from the City of St. Charles to the City of Lewiston.”


Vice-Chair report (includes legislative workgroup report) – 9:35 AM

Secretary/Treasurer Report – 9:45 AM
9. Executive Director’s report – 9:46 AM (Attachment EDR)

10. Staff report and updates – 10:05 AM


13. Medical Direction Standing Advisory Committee report – 10:20 AM

14. Work group reports – 10:25 AM
   14.1. Recruitment and retention – Scott Saehr
   14.2. The IOPP report will reappear in October

15. Regional System Updates (roundtable by exception, please limit to two minutes) – 10:30 AM
   15.1. Regional Spotlight: none (South Central region in October)

16. Old business – 10:35 PM
   16.1. The board action item and motion charts will be discussed in October; no outstanding issues for this meeting.

17. New business – 10:40 PM

18. Closed session – 10:45 PM
   Closed pursuant to Minn. Stat. §144E.305, subd. 3(a) (disciplinary hearings shall be closed to the public) and Minn. Stat. §13D.01, subd. 2(2) (meetings must be open to the public except to a state agency, board, or commission when it is exercising quasi-judicial functions involving disciplinary proceedings).

19. Adjourn – following closed session

Next Board Meeting
Thursday, October 20, 2022; 10:00 AM
Minnesota EMSRB Offices
335 Randolph Ave., Suite 220, St. Paul, MN
and by Microsoft Teams
Meeting Minutes

Emergency Medical Services Regulatory Board
August 18, 2022, 10:00 a.m.
335 Randolph Avenue, Suite 220
and on Microsoft Teams

Board members present: Dr. Aaron Burnett, Brian Edwards, Dr. Paula Kocken, Ryan Kunst, Amber Lage, Kevin Miller, Dr. John Pate, Scott Saehr, Matt Simpson, JB Guiton

Board member absent: Sen. Andy Lang, Tim Held

Staff members present: Dylan Ferguson, Jana Carr-Weerts, David Rogers, Pattie Forsberg, Kathy Voss, Alex Minustin, Jamal Zayed (AAG), Jody Larson, Holly Jacobs, Charlie Soucheray, Andrew Still

1. Call to Order and Introductions

The chair called the meeting to order at 10:02 had members of the board introduce themselves and their position on the board

2. Review and Approve Agenda

Mr. Edwards asked for an item to be added to the agenda relating to administrative rulemaking, and additionally asked that goals for the executive director be renumbered on the agenda to correspond to the appropriate section. Dr. Pate also requested a change related to the timing as they were listed as PM as opposed to AM.

Motion: Mr. Edwards moved approval of the agenda with the proposed changes Mr. Saehr seconded. A roll call vote was taken. Motion carried.

3. Review and Approve Board Minutes

Mr. Guiton asked for review and approval of the minutes from the July, Board meeting.

Motion: Dr. Pate moved approval of the minutes. Ms. Lage seconded. A roll call vote was taken. Motion carried.

4. Public Comment

No members of the public present had comment for the board.
5. **Board Chair Report**

Chair Guiton reported that there are a lot of exciting things going on at the EMSRB and are really proud of all the Board Members and Staff.

6. **Action Items**

   6.1 **Approve Hennepin County Ordinance 9 Update**

Chair Guiton provided a brief introduction as to the local standards process and identified that this is the first time that a local standard had been brought before the EMSRB as the previous ordinance predated the existence of EMSRB.

Stephanie Able was presenting along with Kristin Mellstrom and Dan Kaiser from the Hennepin County Attorney’s office. A copy of their presentation is included with these minutes.

Ms. Able started her presentation providing an agenda of what would be covered and started with the overall rationale for the underlying Hennepin Counties original ordinance including the high call volume and the complex system of the way that EMS is provided in Hennepin County. Ms. Able then provided a brief history and timeline of the ordinance which was initially adopted in 1984 and was last amended in 1999, and the review of the ordinance before the Board today began in 2018.

These changes are primarily driven as the EMSRB has taken over many aspects that were previously addressed by the ordinance when there was not an overall state standard.

Ms. Mellstrom then provided an overview of the timeline for the review process to arrive at the ordinance for presentation today.

There were a lot of concerns from Hennepin Council related to staffing, and that served as one of the main impetuses to review and update the ordinance in addition to clarifying that the ordinance applies only to unscheduled 911 calls.

Ms. Mellstrom highlighted that the review process was long, diligent, and very open and transparent, taking approximately 14 months, COVID then caused about a 1-year delay in presenting to the county commissioners.

There was significant public comment through the ordinance review process. Primarily because of that public comment commissioners approved the ordinance as proposed, with the exception of the proposed changes to the staffing components.

Ms. Mellstrom also provided an overview of the new structure of Ordinance 9 including the creatin of guidelines, EMS Council Standards, and Ordinance 9 Standards, with the EMS Council having a lot of delegated authority from the County Commissioners to work through these issues.

Specific items remaining in the ordinance 9 standards include staffing requirements, allowing ALS or BLS responses based on call information and an emphasis on patient choice related to destination selection.

The commissioners of Hennepin County had concerns that because there was no literature that validated EMS performance based on different staffing configuration such as one medic vs two medics, they left the standard of 2 medics in the ordinance pending additional research by county
public health who are currently working with EMSRB on mining MNSTAR data but left the staffing requirement suspended until the end of 2025 based on the local emergency.

Chair Guiton interjected that since 1981 the number of paramedics available statewide and in the metro has decreased significantly and stated that this is largely an issue of supply and demand.

Ms. Mellstrom acknowledged that her office and the county commissioners are intimately aware of those types of issues, as that was the original impetus for review of the ordinance.

The new ordinance acknowledges that there are a lot of calls that can be handled by a BLS unit and that an ALS unit is not required for every response in Hennepin County.

The Chair recognized Dr. Burnett for a question.

Dr. Burnett asked if the medic/medic requirement would revert back in 2025. Ms. Mellstrom responded that yes, the ordinance as it is written left the 2-paramedic requirement for ALS responses. However, that portion of the ordinance is still suspended and has been since the beginning of COVID consistent with the local emergency declared by the county, and that the county standard will be the state standard until at least 2025 when they have reviewed the data.

Dr. Burnett clarified that with what is before us today, is that the 2-medic requirement will come back in 2025 unless the county board takes additional action.

After that clarification Chair Guiton asked all board members to hold their questions until Hennepin County has had the opportunity to complete their presentation.

Ms. Mellstrom then called on Mr. Kaiser from the Hennepin County Attorney’s Office to comment. He responded that Dr. Burnett was correct, relating to his understanding and timing, and that it is their understanding that they would have to come back before the board for review and approval before the 2-medic standard was reinstituted.

Ms. Mellstrom also addressed issues of hospital destination, and the various focus on the patient’s choice of destination and the other factors that could impact that including time and distance, and then closed out the discussion on destination about changes that would allow broader choices related to other types of destinations other than hospitals in line with programs such as ET3. She then provided an overview of the different delegated authorities to the EMS Council for standard setting in the areas of communication, hospital closure and diversion, and performance metrics and reporting.

Ms. Mellstrom then opened the floor for questions.

Chair Guiton then asked Mr. Miller to provide an overview of the statutory review process. Mr. Miller declared a potential conflict and identified that he worked for Allina which was one of the EMS agencies operating in Hennepin County and was presently speaking in his capacity of chair of the legislative workgroup. He also identified that he was a member of the Hennepin EMS Council.

Mr. Miller stated that he thought that this process was a model for Minnesota of having all these parties working together.

Mr. Miller summarized the provisions of M.S. 144E.16 that indicate how the board from a legal perspective needs to review the ordinance. He acknowledged Dr. Burnett’s previous concerns related to the staffing provision, that particular section was covered on PDF page 35 of the ordinance pending
before the board for potential action. The suspension document suspending staffing was covered on page 29 of the PDF.

AAG Zayed advised all board members that if a board member was a member of the council or was subject to the ordinance that he advised those members not to participate in board deliberations beyond process discussions or to take a vote on the matter, due to issues of conflict of interest. AAG Zayed went on to summarize that the board should consider whether Hennepin County has affirmatively substantiated that their proposed ordinance meets the criteria outlined in M.S. 144E.16 Subdivision 5 including:
1. Will in no way conflict with the relevant rules of the board;
2. Will establish additional requirements tending to protect the public health;
3. Will not diminish public access to ambulance services of acceptable quality; and
4. Will not interfere with the orderly development of regional systems of emergency medical care.

AAG Zayed also advised the board, that they did not have to take a vote on this issue today if the Board felt that they could not take a vote on this issue today.

Chair Guiton asked AAG Zayed if there was a way to have two separate motions based on the issue that the ordinance may be in a state of flux because of the suspension of a portion of the ordinance. The Chair then asked if we could take a motion to accept the ordinance with the suspension in place but require Hennepin County to come back before reinstituting that portion of the ordinance.

After some back and forth and additional discussion AAG Zayed responded that may not be the most appropriate because he is not sure if the suspension is actually captured within the ordinance. Chair Guiton also stated that the circumstances of the ordinance with a portion of it being currently suspended puts the Board in a difficult position.

AAG Zayed responded that the Board should consider whether that section of the ordinance protects the public health.

Mr. Edwards then asks what would stop a local government from passing an ordinance that has certain criteria, then immediately suspending it through board action, and then coming to the EMSRB for permission to do that. The board would then be voting on something that is not entirely correct at the time of voting on an ordinance that isn’t in effect, and he had significant concerns with this. The way that he views it if in 2025 the staffing provisions were unsuspended, that would be imposing a new requirement and that would require a vote of the EMSRB at that time.

Chair Guiton also stated that without finite information we really can’t answer that question definitively whether it protects the public health.

AAG Zayed reiterated that the additional requirements already exist within the ordinance so they may not be able to be considered a new imposition of requirements. The Chair then recognized Mr. Kaiser from the Hennepin County Attorneys office.

Mr. Kaiser responded that he felt that the staffing regulation does not impose a requirement, he felt that the statute supported a vote on the entire ordinance and to require Hennepin County to come back before the EMSRB prior to any reinstitution of a two-paramedic requirement should the county commissioner choose to do so in 2025. He would really not like to lose the other portions of the ordinance that are before the board today.
Dr. Burnett wanted to make a statement from a medical perspective and a discussion of how the two-paramedic requirement impacts access to care. He emphasized the need to practice evidence-based medicine, but with the lack of evidence as is the case here, we rely on physician judgment. He then read a statement on behalf of different EMS agency medical directors from the West Metro who have over 80 years of experience. In summary he highlighted the ability to increase the number of ambulances that could be staffed and improve access to care, and that a paramedic performing ALS skills more frequently performs them better, and that “Ordinance 9 now impedes our ability to improve capacity and care for people by limiting the number of ambulances...” Dr. Burnett encourage the board to consider the information and perspective of these agency medical directors.

Chair Guiton stated that Hennepin County appears to be offering to come back and share information on what they found, and to seek approval of the Board before making further changes.

Mr. Miller asked if there was anything to prevent the county commissioners from ending the staffing suspension sooner than identified. Mr. Kaiser responded that at that point it would be imposing a requirement and that the county would be required to come back and encouraged the Board to solidify that through EMSRB action today.

AAG Zayed then asked attorney Kaiser a procedural question related to the staffing provisions and how the resolution interacted with the ordinance. Dr. Burnett then asked Attorney Kaiser if the commissioners were aware of the medical director concerns, but his sense of the proceedings was that yes as there was a significant amount of support and opposition. Dr. Burnett also asked if there were any commissioners that had an EMS background that disagreed with the medical directors? Attorney Kaiser was not aware of the backgrounds of individual county commissioners. Mr. Kaiser then reiterated that Hennepin County would have to return to the EMSRB in order to reinstate the two-paramedic requirement.

Dr. Pate wanted to echo the comments made by Dr. Burnett and the statement that he read. He stated that ALS services across the state work almost exclusively with one paramedic and one EMT due to staffing shortages. The Board should understand that if you have two medics on an ambulance one will do the work and the other one is going to drive. Having that other paramedic on another truck increases the availability for other incidents. In the rural areas when you don’t have an ALS unit you have to find one from somewhere, but if there isn’t one available you get a BLS ambulance by default. He stated that today’s action needs to solidify the study and to get the question settled and then come back before the board, because the staffing situation across the state is not going to get any better, particularly if another pandemic were to emerge.

Chair Guiton summarized that it appears that the Board is on the same page, we just need to identify how to be able to proceed form a legal perspective. AAG Zayed stated that if the resolution is considered part of the ordinance, then when it is lifted it would be considered an additional requirement and have to come back before the board, and that upon review it appears that the resolution is a component of the ordinance.

There was some back and forth on the proposed motion and ultimately the following motion was made, but prior to this Mr. Edwards appreciated the work of Hennepin County and stated that this is exactly what local control looks like.

Dr. Burnett wanted to clarify that a vote in the affirmative would be supporting that Hennepin County would have to return to the EMSRB for approval prior to reimplementation of the two-paramedic requirement. Mr. Guiton stated that this would be affirmative.
Motion: Mr. Edwards moved “to approve the updated Hennepin County Ordinance 9, to include the county boards resolution 22-0155R1 suspending the 2-paramedic staffing requirement and requiring Hennepin County to resubmit to the EMSRB any ordinance or action that would reimpose the two-paramedic system requirement within the ordinance.” Dr. Pate seconded. A roll call vote was taken, Mr. Miller abstained. Motion carried.

Chair Guiton stated that this was a model of what other local municipalities could look at in how EMS is provided in their areas, and really appreciated all the work that went on behind the scenes.

6.2 Administrative Rule Making Update

Mr. Ferguson highlighted that we have started the paperwork process to repeal the obsolete rules of 4690.1900 and 4690.2600 and shared a draft from the revisors office. He also highlighted that when the revisor was doing the draft they found a cross reference to 4690.7900 which relates to license expiration dates. The county listing that was utilized in 4690.1900 were also used in 4690.7900 so we just need an editorial change to add the county names to 4690.7900 since they are being deleted from 4690.1900. Mr. Ferguson stated that after this, the next step would be to seek approval of the agencies notice plan from the state’s Chief Administrative Law Judge. Mr. Ferguson also complimented the Office of the Revisor for their timeliness in completing the rules draft.

Motion: Mr. Miller moved “to authorize the board chair and secretary/treasurer to sign form BD-NTC to authorize the executive director to take all procedural steps in the administrative rule making process to repeal Minnesota Administrative Rule 4690.1900 and 4690.2600 in addition to any other editorial changes that may be necessary to carry out the repeal and that the executive director shall provide regular updates to the full board related to the rule repeal process.” Dr. Pate seconded. A roll call vote was taken. Motion carried

Chair Guiton also stated that this would not impact any service negatively, and just stated that the equipment would no longer be required. Mr. Miller and Chair Guiton thanked Mr. Ferguson for his work related to this process.

7. Executive Director’s 180-Day Performance Evaluation

Mr. Edwards reported that the evaluation committee met with Mr. Ferguson last week to deliver the evaluation. The review involved a canvassing of staff, and the results of the review are overwhelmingly positive. There was time taken with Mr. Ferguson to work collaboratively to establish Goals for the next reporting period, which would take place through early February of 2023. He highlighted that there were some soft goals that were difficult to establish SMART objectives, including a last second addition related to a goal to raise the general profile of the agency. While the panel and Mr. Ferguson agreed on the goals Mr. Edwards asked the full Board for their endorsement today.

Mr. Miller asked if SMART HR and other state agencies were consulted during the review. The answer was yes, and Ms. Voss provided a brief summary of actions taken. Chair Guiton also reported that Mr. Ferguson’s positive performance was reinforced by the SMART Director in a meeting yesterday. Additionally Chair Guiton shared that he received an email from the Internal Controls
Team from MMB complementing the early completion of the agencies Internal Control Assessment.
Mr. Ferguson responded that it is only through the hard and dedicated work of the staff that we are able to accomplish so much and that Ms. Jana Carr-Weerts was invaluable in assisting in completion of the internal controls assessment for this year.

**Motion:** Mr. Edwards moved “to approve the goals list for the executive director as submitted by the review workgroup, for the next performance evaluation in February 2023.” Dr. Pate seconded. A roll call vote was taken. Motion carried.

Chair Guiton thanked Mr. Malchow and Mr. Jordan for their feedback included on the evaluation and thanked all representatives of the panel.

8. **Vice-Chair Report**

Mr. Miller delivered a report on the last legislative workgroup meeting that revolved around discussions of the OLA recommendations, and what that could look like from a legislative perspective. Coming out of that meeting there was an agreement that Chair Guiton and Vice-Chair Miller would meet and would work on some initial prioritization, that document will be distributed along with the meetings from the last legislative workgroup to all members of the Board.

This information will be reviewed during the next legislative workgroup meeting.

9. **Secretary/Treasurer Report**

Mr. Edwards did not have a formal report, Ms. Carr-Weerts reported that the quarterly regional grant meetings had been scheduled.

10. **Executive Director Report**

Mr. Ferguson reported that the regular dashboards have been included, he did highlight that we have crossed the 60% threshold for inspections, and that all the specialists are working hard. The investigatory and compliance dashboard does show an increase in cases open greater than 90 days, but those are related to legal review or pending CRP action.

Due to hard close and the start of a new fiscal year, the financial dashboard must be rebuilt to incorporate the new financial codes. That should return in September but no later than the October meeting.

Mr. Ferguson also provided a very brief update on a recruitment and retention survey that was sent out to every EMS provider that had expired between 2017 and 2022. Finally, the MDSAC meeting invites for 09/08/22 at Arrowood will be distributed and posted to the website by next Monday of next week.

11. **Staff Report and Updates**

*Data—* Mr. Rogers reports that Hospital Hub onboarding continues, also highlighted that many board members would be having laptops replaced within the next couple of days/weeks

*Specialists—* No Updates

*Admin/Grants—* No Updates
Compliance—Ms. Forsberg reported that they have completed 2,828 public background checks on EMS providers that were up for renewal this calendar year.

Consultant—Ms. Voss reported that we have closed the second posting for the executive admin position and are conducting interviews.


No Update


Mr. Held was absent, Mr. Rogers reported that the group has not met since the last meeting and the NEMSIS 3.5 buildout continues

14. Medical Direction Standing Advisory Committee Report

Dr. Burnett had no additional report

15. IOP Workgroup Report

Mr. Ferguson reported that the IOPP Internal Operating Polices and Procedure’s work was winding down. All board members had been emailed a version to provide feedback or comment to Mr. Ferguson by August 31st so that all feedback can be incorporated into a final version to vote on for adoption at the September Board Meeting.

16. Recruitment/Retention Workgroup

Mr. Saehr reported that the group met on August 9th and an additional 2 members were added to the committee bringing us to the concrete number of 15 members. Mr. Saehr highlighted the information from early results from the retention survey, and that they survey closes on September 10, 2022.

The survey did a breakdown between volunteer and paid sectors and Mr. Saehr provided some topline information related to the areas that had been identified as strongly influencing retention or in this case lack thereof, in the volunteer sector the top three issues were time commitments, education commitments, and EMS agency leadership. In the paid sector we are seeing pay, leadership, and burnout as the primary factors. The group has another meeting scheduled for some time after the survey closes.

Chair Guiton reminded the Board that this has never been a charge to the EMSRB legislatively, nor had there ever been any funding for it, but the OLA had made it a focal point of their report. The chair thanked Mr. Saehr for undertaking this important work.

Mr. Ferguson also highlighted the great work that Ms. Larsen has been doing in handling emails from over 100 individuals that reached out seeking to reinstate their EMS credential. Mr. Guiton also asked all education programs to remind their candidates that anyone who wants to practice EMS in Minnesota must have a Minnesota certification and that NREMT alone is not sufficient. Chair Guiton also reminded all present that employers should regularly be checking the status of their EMS personnel through the state’s e-license portal.
Mr. Edwards brought forth a suggestion that we consider renaming this group as a full committee that is solely focused on the EMS workforce. Chair Guiton asked how that could impact the rewrite of the IOP. Mr. Ferguson stated that this would be a very minor issue but went on to state that he has a little concern that right now we have a laser focus on an issue and have already taken a lot of steps and action, and have focused the make up of the workgroup around this issue. Mr. Ferguson suggested that the board allow the workgroup to continue its work in its current form through the end of 2022, to complete its work enough to make some recommendations to the Board, and then in January establish a broader EMS workforce Committee. Mr. Edwards was open to that and only wanted to start the discussion. Mr. Saehr also supported that recommendation and that it might allow workloads of the staff to stabilize. Mr. Ferguson also highlighted that from a time period this will work out very nicely as the IOP can go into effect in September and then the additional committee could be added in the IOP review that is already scheduled for December.

Mr. Miller highlighted that a big part of this could be funding, which was a big component of the OLA audit. So, we will certainly want to look at this from a legislative standpoint as we look at all of this from a budgetary perspective.

17. Regional Program/System Updates

Mr. Hague reported that the SE Region is doing well, all consortium classes are up and running again post pandemic, and the CISM program has been very busy. He also highlighted a regional CE program in partnership with Mayo which consisted of a cadaver lab for EMS providers which was very well received by the provider community.

Mr. Hayes from the Metro Region provided an update on the Mobile ECHMO program associated with the U of M and Edina Fire and highlighted the first field cannulation of the program.

Mr. Griffith from the SC region reported that they have been focused on a pilot project involving public awareness of what EMS is and what it is not from a recruitment and retention perspective, and also have worked to implement free EMR programs to bring more people into EMS.

18. Old Business

Chair Guiton reminded everyone that the next Board Meeting would be held on Friday September 9, 2022 and would be located at Arrowood and also available on TEAMS. Mr. Edwards reported that agenda items need to be to Chair Guiton by September 1, 2022. Mr. Edwards also identified that the meeting invite for the originally scheduled September meeting still needs to be cancelled. Mr. Ferguson stated that it would be taken care of.

Mr. Edwards took the board through a discussion of the Board Motion Chart OB-1 and went through items that had been completed. There was also a brief discussion on a variance that would be expiring at the end of September relating to Mayo and the use of flight nurses to staff ground ambulances including 911 responses, with a recommendation for Dr. Burnett to hold a discussion at the upcoming MDSAC meeting.

Mr. Edwards also took the Board through the Action item chart OB-2 of items that had been completed and some suggested additions of which there was general consensus on those additions.

19. New Business

No new business came before the board

20. Closed Session
The board adjourned to a closed session to potentially take disciplinary action on one case referred from the Complaint Review Panel, and then reconvened in an open session. AAG Jamal Zayed then provided a summary of the closed session activities.

21. **Adjourn**

Mr. Guiton asked for a motion to adjourn the meeting.

| Motion: Dr. Pate moved to adjourn the meeting. Mr. Saehr seconded. A roll call vote was conducted, and the motion carried. |

Meeting adjourned at 12:44 P.M.

**Next Board Meeting:**
September 9, 2022, 09:00 a.m.
Location: Arrowood Resort and by Microsoft Teams

Reviewed and Approved By:

Brian Edwards, Board Secretary/Treasurer

[Signature]

Date
# Revision Tracking Table

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I. General Provisions

Section A. Internal Operating Policies and Procedures

As a state administrative agency, the Emergency Medical Services Regulatory Board hereafter referred to as the Board is required to follow not only its Internal Operating Policies and Procedures (IOPPs) but also the provisions of Minnesota Statute, Chapter 14 (Administrative Procedure). An Internal Operating Procedures Workgroup shall review the IOPP every two years or more frequently as needed to determine if any updates are necessary. All proposed updates must be approved by the full board prior to adoption.

Section B. Creation of the Board

The Emergency Medical Services (EMS) Regulatory Board, hereafter the Board, was established by the 1995 Minnesota Legislature as defined in Minnesota Statutes section 144E.01.

Section C. Duties of the Board

Minnesota Statutes section 144E.01, subdivision 6, specify the duties of the Board.

Section D. Data Practices

Both the Board and Board staff utilize data and information of varying sensitivities in the discharge of their official duties. The Minnesota Data Practices Act Minnesota Statutes Chapter 13 and Minnesota Statutes section 144E.305, subdivision 3(a), shall govern the storage, usage, and dissemination of this data.

Section E. Use of Board Resources

The Board will be fiscally responsible while supporting the activities, duties, and operations of the Board and Board staff that align with the mission of the Board.

Section F. Delegation of Authority

Scope of Authority for Board Members

Board members may not attempt to exercise individual authority over the Board or Agency staff except as explicitly set forth in Board policies. Please reference the section Board Members contained in this IOPP.

Scope of Authority for Board Chair

The Board Chair shall have the responsibility and authority for the following items: preside at meetings of the Full Board and Executive Committee, establish approved agenda items for the named committees, call special Executive and Board meetings as necessary, cast votes on all Board motions. Along with the Executive Director, the Board Chair serves as the principal spokesperson for the Board. With the approval of at least one other
member of the Executive Committee, the Board Chair may take emergency action on behalf of the Board. The Board Chair shall assume the duties of the Executive Director during any vacancy in the position. Please reference the section, Duties of the Board Chair in this IOPP.

**Scope of Authority for Executive Director**

All Board authority delegated to staff is delegated through the Executive Director, so that all authority and accountability of staff can be considered the authority and accountability of the Executive Director. The Executive Director is authorized to make all decisions, take all actions, and develop all activities that are true to the Board’s policies. The Executive Director, at the direction of the Executive Committee, may speak on behalf of the Board related to legislative proposals. The Board may, by extending its policies, restrict areas of the Executive Director’s authority. No individual Board member, officer, or Committee (except the Executive Committee) has authority over the Executive Director. Delegation is formally executed by agreement in the Minnesota Delegation of Authority and signed by the Board Chair. Please reference the section Board Staff in this IOPP.

### II. Board Members

**Section A. Expectations and Responsibilities**

**Board Meetings**

- a. Meetings of the Board shall be scheduled on a bimonthly basis, unless amended by a motion of the Board.
- b. For regularly scheduled Board meetings, agendas and background materials are to be sent to Board members at least one week prior to the scheduled meeting.
- c. Professionalism and consideration dictate that all materials will be reviewed by each Board member in preparation for the meeting.
- d. Respectful communication is essential. Board members may certainly disagree and are welcome to request clarification or more information from one another, staff, or guests, provided that the communication is professional.

**Committee Involvement**

- e. A great deal of the Board’s work is conducted within committees and workgroups. To ensure diversity of opinion and to share the burden, all Board members are expected to volunteer for and accept appointments to committees and/or workgroups.
- f. Review agenda and supporting materials prior to Board and Committee meetings
- g. Actively participate in Committee meetings.
Section B. Communications

Board members shall refrain from making presentations, speaking to the media, writing letters, or engaging in other kinds of communication in the name of the Board, unless the Board Chair or the Executive Director has specifically authorized such communications.

Section C. Code of Conduct

The Code of Conduct is a set of behavioral expectations intended to assure the Public that the Board and its individual members uphold the highest level of integrity and ethical standards. Please refer also to the Federation of Associations of Regulatory Boards (FARB), Model Code of Conduct, which is attached as an appendix. However, to the extent that the Model Code of Conduct conflicts with these IOPP’s, the IOPP’s shall prevail.

Ethical Conduct

The Board expects of itself and its members ethical and businesslike conduct. This commitment includes proper use of authority and appropriate decorum in-group and individual behavior when acting as Board members.

Board Values:

- Collaborative
- Inclusive
- Trusted
- Efficient
- Consistent
- Fair

Public Service

Regardless of the represented constituency, it is essential for each Board member to represent the interests of the public at large while also providing the perspective of their specific constituency. Public service is truly a privilege, not an earned or inherited right.

Statutes and Rules

Board members are to comply with all state laws and regulations that are applicable to public officials.

A. Be knowledgeable of and uphold Minnesota Statutes Chapter 144E, Minnesota Rules Chapter 4690, and any other law or rule under which the EMSRB has a role.
B. Review and make decisions on all issues presented to the Board regarding the regulations of emergency medical services from the perspective of protection of the public.
C. Demonstrate knowledge of the purpose, philosophy, strategic EMS plan, and goals of the Board.
D. Recognize the Board’s role to make policy and staff’s role to implement policy as adopted by the Board.
E. Abide by required open meeting laws under Minnesota Statutes Chapter 13D, both in-person or in the use of electronic communications.

Conflicts of Interest

Members of the Board must strive to avoid any actual or perceived conflict of interest that may compromise the integrity of the Board.

A. Reveal actual or perceived conflicts of interest to the Board as soon as possible and recuse oneself from Board discussion if necessary and/or abstain from decision-making and voting when appropriate.
B. Refrain from self-dealing or any conduct of private business or personal services between any member and the Board.
C. Board members must not use their positions to obtain employment within the agency for themselves, family members, or close associates.
D. Board members are not eligible for consideration for employment of the Board. Resignation from the Board is required prior to the submission of application for employment by the Board.
E. No member of the Board may participate or vote in Board proceedings in which the member has a direct conflict of interest, financial or otherwise as specified by Minnesota Statutes section 144E.01, subdivision 7.
F. Those affiliated with the Executive Branch of state government are prohibited from accepting gifts, meals, or any item of value according to Minnesota Statutes section 43A.38, subdivision 2.

Scope of Authority

Board members may not attempt to exercise individual authority of the Board or Board staff except as explicitly set forth in Board policies.

A. Board members shall not be involved in the day-to-day management, operations, and personnel issues of the Board office, unless otherwise authorized or required by law.
B. Board members’ interactions with the Executive Director or with staff must recognize the lack of authority in any individual member.
C. In their interactions with the public, press or other entities, Board members shall not speak on behalf of the Board unless specifically directed by the Board, or as authorized by the Board Chair and/or Executive Director.

Advocacy

Board members shall not appear before the Board while acting as an advocate. Board members shall not represent, directly or indirectly, any business entity in any action or proceeding against the interest of the Board, or in any litigation in which the Board is a party. The only exception to this is a Board member responding to a formal complaint filed with the Board.
Abuse of Power

Board members shall not use their official position to secure a special privilege or exemption for the affected person or others, or to secure confidential information for any purpose other than official duties.

Confidential Information

A. Board members shall not intentionally or knowingly disclose any confidential information gained by reason of the affected person’s position concerning the property, operations, policies, or affairs of the Board, or use such confidential information for personal or pecuniary gain.

B. Board members shall not engage in a business or professional activity that the affected Board member might reasonably expect would require or induce the affected Board member to disclose confidential information acquired because of the official position.

Recusal

Board members will recuse themselves from participating in complaint reviews where a conflict of interest exists relative to the complainant, the subject of the complaint, or the licensee. Every effort should be made by individual Board members to determine whether their relationship with the complainant, subject of the complaint, or licensee creates a situation that would negatively affect objectivity.

Violations of the Code of Conduct

Complaints related to violations of this Code of Conduct must be referred to the Executive Committee via the Executive Director and Board Chair. The Executive Committee, in consultation with the Attorney General’s Office, will determine an appropriate course of action.

If the complaint is against a member of the Executive Committee, the member must excuse himself or herself from the Committee’s deliberations and decisions on the complaint. An Executive Committee member, with the exception of the Board Chair may also be removed from the Executive Committee for cause by a majority vote of Board members. In the event of misconduct by the Board Chair, the Board may take a vote to direct consultation with the Governor’s office in a manner the board sees fit, for guidance and potential action by the Governor. Any vacancy shall be filled in the manner provided in Section B. Elections.

Section D. Board Member Development, Orientation & Mentoring

Board Member Orientation

a. The Executive Director arranges a mutually acceptable date prior to the new Board member’s first Board meeting to provide a general overview of the Board’s responsibilities and overall mission, and an introduction of staff members to the new Board member where each will discuss the individual areas of expertise.
Mentoring:

A Board member mentor encourages and assists a new Board member to develop a sense of comfort with the Board member role, and to foster an effective working relationship with other Board members.

   a. Recruitment and Assignment
      Mentors are experienced Board members who demonstrate awareness of the Board’s governance and regulatory processes. Mentors may volunteer or be recruited by the Board’s Chair. The Board Chair will assign a mentor to a new Board member, in consultation with the Executive Director.

   b. Mentoring Commitment
      The mentor is expected to initiate the relationship at the time of assignment. Either party may initiate subsequent contacts. A mentoring relationship usually lasts one year. The new Board member may change mentors as desired.

Section E. Board Policy on Per Diems and Expenses

Reference the Board Policy titled Per Diem Payment and Expense Reimbursement Policy, which is located as an appendix in these operating procedures.

III. Board Officers

Section A. General

Officers of the Board shall consist of the Board Chair, vice-chair, and secretary/treasurer. Under Minnesota Statutes section 144E.01, subdivision 3, the governor shall designate one of the members appointed under Minnesota Statutes section 144E.01, subdivision 1, as the chair of the board.

Section B. Elections

At the first regular Board meeting of each even-numbered calendar year, or as soon thereafter as the Governor has appointed new members, the Board Chair will strongly encourage a minimum of two nominations from the Board for each of the following: vice-chair, secretary-treasurer, and at-large Executive Committee member. However, if only one nomination is received then the election still shall proceed.

   A. Nominations for each office will be separately taken from the floor.
      a. All nominations are required to have a second
      b. Candidates may self-nominate
      c. Nominators may make a brief endorsing statement to the Board, not to exceed three (3) minutes
      d. Nominees may make a brief position statement to the Board, not to exceed three (3) minutes

   B. Elections will proceed in the following order:
      a. Vice-Chair
      b. Secretary-Treasurer
c. At-large Executive Committee member

C. Voting will be conducted by roll call vote

D. A candidate must achieve a simple majority of the voting Board members present, after a quorum is present to become elected to the particular office
   a. In the event of a tie for most votes received or lack of a simple majority, the top two vote getters will remain eligible, and balloting will be repeated.

Section C. Terms of Office

Terms of office for vice chair, secretary/treasurer, and at-large Executive Committee member are for two calendar years.

Section D. Duties of the Board Chair

Duties of the Board Chair include but are not limited to:

A. Presiding at Board and Executive Committee meetings.
B. Establish agendas for Board and Executive Committee meetings.
C. Calling meetings of the Executive Committee and special meetings of the Board if necessary
D. Serving as principal spokesperson for the Board. The Board chair is the only person authorized to represent the Board except for (1) Executive Director, (2) other Board members or staff who are specifically authorized to represent the Board on particular issues.
E. Ensuring that the Board has a strategic EMS plan.
F. With the approval of at least one other member of the Executive Committee, taking emergency action on behalf of the Board. Any emergency action taken is to be reported immediately to the Board.
G. Informing the Governor of a Board member missing three consecutive meetings, or of any other concerns that may be considered justification for removal with cause.
H. Appointing mentor(s) to assist newly appointed Board members.
I. Serving on committees. Assigning committee positions, leadership, and liaison assignments. The Board Chair is allowed to serve as Committee chair.
J. Meeting responsibilities of the Board Chair:
   a. With consultation as needed form the Assistant Attorney General assigned to the Board ensure meeting discussion content will be held to only those issues that clearly belong to the Board to decide, according to Board policy.
   b. Ensure deliberation will be timely, fair, orderly, and thorough, but also efficient, limited in time and kept to the point.
   c. Roberts Rules of Order are observed except where the Board or applicable law supersedes them.
   d. May participate in the debate on any issue, similar to other Board members.
K. Board Chair authority does not include supervising, interpreting Board policy to, or otherwise unilaterally directing the Executive Director.
L. Casting a vote on all Board motions unless there is a conflict of interest or recusal is otherwise appropriate.
M. Working closely and cooperatively with the Executive Director to advance the work of the Board.
N. Assuming the duties of the Executive Director during any vacancy in the position.
O. Maintaining confidentiality regarding Board personnel and other sensitive information.
P. Calling to end the appointment of the Executive Director as determined by the Executive Committee to the Board

Section E. Duties of the Vice-Chair

Duties of the Vice-Chair include but are not limited to:

A. Presiding at Board or Executive Committee meetings in the absence of the Board Chair.
B. Assisting the Board Chair as requested.
C. Serving on the Executive Committee.
D. Working with the Board Chair and the Board in developing a strategic EMS plan and direction.
E. Maintaining confidentiality regarding Board personnel and other sensitive information.

Section F. Duties of the Secretary-Treasurer

A. Presiding at Board or Executive Committee meetings in the absence of the Board Chair and Vice-Chair.
B. Review, approve and sign the official minutes of Board meetings after approved by the Board.
C. Serve as the Board liaison to the Grants and Financial Manager.
D. Serve as a member of the Executive Committee; and
E. Provide written notification to any member who misses two consecutive Board or committee meetings that the member may be removed for missing the next meeting in accordance with Minnesota Statutes section 15.0575, subdivision 4.

IV. Board and Committee Meetings

Section A. Open Meeting Law

All meetings of the Board, its committees, and task forces are subject to the Minnesota Open Meeting Law, Minnesota Statutes, Chapter 13D, and shall be open to the public, unless closure is required or authorized by law. Observers at all public meetings are given an opportunity to provide input for Board consideration, at the discretion of the Board Chair.

Section B. General

It shall be the intention of the Board to comply with all state and federal statutes, rules and regulations pertaining to open meetings, meeting notices, and meeting participation. The Board will follow Roberts Rules of Order, Newly Revised, during Board and committee meetings, except as superseded in these bylaws and by applicable law.
Section C. Regular Board Meetings

The Board shall select regular meeting dates and times at the first meeting of each calendar year. The regular meeting dates and times selected shall be for the period of February through January. A schedule of the regular meetings of the Board shall be kept on file in the Board’s office and a copy posted on the Board’s webpage in accordance with the Minnesota Open Meeting Law, Minnesota Statutes section 13D.04. The Board shall give, at a minimum, the same notice that is required for special meetings as set forth in Minnesota Statutes section 13D.04, subdivision 2, if the Board decides to hold a regular meeting at a time or place different from that which is stated in the regular meeting posting. The frequency may vary depending on the business facing the Board, but regular Board meetings will occur not less than six times per year. The Board Chair may cancel any meeting due to inclement weather, hazardous travel conditions, or other unforeseen circumstance.

Section D. Special Board Meetings

When required to conduct essential business prior to the next regular Board meeting, the Board Chair or Executive Committee may call a special meeting. For special meetings, the Board will post written notice of the date, time, location, and purpose of the meeting at the Board’s office and on the Board’s webpage. In accordance with the Minnesota Open Meeting Law, Minnesota Statutes section 13D.04, subdivision 2, the Board shall also provide notice to persons who have filed a written request for notice of special meetings with the Board.

Section E. Emergency Board Meetings

Emergency meetings may be called by the Board Chair or the Executive Committee, because of circumstances that, in the judgment of the Board Chair or Executive Committee, require immediate consideration by the Board. The Board shall make a good faith effort to provide notice of the meeting to each news medium that has filed a written request for notice, if the request includes the news medium’s telephone number, and as soon as reasonably practical after notice has been given to the Board members.

Section F. Closed Board Meetings

A. The Board shall close the portion of a meeting in which the Board discusses allegations or charges against an individual subject to the authority of the Board and when otherwise required under Minnesota Statutes section 13D.05, subdivision 2.

B. The Board shall close the portion of a meeting when the Board exercises quasi-judicial functions involving disciplinary proceedings, pursuant to Minnesota Statutes, section 13D.01, subdivision 2, and disciplinary hearing shall be closed to the public, pursuant to Minnesota Statutes section 144E.305, subdivision 3(a).

C. When the Board evaluates the performance of an individual subject to the authority of the Board, the Board may close that portion of the meeting. Prior to closing the meeting, the Board must identify the person whose performance will be evaluated. At the next open meeting, the Board must summarize its conclusions regarding the evaluation. If the subject of the meeting requests that the meeting be open,
the Board must open the meeting. This paragraph does not apply if the evaluation is part of a disciplinary proceeding.

D. Prior to closing any meeting, the Board shall state on the record the specific grounds permitting a closed meeting and describe the subject matter to be discussed.

Section G. Agenda

Discussion items for consideration by the Board should be submitted to the Board Secretary-Treasurer no later than 5 P.M. eight (8) days prior to the scheduled board meeting. The Board Chair will establish the agenda for the meeting. Agenda items for Committee meetings shall be submitted to the Committee chair no later than seven (7) days prior to the scheduled meeting. The Committee chair will establish the agenda for the meeting.

Section H. Quorum for Meetings

The presence of a majority of the qualified Board members constitutes a quorum at Board meetings. No official business may be acted upon without a quorum.

The presence of a majority of the qualified committee members constitutes a quorum at committee meetings. No official business may be acted upon without a quorum.

Section I. Voting

When a quorum is present, the Board or Committee may take action on items by a simple majority vote (50%+1) of the voting members present. A show-of-hands or voice vote is sufficient for most votes unless meetings are being held as outlined in Section K Meetings via Phone and Interactive Technology. Voting results are listed in the official minutes, identifying the vote of individual Board or Committee members.

The exception is the use of confidential paper ballot when requested by a Board member via a motion and approved by the Board prior to voting. Abstaining from voting should be avoided. However, a member must recuse, when the issue is one in which the Board or Committee member has a direct conflict of interest. These voting results must be recorded in the official minutes.

Section J. Minutes of Board Meetings

Minutes of all Board meetings are recorded and will be submitted to the Board for approval at the Board’s next meeting. The minutes are official upon approval by the Board and signed by the Secretary-Treasurer. Approved minutes are published online on the Board website.

Section K. Meetings via Phone and Interactive Technology

A. In accordance with Minnesota Statutes, sections 13D.015, the Board and committees may conduct meetings by telephone or interactive technology. Board members participating via telephone or interactive technology are considered present for determining a quorum and for voting.

B. When Board or committee meetings are held by telephone or interactive technology, all Board members, regardless of physical location, must be able to hear one another and hear all discussion and
testimony; all members of the public must be able to hear all discussion and all votes of members and participate in testimony; at least one member of the entity must be physically present at the regular Board meeting location; all votes must be conducted by roll call; and the meeting notice must state that some members may participate by interactive technology and be posted on the Board’s website at least ten days before any regular meeting. *Minnesota Statutes section 13D.015*.

C. In circumstances involving a closed meeting, the communication system must be a secure system that protects from eavesdropping.

D. If a pandemic or *Minnesota Chapter 12 emergency is declared*, the requirement that a member, chief legal counsel, or chief administrative officer be present at the Board offices may be suspended if it is deemed unfeasible under *Minnesota Statutes, section 13D.021*.

**Section L. Committee Meetings**

Board Committee meetings are subject to open meeting law and may only be closed as allowed under *Minnesota Statutes Chapter 13D*. Board Members will arrive to committee meetings prepared, having reviewed agenda and other materials sent in advance of the meeting. Votes of the committees are considered recommendations to the Board, and are not final decisions, unless the Committee has been granted specific authority of the Board.

**Section M. Committee, Subcommittee, and Workgroup Minutes**

Each committee, standing advisory committee, subcommittee, and workgroup shall keep minutes. The minutes will reflect how each member voted.

**Section N. Properly Noticed Committee Meetings**

At properly noticed committee meetings, only appointed committee members may vote. Other Board members may attend and participate as members of the public but may not vote.

**Section O. Committee Attendance**

Failure of a member to attend three consecutive Committee meetings may result in removal from the Committee.

**Section P. Subcommittees or Workgroups**

The Committee Chair may appoint subcommittees or workgroups as needed which may include Board and non-Board members.

**Section Q. Committee Terms**

The Committee Chair may appoint subcommittees or workgroups as needed which may include Committee and non-Committee members.
V. Committees

Section A. General

Board committees are comprised of members of the Board and may also include members of the public, as appointed by the chair of the Board. The Board chair is authorized to designate chairs for each committee. The chairs of the committee must be a Board member.

The Board may also authorize ad hoc committees when needed for specific purposes and a specific duration. The Board chair may appoint Board members, and, when authorized by the Board, members of the public, to ad hoc committees.

Section B. Executive Committee

Function

Elected Officers of the Board; empowered to act on behalf of the full Board and to establish Board direction as the main governing body of the Board.

The Executive Committee provides input and recommendations to the Board and Executive Director to ensure that the mission of the Board is met and that the Board utilizes human and fiscal resources efficiently and effectively.

Committee Membership

- A. Board Chair
- B. Vice Chair
- C. Secretary-Treasurer
- D. Complaint Review Panel Chair
- E. Medical Direction Standing Advisory Committee (MDSAC) Chair
- F. At-large Board member elected by the Board

Chair

The Board Chair serves as the Chair of the Executive Committee

Primary Responsibilities

- A. Keep protection of public health and safety foremost in decision making.
- B. Propose a general strategic direction for the Board.
- C. Act on behalf of the Board, related to legislative proposals that present a timeline where waiting until the next scheduled Board meeting for action would pose a detriment to the agency.
- D. Review and establish Board meeting agendas.
- E. Regularly reviews and makes recommendations to the IOPP.
F. Addresses matters identified by the Board Chair or Committee Chair(s).
G. Provide financial oversight; review issues related to budget and finance.
H. Make recommendations to the Board, as appropriate.
I. Oversees an annual performance review of Executive Director. Executive committee will form a subcommittee to perform the executive director’s evaluation. The subcommittee shall ensure the following:
   a. Prepare results and written summary of review to be presented to the Full Board during an open session.
   b. A performance review will be conducted annually.

The executive committee should authorize salary adjustments, achievement awards, and other compensation for Executive Director after the evaluation is completed.

J. Act for the Board under the provisions of delegated authority, as outlined in this IOPP.
K. Report to the Board at subsequent meetings regarding actions taken by the Committee.
L. Cooperatively establish goals with the Executive Director.
M. Unless exclusively delegated to the Executive Committee, the Executive Committee shall only act on matters where there are exigent circumstances such as time pressures or personnel matters necessitating immediate action. In all other instances the matter shall be referred to the full Board for potential action.

Meetings

A. Meetings of the Executive Committee are scheduled prior to regularly scheduled Board meetings, or as determined by Committee members and least two times per year, unless the full Board is meeting monthly.
B. Executive Committee will regularly conduct meetings in open (public) forum.
C. Executive Committee is authorized to close meetings for specific, limited concerns (e.g., performance evaluations, labor negotiations) as allowed by Minnesota Statutes Chapter 13D.

Expectations-Committee Practices

A. Discussion items for consideration by the Committee should be submitted to the Executive Director prior to the scheduled meeting. the meeting agenda is approved by the Board Chair.
B. Committee packets are prepared and distributed one week prior to the meeting to ensure that members are prepared for the meeting.
C. Communication between Committee members is respectful at all times.
D. Committee members will not disclose personnel, or other data, that is classified as private, confidential, and/or not public.
E. All actions taken by the Committee will be reported to the Board at its next meeting.
F. Minutes of meetings are to be distributed to the full Board as soon as possible following a meeting.

Principal Staff Contacts

A. Executive Director & Administrative Assistant
Section C. Complaint Review Panel (CRP)

Function

To evaluate and review staff investigations of application disclosures and complaints regarding licensed ambulances services, education programs, and individuals registered or certified by the Board. The CRP will make recommendations for disciplinary action to be considered and approved by the full Board during closed session case reviews.

Panel Membership

The committee may be split into groups with three to four members. Committee chair will appoint Board members to sit on the CRP and the membership is comprised as follows:

A. Two physician Board members
B. Five Board members
C. Assistant Attorney General (AAG)

Chair

The Chair of the CRP is appointed by the Board Chair.

Primary Responsibilities

A. Keep protection of the public health and safety foremost in decision-making.
B. Reinforce Minnesota Administrative Rules and Statutes related to EMS.
C. Evaluate and review staff investigations of received complaints and achieve resolution through appropriate action, dismissal, corrective action, or discipline.
D. Evaluate and review application disclosures from individuals to assess their ability to provide EMS in Minnesota.
E. Review mandatory reports and Health Professional Services Program discharges and assess the subject’s ability to safely provide EMS in Minnesota.

Meetings

A. Meets in closed session.
B. Generally, meets monthly.

Expectations-Panel Practices

A. Objectively and consistently review complaints, responses, and investigative materials.
B. Maintain confidentiality of case materials, including investigative materials and other, non-public case related information. Panel Members shall refrain from discussions regarding complaint cases outside of committee.
C. Panel members will recuse themselves from participating in complaint reviews where a conflict of interest exists relative to the complainant, the subject of the complaint, or the licensee (every effort
should be made to determine whether the Panel member’s relationship with the complainant, the subject of the complaint, or licensee creates a situation that would negatively affect objectivity—this can be reviewed and discussed with the sitting Assistant Attorney General assigned to the Board).

D. Determine appropriate course of action from Minnesota Statues sections 144E.19 for the license or licensee, based on the investigation.

E. Determine appropriate course of action from Minnesota Statues section 144E.27-28, for applicants, education programs, and individuals registered or certified by the Board, based on the investigation.

F. Commit time necessary to prepare and offer educated opinions on complaints.

G. Communicate responses to complaints memos from staff in a timely manner.

H. Understand the disciplinary process and remediation process.

I. Utilize designated Assistant Attorney General as Counsel.

J. Disciplinary actions that are proposed by the CRP must be reviewed and voted on by the Board in order to become effective.

K. No independent investigation is allowed by Board Members.

L. Complaint Review Chair to follow up on any topics referred to another committee.

Principle Staff Contact

A. Compliance Analyst

Expectations of Staff

A. Compliance Analyst will prepare committee materials, maintain discipline files, and provide follow up to committee requests for action; closure, record review, investigation, request for additional materials, scheduling and drafting conference materials. Compliance Analyst will also be the primary communication point for Health Professionals Services Program (HPSP) and other State entities related to the responsibilities of the CRP.

B. Investigation Specialists will prepare investigative reports and present their findings to the panel at the monthly meeting. Investigation Specialists will maintain investigative files and provide follow-up to committee when additional investigative information is requested.

C. EMS Specialists will prepare documentation when it is found that a service or education program is in violation through their inspection and/or corrective order process.

D. Staff responsibilities are overseen by Executive Director.
Section D. Data Policy Standing Advisory Committee (DPSAC)

Function

The purpose of the committee is to provide recommendation to the Board regarding data collection policy and practices.

Committee Membership

The committee shall consist of a minimum eight (8) and a maximum of 12. Membership shall include representatives from rural and metro ambulance services to include direct data entry users and those that upload data into MNSTAR. In addition, membership shall include representation from those representing public health, medical research, and other public interests (hereafter public interest). At no time shall the representation from either ambulance services or the public interest exceeds 60% of the membership.

Chair

The Chair of the committee is appointed by the Board Chair.

Primary Responsibilities

A. Recommend to the Board the data elements to be included for collection in the Minnesota prehospital care dataset.
B. Review prehospital care data quality submitted to the Board.
C. Provide information to licensees on how to provide quality data.
D. Vet and respond to data questions and related inquiries from the Board.
E. Provide input to Staff, when requested, in developing and reviewing reports.

Meetings

A. Frequency determined by Committee members, but not less than two times per year.
B. Compliance with Minnesota Open Meeting Law.

Expectation-Committee Practices

A. Commit time necessary to prepare and offer educated discussion and opinions.
B. Understand or have interest in prehospital care data.
C. Disposition to listen to and learn from others.
D. Respectful interactions at all times.
E. Minutes of meetings are to be distributed to the full Board as soon as possible following a meeting.

Principal Staff Contact

A. Data Manager and Analyst
Section E. Medical Direction Standing Advisory Committee (MDSAC)

Function

For physicians to discuss prehospital care and work toward the improvement of medical direction statewide.

Committee Membership

Committee chair will appoint committee members. At no time shall the representation from either the Board or the public interest exceed 60% of the committee membership. Those eligible for committee membership include:

A. All physician Board members.
B. Physicians serving as EMS Medical Directors for licensed ambulance services.
C. Physicians serving for accredited EMS educational program in Minnesota.
D. Other interested emergency physicians.

Chair

A physician Board Member must be the Chair of the committee and is appointed by the Board Chair.

Primary Responsibilities

A. Keep protection of the public health and safety foremost in decision-making.
B. Focus on clinical aspects of prehospital medical care incorporating information in medical literature, advances in bedside clinical practice, and committee members experience.
C. Advise the Board on policy decisions as they relate to patient care.
D. Serve as subject matter experts for the Board on evolving topics of clinical medicine including but not limited to infectious disease pandemics, pharmaceutical and equipment shortages, implementation of new therapeutics, and EMS provider scope of practice.

Meetings

A. Meetings are scheduled as determined by Committee members. The committee should meet at least two times per year.
B. Meetings will regularly conduct meetings in an open (public) forum.

Expectations-Committee Practices

A. Committee packets are prepared and distributed one week prior to the meeting to ensure that members are prepared for the meeting.
B. Communication between Committee members is respectful at all times.
C. Committee members will not disclose personnel, or other data, that is classified as private, confidential, and/or not public.
D. All actions taken by the Committee will be reported to the Board at its next meeting.
E. Minutes of meetings are to be distributed to the full Board as soon as possible following a meeting.

Principle Staff Contacts

A. Executive Director
Section F. Legislative and Rules Committee

Function

To identify and review statutory changes to Minnesota Statutes Chapter 144E and to propose changes to Minnesota Rule Chapter 4690 for review and adoption by the full Board.

Committee Membership

In addition to the Ex Officio members appointed by the House and Senate who shall be standing members, the Committee chair will appoint other members.

Chair

The Chair of the committee is appointed by the Board Chair.

Primary Responsibilities

A. Propose statutory changes that will enhance the regulatory capabilities of the Board and increase the effectiveness and efficiency of EMS to provide the appropriate level of public safety and medical support.

Meetings

A. Meetings are scheduled as determined by Committee members. The committee should meet at least two times per year.
B. Meetings will regularly conduct meetings in an open (public) forum.

Expectations-Committee Practices

A. Committee packets are prepared and distributed one week prior to the meeting to ensure that members are prepared for the meeting.
B. Communication between Committee members is respectful at all times.
C. Committee members will not disclose personnel, or other data, that is classified as private, confidential, and/or not public, including legislation that has not yet been finalized as a formal bill with a number assigned, by the Office of the Revisor.
D. Any formal action taken by the committee will be reported to the Board at its next meeting.
E. Minutes of meetings are to be distributed to the full Board as soon as possible following a meeting.

Principle Staff Contacts

A. Executive Director
Section F. Executive Director Evaluation Workgroup

Function

To evaluate the Executive Director

Workgroup Membership

The Board Chair will appoint workgroup members. Workgroup membership is comprised of three to five Board members.

Chair

The Chair of the workgroup is appointed by the Board Chair.

Primary Responsibilities

A. Evaluate the Executive Director performance at 90 and 180-days from date of hire and then annually or as needed.
B. Evaluate the Executive Director performance in relationship to the Board established goals.
C. Evaluate the Executive Director performance in relationship to the job description.

Meetings

As determined by the Chair of the workgroup

Expectations-Committee Practices

A. Hold in confidence the executive director’s performance evaluation.
B. Respectful communication at all times.
C. Use a standardized format as approved by SmART Labor Relations/Human Resources.
D. Provide the completed evaluation form to the Executive Director three (3) business days prior to meeting.

Principal Staff Contacts

A. SmART Labor Relations/Human Resources
VI. Board Staff

Appointment of Executive Director

Pursuant to Minnesota Statutes section 144E.01, subdivision 5, the Board shall appoint an executive director who shall serve in the unclassified service. The Executive Director is covered by the State of Minnesota’s Managerial Plan.

Executive Constraint

The Executive Director shall not cause or allow any practice, activity, decision, or organizational circumstance which is either imprudent or in violation of commonly accepted government or professional ethics, law, or state policy.

Expectations-Practices

A. It is the policy of the Board to provide a work environment that ensures equal opportunities and mutual respect for all employees, and to place the dignity of these employees, as well as the citizens we serve, in the highest regard.

B. Information and advice to the Board will have no significant gaps in timeliness, completeness, or accuracy.

C. There shall be no conflict of interest in awarding purchases or other contracts.

D. All Board authority delegated to staff is delegated through the Executive Director, so that all authority and accountability of staff can be phrased— insofar as the Board is concerned— as authority and accountability of the Executive Director.

E. The Executive Director is authorized to establish all means policies, make all decisions, take all actions, and develop all activities that are true to the Board’s policies. The Board may, by extending its policies, “undelegate” areas of the Executive Director’s authority, but will respect the Executive Director’s choices so long as the delegation continues. This does not prevent the Board from obtaining information about activities in the delegated areas.

F. No individual Board member, officer, or committee (except the Executive Committee) has authority over the Executive Director. Information may be requested, but the Executive Director may refuse the request if the Executive Director determines that the request will require a material and substantial amount of staff time.

G. Should the Executive Director deem it necessary to violate Board policy, s/he shall inform an officer (Chair, Vice-Chair, or Secretary/Treasurer of the Board. Informing is to guarantee no violation may be intentionally kept from the Board, not to request approval. Officer response, either approving or disapproving, does not exempt the Executive Director from subsequent Board judgment of the action nor does it impede any executive decision.

H. As the Board’s single official link to the operating organization, the Executive Director is accountable for all organizational performance and exercises all authority transmitted into the organization by the
Board. Executive director performance will be considered to be synonymous with organizational performance as a whole.

I. No less than once per year the Executive Director shall provide or cause to be provided a comprehensive report of the agency’s financial standing to the full Board.

**Authority to Appoint and Organize**

The Executive Director to the extent allowed by the Board budget shall appoint other members of the staff. In addition, the Executive Director shall be responsible for designing, changing, and operating an effective management structure, for staff organization, and for all human resource functions.
VII. Decision Making Guidelines

Ends-Means Philosophy

Ends policies may include one, two, or all three of the following components:

1. Focused on the impact, difference, change, benefit, or outcome to be obtained through EMS in the lives of the people and the communities of Minnesota (results). **FOR WHAT GOOD?**
2. Focused on identifying and describing the populations (recipients) to receive services. **FOR WHICH PEOPLE?**
3. Focused on the monetary expense, relative worth or relative priority of a result or set of results, or the comparative priority of certain recipients rather than others getting the results. **AT WHAT COST?**

*Means* policies are any organizational issues that are not *ends*.

Potential Information Sources for Decision-Making

Staff

There is a short-term or on-going organizational activity/issue that requires on-going or just-in-time information gathering and to formulate recommendations which contribute to responsible decision-making.

Board Committee

There is an organizational core activity/issue for which the Board is solely responsible, that requires on-going information gathering and concentrated, extensive discussion to formulate recommendations which contribute to responsible decision-making. The core activity/issue may include the need for consistent membership that contributes expertise from the Board. The committee responsibilities can be stated in broad, categorical terms, e.g., Executive Committee.

Advisory Committee

There is a long-term Board activity that is narrowly focused and requires information gathering and concentrated, extensive discussion to formulate recommendations that contribute to responsible decision-making. The activity may include the need for membership that contributes expertise from outside the Board. The committee responsibility is stated in specific, time-limited terms, e.g., Medical Direction Standing Advisory Committee.

Ad Hoc Committee

There is a short-term Board activity/issue that is narrowly focused and requires information gathering and concentrated, extensive discussion to formulate recommendations that contribute to responsible decision-making.
making. The activity/issue may include the need for membership that contributes expertise from outside the Board. The committee responsibility is stated in specific, time-limited terms.

**Consultant-Expert**

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Appendix A Decision-Making Guidelines Flowchart

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Decision-Making Guidelines Flowchart

**DETERMINATION OF ENDS/MEANS IS ESTABLISHED** (Chair ensures)

**Is this a policy issue (Ends)?**

- **Discussion Criteria**
  - Is the issue well defined?
  - Does the issue impact the public?
  - Will there be a negative outcome if issue is not addressed? Will there be a positive outcome if issue is addressed?
  - Is information available to measure the impact of the change?
  - Are resources are available or potentially available to address the issue?

**YES (ENDS)**

- State the policy question clearly (Relate to impact on mission)

**NO (MEANS)**

- Forward to Executive Director (Identify boundaries if needed)
  - ED is accountable and responsible for issue

- **Considerations**
  - Identify the persons who are most impacted by the policy
  - Identify what will be affected if a course of action is taken
  - Identify what needs to be understood by whom
  - Identify key political influences
  - Identify what information is necessary to make a responsible decision

**YES**

- Further information needed?

  - **YES**
    - Under nearly all circumstances, information gathering is completed by staff using appropriate resources. Rarely, the Board may be responsible for information gathering, e.g. governance, mission, etc. If other expertise is needed, the following information vehicles may be considered with the input of staff:
      - Board Committee
      - Consultant/Expert
      - Ad Hoc Committee
      - Advisory Committee

  - Board (ends) / ED (means) gives clear direction on the task. What is to be determined? by when? Provide resources if necessary

  - Recommendations presented to Board (ends) / ED (means)

    - Recommendation(s) are evaluated by the Board/ED based on the following criteria:
      - The appropriate publics/ stakeholders were invited and had input
      - All sides of the issue were explored
      - If more than one solution, pros and cons are presented

- **NO**

  - Board decision: (Ends)
    - ED (means) Action taken
    - Measures in place
    - Results communicated
Appendix B Per Diem Payment and Expense Reimbursement Policy

From the Emergency Medical Services Regulatory Board, State of Minnesota

Version: 2.00
Effective Date: 05/10/2022
Approval: Executive Director

Policy Statement

Eligible board members shall be reimbursed as permitted by Minnesota Statute and as approved by this policy, within the limits of the authorized budget.

Reason for the Policy

In accordance with Minnesota Statutes section 15.0575 the Board is required to have a policy in place that identifies approved expenses and reimbursements for board members.

Per Diem Payments

1. Eligible board members may request and receive per diem payments for approved board activities. Eligibility for per diems is governed by Minnesota Statutes section 15.0575, subdivision 3.
   a. Board members may be compensated at the rate of $55 per day spent on board activities, which shall include any regular or special meetings of the Board, any meeting of a committee or workgroup of the Board, or any conference or professional meeting that the Board specially approves as an authorized board activity. If more than one Board activity occurs during a single day, only one per diem payment may be made for that day.
   b. Board members who are state employees or employees of a political subdivision of the state may not receive the daily payment for activities that occur during working hours for which they are compensated by the state or political subdivision. However, a state or political subdivision employee may receive the daily payment if the employee uses vacation time for Board activities or the Board Activities occur outside of their working hours.
   c. Board members may also be compensated for time spent in preparation for meetings of the Board's Complaint Review Panel. Four hours of preparation time equals one per diem payment. For the purposes of calculating per diem, time may be accumulated but not divided. For example, hours may be accumulated over more than one day to reach the required four hours, but only one per diem may be paid per CRP meeting and for any number of hours in a single day.
d. For board members to be eligible for payment, they must be registered as a vendor in the state’s SWIFT system. Individuals needing to register within SWIFT can do so by using this link Register as a Supplier Here

Per Diem Payment Procedure

1. Board members who are eligible and desire to apply for per diem payment shall send an E-mail to jana.s.carr-weerts@state.mn.us that contains the following information.
   a. The meeting date that per diem is being claimed for
   b. The type of meeting (Board Meeting, Work Group, Committee, Etc.)
   c. Written text that formally requests the per diem, an example is included below.
      i. “In accordance with EMSRB policy I am formally requesting payment of board member per diem for the board activities outlined in this email”
   d. A signature block that clearly identifies your legal name and your status as a board member.

2. For all board activities that are conducted on or after May 11, 2022, board members should ensure that requests for per diem payments are made within 14 days of the approved board activity.

Actual Expense Reimbursements

1. Board members may request and be reimbursed for mileage, meals, lodging, registration, and related expenses for authorized Board activities. Members who incur childcare expenses that would not otherwise have been incurred may be reimbursed for those expenses. Members who are state employees or employees of political subdivisions of the state may receive reimbursement unless the expenses are reimbursed by another source. Expenses are reimbursed according to the current Commissioner’s Plan. If an expense is not covered by the Plan, a special payment request will be filed.

2. Board members who request reimbursement of lodging must submit an original lodging receipt. Cancelled checks or copies of receipts are not acceptable. Whenever practical, Board members should request board staff to make lodging reservations so that payment can be made directly to the hotel by the agency rather than as reimbursement to the Board member. In either situation, the government lodging rate must be requested at the time of the reservation.

3. Board members submitting actual expenses must complete a SEMA4 Employee Expense Report, and email to jana.s.carr-weerts@state.mn.us within 30 days of the expense being incurred. In accordance with MMB and IRS policy, expenses that are submitted after 60 days are subject to taxation.

Out-of-State Travel

1. Board members may request and be reimbursed for attending out-of-state conferences that are specifically approved by the Board. The member will be asked to report to the Board about the conference. There are very specific requirements for approval of out of state travel. Board members should not make any out of state travel arrangements without consulting the Executive Director.

Applicability
This policy applies to all board members of the Emergency Medical Services Regulatory Board.

**Related Information**

- **MMB Commissioners Plan**
- **MMB Memo: Business Expense Tax Implications: Agency Responsibilities**
- **SEMA 4 Employee Expense Report**
- **Minnesota Statute § 15.0575 subdivision 3**

**History**

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Appendix C FARB Model Code of Conduct

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Model Board
Member Code of Conduct

Revised September 21, 2016

Federation of Associations of Regulatory Boards
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INTRODUCTION

The Federation of Associations of Regulatory Boards (FARB) is pleased to introduce the FARB Model Board Member Code of Conduct. Whether the discussion concerns licensing or disciplinary decisions, open meeting or public record questions, or any of the myriad other topics included in professional regulation, one thing is clear: public protection starts with the board members. It is the hope of the FARB Board of Directors that introduction of this model document will provoke a conscious conversation among regulators about expectations for board member qualifications and behavior.

FARB is a not-for-profit and tax exempt association under 501(c)(3) of the Internal Revenue Code. FARB governing members are federations and associations of regulatory boards from a wide variety of the regulated professions. In addition to its educational conferences, FARB develops and distributes model documents which promote uniformity, benefitting both the regulatory community and the public.

The FARB Uniform Model Practice Act, the Model Application for Licensure and Renewal, the Model Consent Agreement, and this new Model Board Member Code of Conduct are guides for regulatory boards, departments, or agencies. To assist in its implementation, the FARB presents its Model Board Member Code of Conduct in legislative format. FARB recognizes that, in the short term, individual constituencies may find it more appropriate to adopt the Code as a rule or policy of the regulatory entity.

The FARB Model Board Member Code of Conduct sets forth behavioral expectations for individual members of the regulatory authority of a designated profession. It guides board members in the fulfillment of their regulatory roles. By establishing specific standards, it becomes a tool to assist in the recruitment and selection of members for regulatory boards and can serve as a means of evaluating potential nominees. It also establishes the expected behaviors and actions of individuals serving on the board and provides a rationale for removal of board members whose service fails to meet expectations or is otherwise unacceptable.

FARB is pleased to provide this new and improved document to legislators, regulatory boards, attorneys, appointing authorities, and the regulatory community. While the principles contained in this Code have widespread applicability, in adapting this Code for use in your particular jurisdiction, please consult your substantive and procedural state laws and seek legal advice as necessary. To the extent any users have comments or suggestions to improve the document, please forward your remarks to the FARB Executive Director at FARB@FARB.org.
AN ACT TO ESTABLISH A BOARD MEMBER CODE OF CONDUCT

Section 1. Statement of Purpose.

(1) The purpose of this part is to set forth a code of conduct particular to members serving on professional and occupational regulatory boards, commissions, or councils. A board member code of conduct defines the expected character and conduct of such individuals and establishes a standard for removal from serving in order to sustain public confidence in the ability of a regulatory board to carry out its mission to protect the public health, safety, and welfare through the regulation of the provision of EMS in the State of Minnesota.

(2) In the interest of this public protection perspective and to set forth the mandates of the relevant agency of the state legislatively delegated with the authority to enforce laws and promulgate and enforce rules, board members shall at all times maintain a perspective consistent with the enforcement of the relevant law in the interest of public protection. Board members are required to adhere to the code of conduct set forth herein and other applicable ethical obligations imposed upon public servants.

Section 3. Definitions

(1) Adjudicatory Proceedings – a proceeding before the board in which the legal rights, duties, or privileges of specifically named persons are required by constitutional right or by any provision of Minnesota law to be determined after an opportunity for a hearing before the board.

(2) Agency – the state board, commission, department or officer authorized by law to make rules or to determine adjudicatory proceedings.

(3) Board – the Emergency Medical Services Regulatory Board created in Minnesota Statute 144E.

(4) Board Member – any individual appointee to the board.

(5) Executive Director – an individual employed by the board who is responsible for the performance of the administrative functions under the oversight of the board and such other duties as the board may direct.

(6) Good Standing – a license or certification that is not restricted in any manner and which allows the licensee/certification holder full practice privileges.

(7) Industry Trade Association – an organization that promotes the business of the profession and participates in public relations activities that include, but are not limited to, advertising, education, political donations, lobbying, and publishing.

(8) Presiding Officer – the individual or body of individuals in whom the ultimate legal authority of the agency is vested by any provision of law.

Section 4. Personal Performance of Duties – Practice.

(1) A board member shall:
   a) Maintain a working knowledge of the laws, rules, policies, and procedures under the jurisdiction of the board,
b) Regularly attend and meaningfully participate in board meetings and other board proceedings that may be required,
c) If practicing as a member of the regulated occupation or profession, be appropriately credentialed in good standing, and
d) Act professionally in all interactions with other board members, executive director, board staff, consultants, advisors, other state officers and employees, and the public.

Section 5. Conflict of Interest – Ethics

(1) A board member shall:
   a) Comply with conflict of interest and ethics laws and rules,
   b) Decline to deliberate, participate, or otherwise attempt to affect the outcome of any matter before the board when to do so may result in a conflict of interest or the appearance of a conflict of interest,
   c) Comply with the requirements of the open meetings and public records laws of this state regarding all communications, whether written or electronic, between board members and between board members and board staff including, but not limited to, emails, social media, and telephone text messages,
   d) Follow applicable communication protocols regarding dissemination of board information, including maintaining confidentiality of matters discussed in executive session and under the attorney-client privilege, and
   e) Exercise licensing and rulemaking decisions independent of external influences.

(2) A board member shall not:
   a) have private contracts or business dealings with the board, other than board member compensation or reimbursement as may be otherwise provided by law,
   b) receive any payment or benefit from transactions of the board, other than the benefit derived from licensure by the board if the board member is a licensee of the board,
   c) solicit or receive a gift or favor from any person, company, organization, or any intermediary interest which may compromise or appear to compromise the independent judgment of the board member regarding fulfillment of any board or board member obligations,
   d) attempt to obtain favorable treatment by the board for any individual or entity, and
   e) use his or her position on the board to advance any private interest.


(1) In fulfilling their responsibilities to the licensing board, a board member shall at all times maintain a perspective consistent with the enforcement of the relevant laws and rules in the interest of public protection, and not in protection of the professional interests of the licensees.
A board member shall not be an officer or hold any leadership position in state or national industry trade associations or other organizations serving the profession of dentistry during the term of the board member’s appointment to the board. In this capacity, a leadership position is defined as including, but not limited to, a voting member of the executive board, service on an ethics committee, membership committee, examination committee, or other committee or similar position of the association or organization.

A board member shall not be a registered lobbyist for any professional organization or industry trade association.

Section 7. Communication Protocols.

(1) As an agency of the state legislatively delegated with the authority to enforce laws and promulgate and enforce rules, board members shall recognize the parameters of the board’s authority and ensure the board maintains its public protection mission in undertaking all of its duties and responsibilities,

(2) Within the parameters of the board’s authority, board members shall:
   a) Ensure the effectiveness and efficiencies of the board,
   b) Delegate and oversee administrative functions of the board staff, including certain activities identified to occur between board meetings,
   c) Select leadership of officers of the board to preside over the customary board activities including, but not limited to, board meetings, committee structures, application and renewal processing, complaint processing, rulemaking, and matters related to board budgets, and
   d) Recognize the importance of communications related to board business and adopt policies that establish communication protocols and assure that the majority opinions of the board are promoted.

(3) A board member shall:
   a) authorize and provide general direction to the executive director to address day-to-day administrative decisions including, but not limited to, personnel matters,
   b) make requests for board staff assistance through approved procedures including, but not limited through, the presiding officer or the executive director,
   c) refer board staff and members of the public who attempt to use individual board members as an avenue to influence board decisions to the executive director, and
   d) provide other general direction and delegate functions and tasks to the executive director as appropriate under law.

Section 8. Disclosure of Board Information

(1) A board member shall:
   a. obtain the permission, vote, or approval of the board as to the information that may be shared when speaking on behalf of the board,
   b. promptly refer any requests for comment by the media to designated board staff unless such comment has been previously sanctioned and approved by a board majority to speak on behalf of the board, and
c. exercise due diligence to avoid any breach of duty as a board member arising out of negligence, intentional action or omission, or unauthorized communication with any individuals.

(2) All information disseminated by board members shall be factual and limited to information that is otherwise appropriate to be disclosed to the public.

(3) This section shall not be construed to limit the freedom of expression of a board member as an individual member of the public.

Section 9. Removal from Service – For Cause.

(1) A board member may be removed from the board for cause including, but not limited to:
   a. Ceasing to meet the qualifications for board membership,
   b. Being found guilty of a felony or unlawful act that involves moral turpitude, or conviction of any crime other than a minor traffic offense,
   c. Being found guilty of malfeasance, misfeasance, or nonfeasance in relation to board duties,
   d. Being declared mentally incompetent by a court of competent jurisdiction,
   e. A final adjudication by a recognized body, including the courts, that the board member has violated this Act or Minnesota Statutes 144E, or that the board member has misused the position to obtain any financial or material gain, or any advantage personally or for another, through such office,
   f. The refusal or inability for any reason to perform the duties of a board member in an efficient, responsible, and professional manner, or
   g. Failing to attend to successive board meetings without just cause as determined by the board.

Section 10. Conflict with Other Laws

(1) The provisions of this Act shall not excuse any board member from adherence to any other state or federal law or rule and to the extent this Act conflicts with such law or rule, the state or federal law or rule shall prevail.

(2) To the extent possible, the provisions of this Act shall be interpreted to coincide and be read to coexist with all other laws of this State. In the event this Act is alleged to conflict with any other provisions of law, this Act shall prevail to the extent the statutory provisions at stake involve substantive issues related to the practice of EMS. If the alleged conflict addresses procedural issues related to administrative processes, the Administrative Procedures Act, Minnesota Statute 14, shall prevail. In all other respects, conflict of laws issues shall be determined by interpretation and construction principles.
**EMSRB Inspection Report**

**# of Inspections to Complete by 03/31/2023**

- **0.00%**
- **59.02%**
- **100.00%**

**Percentage of Agencies Inspected Since 06/01/2019 by EMS Region**

- Metro: 97.83%
- West Central: 96.00%
- Central: 85.00%
- Southeast: 63.83%
- Southwest: 47.06%
- Northeast: 21.62%
- South Central: 29.41%

**Number of Inspections Conducted Since 06/01/2019 by Year and Month Name**

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<thead>
<tr>
<th>Date</th>
<th># of Inspections Conducted</th>
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<tbody>
<tr>
<td>2019 August</td>
<td>2</td>
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<tr>
<td>2019 September</td>
<td>3</td>
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<tr>
<td>2019 October</td>
<td>8</td>
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<tr>
<td>2019 November</td>
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<td>2020 January</td>
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<td>2020 February</td>
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<td>2020 March</td>
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</tr>
<tr>
<td>2020 April</td>
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<tr>
<td>2020 May</td>
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<tr>
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<tr>
<td>2021 January</td>
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</tr>
<tr>
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<tr>
<td>2021 March</td>
<td>19</td>
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<td>5</td>
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<tr>
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**Inspections by Type License**

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<tr>
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<th>Number of Inspections to Complete</th>
<th>Percentage of Agencies Inspected Since 06/01/2019</th>
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<td>Advanced Life Support</td>
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<td>64.94%</td>
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<td>Advanced Life Support - Specialized</td>
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<td>Part Time Advanced Life Support</td>
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<td><strong>Total</strong></td>
<td>134</td>
<td><strong>59.02%</strong></td>
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**Technical Notes**

- The number of inspections referenced in this report, refers to individual licenses. A single service can have multiple licenses for different levels of service. A single inspection visit, likely covers multiple licenses.
- Only inspections/licenses that were reviewed on or after 06/01/2019 are reflected in this report.
EMSRB Complaint and Investigation Section Report

Investigation Count by Date of Intake and Status

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<tr>
<th>Date</th>
<th>Investigation Count</th>
<th>Assigned &amp; Under Investigation</th>
<th>Closed/No Pending Action</th>
<th>Legal Review</th>
<th>Pending CRP Review</th>
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<td>8</td>
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Investigation Status
- Assigned & Under Investigation
- Closed/No Pending Action
- Legal Review
- Pending CRP Review

Percentage of Cases Closed within 90 Days

- Cases Open >90 Days
  - 7

Technical Notes
- This dashboard only reflects investigatory and complaint actions that were received on or after 01/01/2022.
- The metric percentage of cases closed within 90 days is calculated by taking the number of cases in a closed no pending status, with 90 days or less elapsed time between intake and closing date, divided by the total number of cases in a closed status to obtain a percentage. The agency goal for this measure is 85% or higher.
- The metric Cases Open >90 days is a count of all cases currently open, that have an elapsed time of 91 days or more.
**Emergency Medical Services Workforce Report**

### EMS Provider Expirations by Level and Year

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<th>EMR</th>
<th>EMT</th>
<th>Paramedic</th>
<th>Total</th>
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<tr>
<td>2018</td>
<td>1.1K</td>
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<td>2.8K</td>
<td>1.4K</td>
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<tr>
<td>2019</td>
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<td>2.4K</td>
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<td>2.7K</td>
<td>1.6K</td>
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<tr>
<td>2020</td>
<td>1.0K</td>
<td>2.3K</td>
<td>2.1K</td>
<td>2.5K</td>
<td>1.2K</td>
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<tr>
<td>2021</td>
<td>1.2K</td>
<td>2.8K</td>
<td>2.5K</td>
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<td>1.8K</td>
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<tr>
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<td>2.5K</td>
<td>2.4K</td>
<td>2.6K</td>
<td>1.4K</td>
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### Percentage of EMS Certification Expirations Under 30 Years Old 2018-2021

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<th>EMR</th>
<th>EMT</th>
<th>Paramedic</th>
<th>Total</th>
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<td>Central</td>
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### Initial Certifications Issued vs Expiring Certifications 2018-2022

- **Certifications Expired**: [Graph showing expirations]
- **Certifications Issued**: [Graph showing certifications]

### Currently Certified Providers by Level

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### Technical Notes

- The rate of Certified EMTs or Paramedics appearing on a PCR is calculated by counting the number of providers who have an active EMSRB credential (as of the day of the report) and appeared on an EMS patient care report between 01/01/2019 and September 1, 2022 and dividing that number by the total number of providers who have an active EMSRB credential.
- The % of EMS Responses with One or More Valid Staff Identifiers is calculated by counting the number of EMS patient records that had at least one valid EMS certification number and dividing by the total number of EMS responses.
## HPSP Monthly Case Allocation Report

**Begin Date:** 8/1/2022  
**End Date:** 8/31/2022  
**Report Date:** 8/31/2022

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# HPSP Report - Referrals by Board and Profession

**Begin Date:** 8/1/2022  
**End Date:** 8/31/2022  
**Report Date:** 8/31/2022

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