

Minutes of the December 11, 2015 Board of Emergency Medical Services Meeting

CALL TO ORDER

Dr. James Smith, Chairperson, called the meeting of the Board of Emergency Medical Services to order at 9:00 a.m., Friday, December 11, 2015 in the Country Inn and Suites – Lincoln Room located at 5353 North 27th Street, Lincoln, NE. The meeting was duly publicized by distribution of the Notice of Meeting and Agenda at least ten (10) days prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services Division of Public Health at least twenty-four (24) hours prior to the meeting.

Dr. Smith announced that this is a public meeting and the Open Meetings Law is posted.

The following Board Members were present at the meeting: Mike Bailey, Randy Boldt, Karen Bowlin, Joel Cerny, Dr. Thomas Deegan, Ann Fiala, Troy Hiemer, Linda Jensen, Charles LaFollette, Dr. Mike Miller, Carl Rennerfeldt, Dr. James Smith, and Scott Wiebe.

The following Department Staff were present at the meeting: Becky Wisell, Licensure Unit Administrator, Jacye LaFayette-Dymacek, Health Licensing Coordinator, Kevin Griess, Department Legal Counsel, Teresa Hampton, Department Legal Counsel, Lisa Anderson, Assistant Attorney General, Russ Fosler, Investigations, and Dennis Scott, Investigations.

Dr. John Bonta and Don Harmon were absent from the meeting. Dr. Thomas Deegan, Linda Jensen, and Charles LaFollette left before the meeting ended.

Dr. Miller moved, seconded by Mr. LaFollette to adopt the agenda. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta and Harmon. Motion carried.

Mr. Boldt moved, seconded by Mr. Bailey to approve the September 18, 2015 meeting minutes as presented. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Hiemer, LaFollette, Miller, Smith, and Wiebe. Voting nay: None. Abstaining: Jensen and Rennerfeldt. Absent: Bonta and Harmon. Motion carried.

PRESENTATIONS:

Dr. Don Rice, Dr. Eric Ernest, and Dr. Dorothy Habrat presented a new model protocol for CPR Induced Consciousness for the Board's approval. The need for this protocol was brought about by the new LUCAS devices that are being utilized across the state resulting in an increasing number of patients regaining consciousness while CPR is being performed. The information provided to the Board is available on the Licensure Unit's Emergency Medical Services homepage at <http://dhhs.ne.gov/publichealth/Pages/crIEMTindex.aspx>.

After discussion, Mr. Boldt moved, seconded by Ms. Bowlin to approve this protocol as presented. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta and Harmon. Motion carried.

This approved protocol will be added to the current Nebraska Board of Emergency Medical Services Approved EMS Model Protocols. A link to the full set of Model Protocols is available on the Licensure Unit's Emergency Medical Services homepage at <http://dhhs.ne.gov/publichealth/Pages/crIEMTindex.aspx>.

Tré Rodriguez, Executive Director of the National Registry of Emergency Medical Technicians (NREMT) shared information with the Board regarding the history of the NREMT, the education

requirements, the examination process, and the certification process. The power point presentation has been requested from Mr. Rodriguez and, once received, will be made available on the Licensure Unit's Emergency Medical Services homepage at <http://dhhs.ne.gov/publichealth/Pages/crlEMTindex.aspx>.

EMERGENCY MEDICAL SERVICES PROGRAM UPDATE

Dean Cole, EMS/Trauma Program Manager, provided the EMS Program Update. Mr. Cole announced that he is retiring effective December 31, 2015. Sue Medinger, Community and Rural Health Planning Unit Administrator, will be handling his duties until a replacement is selected. Mr. Cole announced that Dr. Don Rice will be resigning as the Statewide Physician Medical Director. Dr. Eric Ernest will be stepping into that role. Mr. Cole shared that one hundred and forty-nine LUCAS devices have been distributed across Nebraska. An additional one hundred and fifty devices will be made available in the second round of distribution. Applications will be available in March, with the distribution date set sometime in September. To date, eight individuals in Nebraska have been saved due to the use of these devices. Four EMS assessments are currently being conducted by Gary Wingrove. These assessments are being conducted to look at current procedures and identify possible areas of improvement. Two more hospitals will be coming onboard to provide inter-facility ambulance transport services and potentially to assist in providing backup for rural ambulance services. Three communities are looking at consolidating to support a Paramedic to provide services with the volunteers continuing to provide transport and basic level services. Bloomfield has hired a Paramedic to work during the day to cover calls, and two other communities are looking at doing the same. Mr. Cole shared a brief history of the changes, improvements, and accomplishments that he has seen since joining the program in 1994. He expressed his deep appreciation for his staff and recognized that many of the accomplishments were achieved due to the cooperation between the Board and the Program Staff.

Brian Monaghan, State Education and Training Coordinator, provided the EMS Training Agency Update. Mr. Monaghan has completed the circuit of training agency inspections during his 3 ½ year tenure. He is on the second round for many and believes that the training agencies have come a long way in that time. He commended the training agency directors and staff for the amount of time and effort expended on improvements. Mr. Monaghan pointed out that the NREMT statistics are based on results from 2015, whereas the State of Nebraska statistics are based on eight (8) full quarters (two years) of data, which he feels provides a more accurate picture.

Jacye LaFayette-Dymacek, Health Licensing Coordinator and Becky Wisell, Licensure Unit Administrator provided the Licensure Unit Update. Ms. LaFayette-Dymacek shared that the Licensure Unit is currently processing renewals for Emergency Medical Technicians (EMTs). All EMT licenses will expire on December 31, 2015. To date, 2,060 out of 5,771 licensed EMTs have yet to renew. Ms. Wisell announced that Rene' Tiedt, Office of Rehabilitation and Community Services Program Manager, resigned effective December 12, 2015. Claire Covert-Bybee has been selected to fill this position. Her first day will be December 28, 2015.

COMMITTEE UPDATES

On behalf of the Legislation and Regulation Committee, Joel Cerny indicated that there had been no new information released regarding the LR298.

On behalf of the Services and Providers Committee, Scott Wiebe shared that the KKK ambulance standards are scheduled to sunset in October 2016. The current rules and regulations require ambulances to meet these standards. Mr. Wiebe presented this information as a public safety issue in support of opening the rules and regulations.

On behalf of the Education Committee, Mike Miller had nothing to share. Karen Bowlin wanted to point out that there were different reports regarding pass rates and different ways of tracking that data.

The Scope of Practice Committee had the following questions to consider:

1. Is a current CPR certification required to practice as an Out-of-Hospital Emergency Care Provider? Is it required to maintain licensure?
2. Can a Paramedic manage PICC lines and surgical drains?
3. Does removing sutures fall within the scope of practice of an Out-of-Hospital Emergency Care Provider? If so, what levels?

After discussion, Dr. Miller moved, seconded by Mr. Bailey that it is required for EMS personnel to demonstrate current CPR certification at the time of licensure, but they are able to continue to practice as an Out-of-Hospital Emergency Care Provider without maintaining CPR certification. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Hiemer, LaFollette, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Bonta, Harmon, and Jensen. Motion carried.

After discussion, Dr. Miller moved, seconded by Ms. Bowlin that it is within the scope of practice of a Nebraska licensed Paramedic to access and utilize PICC lines that are already in place. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Hiemer, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Harmon, and Jensen. Motion carried.

After discussion Mr. Bailey moved, seconded by Mr. Rennerfeldt to table the discussion regarding management of surgical drains in order to obtain clarification of the question being asked of the Board. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Hiemer, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Harmon, and Jensen. Motion carried.

After discussion, Dr. Miller moved, seconded by Mr. Bailey that it is not within the scope of practice of EMS personnel to remove sutures in the State of Nebraska at this time. Voting aye: Bailey, Bowlin, Cerny, Deegan, Fiala, Hiemer, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Abstaining: Boldt. Absent: Bonta, Harmon, and Jensen. Motion carried.

On behalf of the Trauma Board, Mr. Bailey shared that there are currently 48 designated trauma centers. The College of Surgeons will be coming on July 28 and 29 to do an assessment of the trauma system within the state. This assessment will be used in the strategic planning process going forward. The Trauma Board is currently working on new rules and regulations. They hope to have a draft copy to present at the May 13, 2016 meeting to be held in Lincoln.

On behalf of the Emergency Medical Services for Children (EMSC), Dr. Deegan reported that Debbie Kuhn had finished renewal for the state grant for continuing work on the performance

measures to improve emergency care for children. We are still part of the national program to promote pediatric readiness in emergency departments. Ms. Kuhn is working on developing emergency guidelines for daycare providers. Tele-health quarterly education is currently being scheduled for 2016. They welcome suggestions regarding topics that would be beneficial to communities. The first topic will be rapid recognition and management of sepsis in children. There is an upcoming conference on kids and disasters in Scottsbluff, Kearney, and Omaha in the beginning of April. Mark Cicero will be presenting at this conference.

On behalf of the Nebraska Emergency Medical Services Association (NEMSA), Dave Huey reported that they are moving forward with looking at legislation to make EMS essential services and exploring tax based opportunities. Mr. Huey encouraged the Board to send a representative to attend their meeting. The current liaison is Don Harmon. The next NEMSA Board meeting is at the conference January 14-16 in Kearney.

On behalf of the Nebraska State Volunteer Firefighters Association (NSVFA), Mr. Cerny shared that as part of the LR298 the NSVFA is pushing the tax credit for volunteer responders. They are on the tail end of the SAFER grant. There is only one more set of the STRIVE grants available. There will be two more retention and recruitment workshops available held, one in Kearney on January 23-24 and one in Lincoln on June 11-12. There is no cost to attend these workshops.

MISCELLANEOUS BUSINESS

Dr. Smith formally recognized Linda Jensen for all of the hard work that she did in compiling the notes from all of the Community Forums and for all of the Board members who spent their time participating in the forums. The notes will be made available to the public on the Licensure Unit's Emergency Medical Services homepage at <http://dhhs.ne.gov/publichealth/Pages/crIEMTindex.aspx>.

After discussion Ms. Fiala moved, seconded by Dr. Miller to select SafeTechSolutions as the facilitator for the Board's strategic planning. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Hiemer, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Harmon, and Jensen. Motion carried.

After discussion Mr. Bailey moved, seconded by Mr. Cerny to hold the strategic planning meeting at the Country Inn and Suites, located at 5353 N 27th Street in Lincoln on Friday, February at 8:00 a.m. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Hiemer, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Harmon, and Jensen. Motion carried.

There was discussion regarding how information can be better communicated to the EMS community. We will look into the possibility of holding meetings in locations outside of Lincoln and webcasting. The Board intends to continue holding open forums for the purpose of receiving feedback from the community.

The Board received confirmation from Department Legal that they are able to issue position statements.

After discussion Mr. Cerny moved, seconded by Ms. Bowlin to request approval to open the regulations for revision. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, and Jensen. Motion carried.

After discussion, it was determined that the Department is able to publish the Training Agency Pass Rates. The Board will be reviewing the data during their Strategic Planning process to ensure that what is published reflects a true picture of what is happening at the training agency level in regards to the National Registry examination.

After discussion, it was determined that LB-390 which refers, in part, to the administration of Naloxone/Narcan in specific circumstances, takes precedence over the regulations that restrict this practice. The Scope of Practice Committee has been tasked with developing a protocol to address this. Once approved by the Board, it will be added to the State Model Protocols.

Mr. Bailey moved, seconded by Mr. Rennerfeldt to reaffirm the mail ballot decisions to issue Panhandle EMS Education a license to operate as an EMS Advanced Training Agency, Shickley Fire and Rescue a license to operate as an ALS Transport Service, and Erin Anderson a license to practice as an Emergency Medical Responder. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, and Jensen. Motion carried.

Ms. LaFayette-Dymacek provided an updated application processing report. This report was for informational purposes only.

The 2016 Board of Emergency Medical Services meetings are scheduled for Monday, March 21, Monday, June 13, Monday, September 12, and Friday, December 16. All meetings will begin at 9:00 a.m. and held at the Country Inn & Suites located at 5353 North 27th Street in Lincoln, Nebraska unless otherwise indicated.

CLOSED SESSION

Ms. Fiala moved, seconded by Ms. Bowlin to go into closed session at 2:52 p.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, LaFollette, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Jensen, Rennerfeldt, and Scholl. Motion carried.

OPEN SESSION

Ms. Fiala moved, seconded by Dr. Miller to return to open session at 4:53 p.m. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, Jensen, and LaFollette. Motion carried.

DECISIONS

Ms. Fiala moved, seconded by Ms. Bowlin to offer Aaron Johnson a five-year probationary license to practice as an Emergency Medical Technician based on his misdemeanor convictions and diagnoses of cannabis use disorder in sustained remission and alcohol use disorder. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, Jensen, and LaFollette. Motion carried.

Mr. Boldt moved, seconded by Mr. Rennerfeldt to request a pre-licensure investigation on Alejandro Duarte in order for the Board to make a more informed recommendation. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, Jensen, and LaFollette. Motion carried.

Mr. Bailey moved, seconded by Ms. Fiala to request a pre-licensure investigation on Alexandria Wonka in order for the Board to make a more informed recommendation. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, Jensen, and LaFollette. Motion carried.

Mr. Bailey moved, seconded by Mr. Boldt to offer Chad Christiansen a three-year probationary license to practice as an Emergency Medical Technician based on his misdemeanor and felony convictions and diagnoses of cannabis use disorder, mild in sustained full remission and alcohol use disorder, moderate. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, Miller, Rennerfeldt, and Wiebe. Voting nay: None. Abstaining: Smith. Absent: Bonta, Deegan, Harmon, Jensen, and LaFollette. Motion carried.

Ms. Bowlin moved, seconded by Ms. Fiala to offer Spencer Glynn a three-year probationary license to practice as an Emergency Medical Technician based on his misdemeanor convictions and diagnosis of alcohol use disorder, mild. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, Jensen, and LaFollette. Motion carried.

Mr. Rennerfeldt moved, seconded by Mr. Bailey to issue Waylon DeLong a license to practice as an Emergency Medical Technician. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, Jensen, and LaFollette. Motion carried.

Mr. Wiebe moved, seconded by Ms. Bowlin to offer Martinsburg Emergency Responders a six-month probationary license to operate as a Basic Life Support Non-Transport Service based on their service responding to calls without being licensed. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, Jensen, and LaFollette. Motion carried.

Dr. Miller moved, seconded by Ms. Fiala to offer Chad Hart a one-year probationary license to practice as an Emergency Medical Technician based on his misdemeanor conviction and diagnosis of opioid use disorder, severe, in sustained remission. Voting aye: Bailey, Boldt, Bowlin, Cerny, Fiala, Hiemer, Miller, Rennerfeldt, Smith, and Wiebe. Voting nay: None. Absent: Bonta, Deegan, Harmon, Jensen, and LaFollette. Motion carried.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:02 p.m.

Respectfully submitted by:

*****Signature Available Upon Request*****

Scott Wiebe, Secretary

Prepared by: Jacye LaFayette-Dymacek, Health Licensing Coordinator