

## **Minutes of the February 25, 2019 Board of Emergency Medical Services Meeting**

Dr. James Smith, Chairperson, called the meeting of the Board of Emergency Medical Services to order at 9:07 a.m. on Monday, February 25, 2019 in the Staybridge Room at the Staybridge Suites located at 2701 Fletcher Avenue in Lincoln, Nebraska. 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, Dr. John Bonta, Karen Bowlin, Joel Cerny, Dr. Thomas Deegan, Ann Fiala, Linda Jensen, Dr. Mike Miller, Carl Rennerfeldt, Dr. James Smith and Scott Wiebe.

Dr. Donald Harmon was absent from the meeting.

Also present were: Claire Covert-ByBee, Program Manager; Antonio Carranza, Health Licensing Coordinator; Tim Wilson, Program Manager; Wendy Snodgrass, EMS Education and Compliance Manager, Laura Huggins, Health Licensing Specialist, Carol Jorgensen, EMS Specialist, Lisa Anderson, Assistant Attorney General, Trevor Klaassen, Investigator, Sherri Lovelace, Investigator, Patricia Lemke, Investigator and Anna Harrison, Compliance Monitor.

Boldt moved, seconded by Bowlin to approve the Agenda. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Harmon. Motion carried.

Miller moved, seconded by Bailey to approve the December 7th, 2018 meeting minutes with two amendments correcting a title and date. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Jensen, Miller and Smith. Voting nay: None. Abstain: Deegan, Fiala, Rennerfeldt and Wiebe. Absent: Harmon. Motion carried.

Claire Covert-ByBee shared information regarding the reorganization of Emergency Medical Services within the Department. Licensure will now be included with all other Emergency Medical Services within the Department and Tim Wilson will be the Program Manager in charge of Licensure as well. Covert-ByBee and Antonio Carranza will no longer be involved with EMS Licensure. Laura Huggins will continue to be the Health Licensing Specialist for EMS and will relocate within the Department to become a part of Wilson's unit. Wilson explained how his duties and reporting will work going forward. Wilson and Covert-ByBee both mentioned there will be many nuances that will be ironed out but the transition has been made.

Covert-ByBee continued with a legislative update. LB 25 was introduced to provide for additional fees to create the patient safety cash fund. Most hospital professions are included. LB 29 was introduced to provide and eliminate professions from utilizing telehealth. LB 110 is the Medical Cannabis Bill which may affect Emergency Medical Services. LB 112 was introduced to waive initial licensure fees for members of the military and their spouses and family, 18 to 25 year old applicants and applicants with low income as defined by the bill. LB 735 requires the Department to develop protocols for how and why pelvic exams are performed on females by any person holding a license with the Department.

Covert-ByBee provided a regulation update. She advised that there had been direction that all regulations be promulgated in the previously reported Executive Order format by the end of summer 2019. The Department is currently in the process of submitting regulations to be implemented. The Board has previously approved 3 chapters of regulation in September 2018. The Department will combine those edits with the Executive Order edits to make sure they are compliant. She stated that there will be a generic chapter for all Uniform Credentialing Act professions, Chapter 10, that will apply to all UCA professions and all duplicative language will be removed.

Covert-ByBee advised she will no longer be involved with the Replica process, Wilson will be the representative for the Department. There was no update on the process.

Wilson gave an update on the Office of Emergency Health Systems. He reiterated that reorganization has been the biggest task for his office. The staff will have some reorganization of duties as needs become clearer with the reorganization. Wilson reviewed the status of a few different grant proposals the Department has applied for.

Wilson provided an update on the 407 credentialing review process. They are in the process of reviewing critical care paramedicine and community paramedicine. So far they have had two meetings, getting ready for a third. The fourth meeting will be an open public comment period and after that there will be one or two more meetings.

Pam Pizzi presented information on Knowledge Center, a program designed to get information from EMS providers to hospitals and vice versa quickly and efficiently to make transitions smoother and help provide quicker care. Right now the system is active in a few different areas including Pennsylvania and large hospital system in California. Going forward they will be working with Wilson's office to get information out. It is a voluntary system.

*(The board took a break at 10:19 am)*

*(The board returned from break at 10:30 am)*

Wendy Snodgrass, EMS Education Compliance Manager gave a training agency update providing data on National Registry pass rates broken down by training agency. She also provided information showing pass rates over the last 6 years from those same agencies. The Board discussed possible actions available to address larger agencies that are continually underperforming.

The Board discussed an issue with services being able to obtain controlled substances from local pharmacies for their services. An issue has arisen with trying to obtain these substances with E-scripts. This has also been an issue with CHI Health hospitals. It becomes difficult to fill these needs for smaller services through retail pharmacies. Wiebe moved, seconded by Miller for Smith to draft a letter on behalf of the board to the Pharmacy Board requesting clarification on the inability of EMS services to obtain scheduled and non-scheduled substances from hospitals and local pharmacies. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Harmon. Motion carried.

Joel Cerny shared an update on legislation introduced related to EMS. LB 8 is a bill introduced to give Physician Medical Directors the right to use sirens. LB 135 deals with licensing out of state EMS students. LB 212 amends the requirements for video and telephone conferencing to the Open Meetings Act. LB 620 outlaws texting while driving. LB 701 requires billing for all Emergency Medical Services for transport to a facility.

There was no update from the Services and Providers Committee.

Miller provided an update for the Education Committee. He reviewed the procedure for applying epinephrine in a draw up and inject fashion rather than an auto injector. Miller advised he has created a presentation to help train services that would like to use it. Miller moved, seconded by Bailey to authorize Miller to work with the Department to disseminate information specific to EMS stakeholders in Nebraska for the ability to draw and administer epinephrine. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Harmon. Motion carried.

Fiala provided a Scope of Practice Committee update. She provided a handout on Sepsis Protocol. The Board discussed Sepsis Protocol and any adjustments needed to be made. Rennerfeldt moved, seconded by Bonta to approve the Sepsis protocol provided with the amendments discussed. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Harmon. Motion carried. The Board discussed weapons in the workplace and determined it should be left to the service to determine their policy at this time. Fiala started a discussion about intravenous Tylenol. Smith stated while expensive, it is highly effective and could be used as an alternative to opioids in certain cases. Miller moved, seconded by Jensen to add intravenous Acetaminophen as an alternative route of administration in Nebraska Protocols. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Harmon. Motion carried.

Bailey had no updates from the Trauma Board.

Debbie Kuehn shared an update for Emergency Medical Services for children. Performance Measure 02 is having a Pediatric Emergency Coordinator in 90% of ambulance services by 2026. The coordinator would provide assistance in a number of ways to make sure pediatric needs are represented and accounted for. To be considered "Pediatric Ready," the service will need all the recommended pediatric equipment, complete pediatric training, participating in a prevention program and have an active coordinator. Performance Measure 03 is that 90% of agencies will have a process requiring providers to demonstrate proficiency on the pediatric specific equipment. The EMSC Advisory Committee meets quarterly and is looking for a rural ER physician to join the committee.

*(The board took a break 12:10 pm)*

*(The board returned from break at 12:20 pm)*

Bowlin gave an update for the Nebraska Emergency Medical Services Association. She advised the 2019 Convention is in Columbus on March 15-17.

Cerny provided an update for the Nebraska State Volunteer Firefighters Association. The NSVFA Recruitment and Retention Committee is meeting March 9<sup>th</sup> to finalize the Strive portion of the \$1.38 million SAFER grant. Cerny and John Bomar will go to Washington D.C. as directors to the National Volunteer Fire council to speak with Congress. The Nebraska Fire Chief Association's 4<sup>th</sup> Annual Leadership Symposium in Norfolk on March 9<sup>th</sup>. Cerny also stated fire school EMS Classes will be offered on May 17-19. Information can be found on the NSVFA website.

The Board is awaiting the final report from LR 395 which was introduced to examine issues and identify the needs of ems providers, specifically volunteers in Nebraska.

Dan Duncan provided information on the Annual Safety Symposium held on July 11<sup>th</sup> on air medical aircraft safety. There has been an increase in facilities in the industry recently so they are trying to reach out to address this issue. The Board was also asked about streaming the meetings, Covert-ByBee advised there is no restriction on streaming the meetings, however, there is currently no funds allocated towards equipment to facilitate that.

Rennerfeldt moved, seconded by Bowlin to vote on the same slate of Officers for the Board for 2019. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Harmon. Motion carried.

Rennerfeldt moved, seconded by Bonta to elect the slate of Officers for the Board for 2019. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt and Smith. Voting nay: None. Abstain: Wiebe. Absent: Harmon. Motion carried.

The Board is required to inform the public each year the method by which it will provide notice of meetings. In the past, the Board has chosen to post meeting agendas at the Nebraska State Office Building, to email agendas to the interested parties list, and to post agendas on the Department's website. Fiala moved, seconded by Cerny to continue the current publication methods. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Harmon. Motion carried.

Rennerfeldt moved, seconded by Miller to go into closed session to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions at 12:43 pm. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Harmon. Motion carried.

*(Bonta left the meeting at 12:50 pm)*

Boldt moved, seconded by Rennerfeldt to return to open session at 2:30 pm. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Bonta, Harmon. Motion carried.

Bowlin moved, seconded by Rennerfeldt to recommend issuing a 3 year probationary license as an Emergency Medical Technician to James Clark based on his previous convictions and substance use disorder diagnosis. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Bonta, Harmon. Motion carried.

Miller moved, seconded by Bailey to deny a license as an Emergency Medical Technician to Zachary Lehr based upon convictions, multiple parole violations, failure to comply with treatment recommendations and failure to provide the investigator with requested information in the course of a normal investigation. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Bonta, Harmon. Motion carried.

Fiala moved, seconded by Jensen to reinstate Karyssa Richardson's license as an Emergency Medical Technician. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Bonta, Harmon. Motion carried.

Bailey moved, seconded by Boldt to table the Basic Life Support Transport license application of Phillips Fire & Rescue to gather additional information. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Bonta, Harmon. Motion carried.

The Board reaffirmed the following mail ballots: reinstating Carrie Birkel's license as an Emergency Medical Technician, recommending issuing a license as an Emergency Medical Technician to Redina Redwing and issuing a license as a BLS Transport service to Phillips Fire & Rescue. Bailey moved, seconded by Boldt to reaffirm the preceding mail ballots. Voting aye: Bailey, Boldt, Bowlin, Cerny,

Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Bonta, Harmon. Motion carried.

Fiala moved, seconded by Miller to issue a license as an Advanced Life Support Transport Service to Siouxland Paramedics. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Jensen, Miller, Rennerfeldt, Smith and Wiebe. Voting nay: None. Absent: Bonta, Harmon. Motion carried.

Topics for next meeting include a follow up on the Pharmacy discussion from this meeting, pass rates for training agencies and what actions the Board or Department can take for underperforming agencies and an update on the reorganization process within the Department.

There being no further business, the meeting was adjourned at 2:56 p.m.

Respectfully submitted,

Scott Wiebe, Secretary