



**Minutes of the
EMERGENCY MEDICAL SERVICES
March 29th, 2017**

The meeting of the Emergency Medical Services Board opened at 9:00 am in the Iris Room at 665 Mainstream Drive, Nashville, Tennessee.

CALL TO ORDER/ROLL CALL

Members of the Board present:

The Board Chair opened the meeting with a Roll Call and the following is the results:

- Chris Brooks Absent
- Jeffery Davis Present
- Kappu Deshpande Present
- Thomas Dunvant Present
- Donald Mosby Present
- Greg Patterson Present
- Brian Robinson Absent
- James Ross Present
- Chrm. Sullivan Smith Present
- Dennis Rowe Present
- Tim Strange Present
- Tyler White Present
- Jeanne Yateman Present

Ten (10) members were in attendance, a quorum was established.

Also present:

- Donna G. Tidwell Director Office of Emergency Medical Services
- Hansel Cook Assistant EMS Director
- Dr. Joe Holley State Medical Director
- Lachina McKinney Legal Counsel
- Nita Jernigan Region 3 EMS Consultant
- Brian Tompkins Region 4 EMS Consultant
- Dwight Davis Region 5 EMS Consultant
- LeeAnne Boeringer Region 6 EMS Consultant
- Teddy Myracle Region 7 EMS Consultant
- Kevin Cagle Region 8 EMS Consultant
- Randall Kirby EMS Consultant at Large
- Tory Ferguson Regulatory Board Administrative Assistant 2

APPROVAL OF THE DECEMBER 7th, 2016 MINUTES – Motion by Mr. Ross to accept and seconded by Ms. Deshpande

Motion passed on voice vote.

The Board and the audience were reminded the meeting is now live streamed by the Chairman.

Recognition

Gatlinburg Fire/EMS Department and Sevier County EMS were presented certificates in recognition of their response to the Gatlinburg/Sevier County Wildfires.

The agencies from Region 2 were also presented Certificates in Recognition of their response to the Wildfires. These were: AMR/Rural Metro Blount County, AMR/Rural Metro Knox County, Anderson County EMS, Campbell County EMS, City of Oak Ridge Fire/EMA Department, Claiborne County EMS, First Call Cocke County, Grainger County EMS, Jefferson County EMS, Life Guard Ambulance Knox County, Monroe County EMS, Morgan County EMS, Morrison Town/ Hamblin County EMS, Oak Ridge National Laboratory EMS , Priority Ambulance Knox County, Scott County EMS, Union County EMS, UT Life Star, and Life Well EMS.

The responding agencies from the Middle Tennessee Strike Teams were also recognized for their performance. These agencies were: Montgomery County EMS, Nashville Fire Department EMS, Wilson County EMA, Putnam County EMS, and, Sumner County EMS. Likewise, the East Tennessee Regional Medical Communications Center was recognized for stellar performance during the disaster.

Ms. Jeanie Hinson from La Conte Medical Center was presented a Certificate of Recognition for their support of the emergency medical services.

The Chairman had requested that EMS Consultants John Dabbs, Steve Hamby, Nita Jernigan, and Dwight Davis that manned the Command Center be recognized. Mrs. Tidwell presented these individuals with Certificates of Recognition.

OGC Report

LaChina McKinney advised the Board members to sign of the Conflict of Interest Statement after review of the policy.

Ms. McKinney advised there are 27 open EMS cases, 3 consent orders and 2 agreed orders (for today), 2 contested cases, and 1 summary suspension.

There are some Rules currently in the OGC Office that are making their way through the process. The Mobile Integrated Healthcare Rules were turned down by OGC due to no legislative basis; however, there is Legislation pending that will solve that issue.

TnPAP Report

There was not a representative present to give the TnPAP Report; however, refer to Tab 3 on the iPads for the report.

OGC Cases

Agreed Order

Respondent: Travis D. Roberts, EMT-IV, License No. 30404

The Agreed Order for Docket No. 17.34-139699A was presented by Ms. McKinney. A motion to accept the order as written was received from Mr. Mosby and seconded by Mr. Ross.

A roll call vote was held:

- Chris Brooks Absent
- Jeffery Davis Aye
- Kappu Deshpande Aye
- Thomas Dunvant Aye
- Donald Mosby Aye
- Greg Patterson Aye
- Brian Robinson Absent
- James Ross Aye
- Chrm. Sullivan Smith No
- Dennis Rowe Aye
- Tim Strange Aye
- Tyler White No
- Jeanne Yateman No

Motion carried.

Agreed Order

Respondent: Jacob A. Cavallo, AEMT License 38398

The Agreed Order for Docket No. 17.34-1140635A was presented by Ms. McKinney. A motion to accept the order as written WITH CHANGES TO THE YEAR ON Page 3 No. 11 to January 15th 2015 from January 15th, 2016 and changed the words units to hours on Page 4 was received from Mr. Davis and seconded by Ms. Deshpande.

A roll call vote was held:

- Chris Brooks Absent
- Jeffery Davis Aye
- Kappu Deshpande Aye
- Thomas Dunvant Aye
- Donald Mosby Recuse
- Greg Patterson Aye
- Brian Robinson Absent
- James Ross Aye
- Chrm. Sullivan Smith Aye
- Dennis Rowe Aye
- Tim Strange Aye
- Tyler White Aye
- Jeanne Yateman Aye

Motion carried.

At this point the OGC’s Cases were put on hold due to Ms. McKinney being involved in some discussions with legal counsel. The Chairman used his discretionary powers and altered the agenda in the interest of time.

COPEC Report

A report of the activities of COPEC and EMSC over the last year by Rhonda Phillippi. She also presented to the Board a list of Voting Members to be approved by the Board. They are: Katherine Hall (Tennessee Academy of Family Physicians), Mick Connors (Tri-Star Centennial Medical Center), Rich Wendorf (Monroe Carroll Jr, Children’s Hospital), Sheila Jones (Nashville Chapter AAP), John Wright (Le Bonhuer Hospital), Rudy Kink (Le Bonhuer Children’s Hospital), Dr. Regan Williams (Le Bonhuer Children’s Hospital), Darwin Koller (Erlanger Children’s Hospital), Dawn Morrow (Erlanger Children’s Hospital), Lori Nixon (Rural Health Association of Tennessee), Oseana Bratton (East Tennessee Children’s Hospital), Stan Clark (TASA), and Shannon Lankford (TEMSEA). The non-voting members to be nominated are Neil Kody, Brad Stroher, Samir Shaw, Deborah Sigmon, Corrie Berry, Cristina Estada, Mark Hewlitt, and Mollie Triplette.

A motion to approve came from Ms. Deshpande and seconded by Mr. Davis. A voice vote was taken and motion carried.

Mrs. Phillippi gave a description of the Star of Life Award and the winners were listed.

PRESENTATION

Mr. Jimmie Edwards came before the Board to present to Mrs. Tidwell and Dr. Smith a map of the Gatlinburg / Sevier County Wildfires that was signed by the Region 5 EMS Strike Team members in recognition of the Consultants efforts during the disaster.

SCHOOL APPROVAL

Mrs. Tidwell has received a request from Virginia Southwest Community College to allow their EMT and AEMT students to do ambulance clinical rotations in Sevier County EMS, Washington County EMS and Johnson City EMS. The services involved endorse this practice. A motion to allow these rotation was received from Ms. Deshpande and seconded by Mr. Ross. The motion passed on a voice vote.

COMMITTEE REPORTS

A. Air Ambulance Committee

Mrs. Tidwell stated they did meet and Mr. Tester could not be here due to work obligations. He asked her to report what they had talked about. They discussed drone safety and the increasing use of these devices (by the public and safety organizations) as to how it effects scene safety. The issue of helipad safety is an ongoing effort and a presentation is scheduled to be presented to the Board at the next meeting. They discussed the question as to if air medical dispatchers have to be EMTs. Their recommendation was that they should be and the Rule not be changed.

B. Clinical Issues Committee and Medical Director's Report

A report was received from Dr. Holley as to activities of the CIC.

1. The Approved Clinical Practices were reviewed as to use of multiple dose vials of epinephrine in addition to preloaded devices by EMT and AEMT. The recommendation was approved by voice vote without any dissenting vote.
2. A report was given on the development of a Policy Statement on the use of "red lights and siren" in patient transports.
3. The Committee recommended that prehospital agencies be allowed to initiate the administration of antibiotics in patients with long bone fractures. The recommendation was approved by voice vote without any dissenting vote.
4. Two (2) approved clinical practices were presented: 1) inter-facility mechanical ventilator transport and 2) transport of Home Ventilators. The Approved Clinical Practice for Inter-Facility Mechanical Ventilator Transport was discussed and was approved (with changes) without any dissention. As was the Clinical Practice for Transport of Home Ventilators.
5. A report was received on their discussion about the opioid overdose crisis.

C. Education Committee

Tim Strange gave the report from yesterday's meeting of the Education Committee.

- A recommendation was made to have the instructor's instruction hours be at a one-to-one ratio to Contact Hours as so they can be used in the appropriate categories for their licensure renewal. The recommendation was approved on a voice vote without dissension.
- A recommendation was made by David Blevins and second by Tom Herron to recommend to have all Standing EMS Committees (Sunshine Noticed) be live-streamed and video archived be available for 90 days. It was suggested that the Office of EMS investigate this and advise back at the next meeting

D. Degree Task Force

Tim Strange discussed the December 8th meeting in that it did not have a quorum but they meet tomorrow.

E. Board Chairman Election

Mr. White made the motion to elect Dr. Smith as Board Chairman and it received multiple seconds. The motion passed on voice vote without dissension (Dr. Smith recused himself).

F. Carfentanil Report

Dr. Smith and Dr. Holley reported on this illicit drug and its effects and properties.

SUMMARY SUSPENSION

Respondent Samuel Paul Rutherford, EMT, License No. 209838

Before the beginning of the proceedings, Mr. Tyler White recused himself.

Respondent was at all times pertinent hereto licensed by the Division as an EMT in the state of Tennessee, having been granted license number 209838 on June 23rd, 2016 with an expiration date of April 30th, 2018. Respondent was employed as an EMT with Medic One Medical Response in Nashville, Tennessee at all times pertinent hereto.

On March 10th, 2017, Respondent was dispatched to TriStar Southern Hills Medical Center in Nashville, Tennessee to transport a forty-three year old female patient to Caldwell County Hospital in Kentucky. En route to Caldwell County hospital, Respondent received oral sex from the patient. While at the scene of the incident and in the presence of the patient, respondent attempted to strangle himself with his belt. Clarksville Police Department was dispatched to the scene and Respondent was transported to Tennova Hospital of Clarksville for a mental evaluation. Afterward he was transported to Montgomery County Jail, where he admitted to engaging in the aforementioned act. He was placed under arrest, charged with a Sexual battery by Authority Figure (Forcible Rape), a Class C Felony, and held on \$100,000.00 bond. On March 21st, 2017 he was bound over to the Grand Jury and agreed to enter a Sexual Addiction Rehabilitation Center.

Witnesses to the above facts were John Simpson EMT (driver of the ambulance at the time of the incident) and Dwight Davis PCC Office of EMS Region 5 Consultant (investigating authority of the Office of EMS).

Finding of Facts: Motion to accept the Findings of Fact with corrections was made by Ms. Deshpande and seconded by Mr. Strange.

A roll call vote was held:

- Chris Brooks Absent
- Jeffery Davis Aye
- Kappu Deshpande Aye
- Thomas Dunvant Aye
- Donald Mosby Aye
- Greg Patterson Aye
- Brian Robinson Absent
- James Ross Aye
- Chrm. Sullivan Smith Aye
- Dennis Rowe Aye
- Tim Strange Aye
- Tyler White Recuse
- Jeanne Yateman Aye

Motion carried.

Conclusions of Law: A motion of to accept the Conclusions of Law Items 10 – 13 as presented was made by Mr. Davis and seconded by Ms. Deshpande.

A roll call vote was held:

- Chris Brooks Absent
- Jeffery Davis Aye
- Kappu Deshpande Aye
- Thomas Dunvant Aye
- Donald Mosby Aye
- Greg Patterson Aye
- Brian Robinson Absent
- James Ross Aye
- Chrm. Sullivan Smith Aye
- Dennis Rowe Aye
- Tim Strange Aye
- Tyler White Recuse
- Jeanne Yateman Aye

Motion carried.

Discipline Action: A motion of to accept the Summary Suspension as presented was made by Mr. Davis and seconded by Ms. Deshpande.

A roll call vote was held:

- Chris Brooks Absent
- Jeffery Davis Aye
- Kappu Deshpande Aye
- Thomas Dunvant Aye
- Donald Mosby Aye
- Greg Patterson Aye
- Brian Robinson Absent
- James Ross Aye
- Chrm. Sullivan Smith Aye
- Dennis Rowe Aye
- Tim Strange Aye
- Tyler White Recuse
- Jeanne Yateman Aye

Motion carried.

Policy Statement: A motion of to accept the Policy Statement as presented was made by Mr. Ross and seconded by Mr. Davis.

A roll call vote was held:

- Chris Brooks Absent
- Jeffery Davis Aye
- Kappu Deshpande Aye
- Thomas Dunvant Aye
- Donald Mosby Aye
- Greg Patterson Aye
- Brian Robinson Absent
- James Ross Aye
- Chrm. Sullivan Smith Aye

- Dennis Rowe Aye
- Tim Strange Aye
- Tyler White Recuse
- Jeanne Yateman Aye

Motion carried.

CONSENT ORDERS

Toby J. Climer, EMT, License No. 33822, Lebanon, Tennessee

Mrs. Yateman recused herself.

The Consent Order for Case No. 2015008391 was presented by Ms. McKinney. A motion to accept the Consent Order as presented was made by Mr. Ross and seconded by Mr. Mosby.

A roll call vote was held:

- Chris Brooks Absent
- Jeffery Davis Aye
- Kappu Deshpande Aye
- Thomas Dunvant Aye
- Donald Mosby Aye
- Greg Patterson Aye
- Brian Robinson Absent
- James Ross Aye
- Chrm. Sullivan Smith Aye
- Dennis Rowe Aye
- Tim Strange Aye
- Tyler White Aye
- Jeanne Yateman Recuse

Motion carried.

Kenneth Reid Newton, EMT, License No. 41921, Memphis, Tennessee

The Consent Order for Case No. 2016047571 was presented by Ms. McKinney. A motion to accept the Consent Order as presented was made by Mr. Ross and seconded by Mr. Mosby.

A roll call vote was held:

- Chris Brooks Absent
- Jeffery Davis Aye
- Kappu Deshpande Aye
- Thomas Dunvant Aye
- Donald Mosby Aye
- Greg Patterson Aye
- Brian Robinson Absent
- James Ross Aye
- Chrm. Sullivan Smith Aye
- Dennis Rowe Aye
- Tim Strange Aye
- Tyler White Aye
- Jeanne Yateman Aye

Motion carried.

Ms. McKinney needed more time to get materials of the next cases ready. So the Chairman elected to continue on with the agenda as so to save time.

DIRECTOR'S REPORT

- Mrs. Tidwell gave the NREMT Examination Pass Rate Report for the state of Tennessee.
- She gave a report on the progress of the Compact Bill. Nine (9) States have signed the compact so far. She also went into detail as to what this Bill will do.
- She gave a presentation of the Office's on line initial EMS applications.
- Train the Trainer for the Transport of Infectious Disease program to be done in April.
- Strike Team and Strike Team Leader Training will be done in April also.
- Evaluator Training will be done in the next three months.
- Change 10 was reported to hit in July 2017.
- Military Transition Gap Analysis was discussed and the progress made so far.
- Sad to report the Mr. Allen Nix from Walter State passed away.

AGREED ORDER

David Dorminey Paramedic License No. 16592 Allons, Tennessee

The Chairman recused himself and asked Mr. Ross to chair this case.

The Agreed Order for Docket No. 17.34-139698A was presented by Ms. McKinney. A motion to accept the order was made by Mr. Davis and seconded by Ms. Deshpande.

A roll call vote was held:

- | | |
|------------------------|--------|
| • Chris Brooks | Absent |
| • Jeffery Davis | Aye |
| • Kappu Deshpande | Aye |
| • Thomas Dunvant | Aye |
| • Donald Mosby | Aye |
| • Greg Patterson | Aye |
| • Brian Robinson | Absent |
| • James Ross | Aye |
| • Chrm. Sullivan Smith | Recuse |
| • Dennis Rowe | No |
| • Tim Strange | No |
| • Tyler White | No |
| • Jeanne Yateman | Aye |

The motion passed.

Dennis Alan Jones, PACC 20491, Coalmont, Tennessee

The Consent Order for Case No. 2013025231 was presented by Ms. McKinney. A motion to accept the order was made by Mr. Davis and seconded by Ms. Deshpande.

A roll call vote was held:

- | | |
|-----------------|--------|
| • Chris Brooks | Absent |
| • Jeffery Davis | No |

- Kappu Deshpande No
- Thomas Dunvant No
- Donald Mosby No
- Greg Patterson No
- Brian Robinson Absent
- James Ross No
- Chrm. Sullivan Smith No
- Dennis Rowe No
- Tim Strange No
- Tyler White No
- Jeanne Yateman No

Motion failed.

A discussion was held on the competency and clinical care of the subject. It was the general consensus that more information was needed before an order could be issued from the Board.

Being no further business a motion to adjourn was received from Ms. Deshpande and seconded by Mr. Davis. The motion carried by voice vote without opposition.