**Minutes of the**

**EMERGENCY MEDICAL SERVICES**

**December 8, 2015**

The meeting of the Emergency Medical Services Board opened at 9:00 a.m. 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 at 9 a.m. Roll call was taken following members present:

Chris Brooks (arrived9:37 a.m.)

Jeff Davis

Larry Hutsell

Donald Mosby

Brian Robinson

James Ross

Tim Strange

Robert Webb

Tyler White

Jeanne Yeatman

Dr. Sullivan Smith, Board Chair

Nine (9) members were in attendance, a quorum was established.

Board members not present:

Kappu Deshpande and Stephen Sutton

**Also present:**

Donna G. Tidwell, Director Office of Emergency Medical Services

Brandon Ward, Assistant Director

Keith Hodges, Legal Counsel

Dr. Joe Holley, State Medical Director

Nita Jernigan, EMS Consultant

Steve Hamby, Regional Consultant, Knoxville

Debbie Cox, Regional Consultant, Chattanooga

Ray Cook, Regional Consultant, Cookeville

Dwight Davis, Regional Consultant, Nashville

LeeAnne Boeringer, Regional Consultant, Columbia

Teddy Myracle, Regional Consultant, Jackson/Memphis

Tory L. Ferguson, Regulatory Board Administrative Assistant 2

The Board and the audience where reminded the meeting is not live streamed over the internet. Dr. Smith welcomed Motlow State and Southwest Community College.

**APPROVAL OF SETPTEMBER 24TH, 2015 MINUTES AND THE NOVEMBER 23RD, 2015 ELECTRONIC MEETING**

A motion to accept the minutes was made by Mr. Davis and seconded by Mr. Mosby. Motion passed with a voice vote.

**RECOGNITION**

Mrs. Tidwell came before the board and presented them with a resolution for Darren Ellenburg. Dr. Smith asked for everyone to take a moment of silence.

**REPORT FROM THE OFFICE OF GENERAL COUNSEL**

***Conflict of Interest Policy***

Mr. Hodges reviewed the conflict of interest policy.

***General Counsel Report***

Mr. Hodges reported on the number of open cases in his office.

He talked about the rule for cot restrain and reported that the AG’s office has let him know that they can waive the rule because of the finical aspect of it and presented the waived rule to the Board to look at. Mr. Hodges then read the rule for the audience. Mrs. Tidwell explained why this waiver has come about.

Mr. Ross motioned to accept the TN limited rule waiver for rule 1200-01-.02 (3)(a) and Mr. Hutsell seconded. Motion passed with a voice vote.

Mr. Hodges let the Board know that Andrea Huddleston wanted to come before them and address the Community Paramedic Rules. Ms. Huddleston read the law for the home care organization and asked some questions of the Board as well as answering their questions. Mrs. Tidwell went over how the exams will be administrated.

Mr. Hodges went over the Legislation and asked the board members to remember to review the conflict of interest waiver.

**REPORT FROM TENNESSEE PROFESSIONAL ASSISTANCE PROGRAM (TnPAP)**

TNPAP report was reviewed by the board Dr. Smith asked if anyone had any questions.

**AGREED ORDER**

***Respondent: Stacey J. Bonner, Paramedic License 26320, McMinnville, TN***

On or about March 19, 2013, Respondent’s unit responded to a call involving a forty-nine (49) year-old woman at a doctor’s office who was possibly having seizures. After Respondent’s unit arrived on the scene, the patient became combative and attempted to leave the building. Respondent and her partner requested the assistance of local police and attempted to restrain the patient until they arrived. Once the police arrived and had restrained the patient, Respondent left the scene the patient was never placed under arrest and never refused care, nor did anyone refuse care on the patient’s behalf. Respondent’s EMT-P is currently on probation in connection with a bo0ard order issued June 25, 2014. On June 25, 2014, the Board issued an Order suspending Respondent’s license pending an evaluation by the TnPAP and signing of a monitoring agreement, if such was recommended. On or about June 29, 2015, the Division was notified by TnPAP that Respondent was evaluated but declined to sign a recommended monitoring agreement. As a result, Respondent has violated the Order issued June 25, 2014.

For the purpose of avoiding further administrative action with respect to this cause, Respondent agrees to the **VOLUNTARY SURRENDER** of Respondent’s license to practice as an EMT-P to be effective immediately upon ratification of this Agreed Order by the Board. The aforementioned **VOLUNTARY SURRENDER** is a formal disciplinary action that will be reported to the National Practitioner Data Bank (NPDB). Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to challenge or contest the validity of this Agreed Order. Respondent understands that by signing this Agreed Order, Respondent is allowing the board to issue its order without further process. If the Board rejects this Agreed Order, it will be of no force or effect for either party.

Mr. Davis motioned to accept the **AGREED ORDER** as written and Mr. Strange seconded.

Chris Brooks-Aye

Jeff Davis-Aye

Kappu Deshpande-Absent

Larry Hutsell-Aye

Donald Mosby-Aye

Brian Robinson- Aye

James Ross- Aye

Tim Strange- Aye

Stephen Sutton- Absent

Robert Webb-Aye

Tyler White-Aye

Jeanne Yeatman-Aye

Dr. Sullivan Smith-Aye

Motion passed.

***Respondent: Michael Myers, AEMT License 38633, Morristown, TN***

Mr. Strange recused himself from this case.

In or around December 2013 Respondent took photographs of paramedic exam question, which he later shared with other students while enrolled in the Walter State Community College paramedic program in Morristown, TN.

For the purpose of avoiding further administrative action with respect to this cause, Respondent agrees to the **SUSPENSION** of his AEMT license with lifting of said suspension to be conditional on the following:

1. Respondent must complete a three-hour, online EMS Ethic course. Said course must be approved by the Office prior to taking.

When the Office receives notice that Respondent has satisfied the aforementioned condition, the suspension of Respondent license will be lifted without further board action. Upon lifting of the suspension, Respondent’s license shall be place on **PROBATION** for a period of one (1) year. Said probation will be lifted at the end of the one (1) year period without further Board action. The aforementioned **SUSPENSION** and **PROBATION** are formal disciplinary actions that will be reported to the NPDB.

Mr. Hutsell motioned to accept the **AGREED ORDER** as written and Mr. Ross seconded.

Chris Brooks-Aye

Jeff Davis-Aye

Kappu Deshpande-Absent

Larry Hutsell-Aye

Donald Mosby-Aye

Brian Robinson-Aye

James Ross-Aye

Tim Strange- Recuse

Stephen Sutton-Absent

Robert Webb-Aye

Tyler White-Aye

Jeanne Yeatman-Aye

Dr. Sullivan Smith-Aye

Motioned passed.

**LETTER OF REPRIMAND**

***Respondent: Rhiana Flanagan, EMT-P License 31114, Bartlett, TN***

Mr. Mosby recused.

On or about June 6, 2014 Respondent compromised a patient’s protected health information on Facebook, in violation of the Health Insurance Portability and Accountability Act. This conduct is not consistent with the high standards that are required for a licensed health care professional. This letter is to **REPRIMAND** the Respondent for such conduct. Should Respondent violate any statute, rule, or regulation which governs Respondent’s EMT-P licensure, this reprimand may be used to enhance any punishment administered for such violation(s). This reprimand is a formal disciplinary action and is reportable to the NPDB. Respondent agrees with the **LETTER OF** REPRIMAND.

Mr. Ross motioned to accept the **LETTER OF REPRIMAND.** Dr. Brooks seconded.

Chris Brooks-Aye

Jeff Davis-Aye

Kappu Deshpande-Absent

Larry Hutsell-Aye

Donald Mosby-Recuse

Brian Robinson- Aye

James Ross- Aye

Tim Strange- Aye

Stephen Sutton- Absent

Robert Webb-Aye

Tyler White-Aye

Jeanne Yeatman-Aye

Dr. Sullivan Smith-Aye

Motion passed.

**COMMITTEE REPORT**

***Air Ambulance Committee***

Mr. Byrd reported the committee met and has come up with the Air Ambulance Equipment list language and will be sent to Mr. Hodges then the board. He reported the equipment list is close to being done and should be done by January. It will then be sent to the Clinical Issues Committee (CIC) for review. Mr. Byrd announced he will be stepping down as the chair of the Air Ambulance Committee as well as stepping off the Committee.

***Ambulance Committee***

Mrs. Tidwell reported Chair Jimmie Edwards could not be present, but had provided the Board with a report on the ambulance construction and where they are now. CAAS standard documents should to be released late October 2015, the Committee has decided to wait until the document is available before completing recommendations to the board on standards.

***Clinical Issues Committee (CIC)***

Mrs. Tidwell gave a CIC report for Dr. Holley who could not be at the meeting.

***Committee of Pediatric Emergency Care (CoPEC)***

Mrs. Tidwell stated that Mrs. Phillippi could not be at the meeting that morning, but would try to be there later.

***Education Committee***

Mr. Strange came with to recommendation from the Education Committee. The first recommendation was motioned by Mr. Strange that the student to instructor ratio for an AEMT, Paramedic and Paramedic Critical Care program change to a 1 to 8 ratio and the EMT program stay at the 1 to 12 ratio. Ms. Yeatman and Mr. Mosby seconded. Motion passed with a voice vote

The seconded recommendation was to allow all levels of renewal to be allowed to use a leadership program for 50% of their CEH’s. Mr. Strange motioned that they allow all levels of license be allowed to use 50%, excluding pediatric, of there CEH’s to come from a leadership program. Mr. Davis seconded.

Motion passed with a voice vote. Mr. Strange then motioned for the prior motion to start immediately and seconded by Mr. Davis. Motion passed with a voice vote.

**DIRECTORS REPORT**

Mrs. Tidwell reviewed the National Registry report for the fourth quarter pass rate for each program except for AEMT; she pulled the third quarter for this program.

She then stated that she has two (2) notifications for two (2) new interim directors.

Mrs. Tidwell then went over the committee structures and stated that the application will be going out with a deadline date for some time in February to have them back in. Once they are in they will bring it before the Board in March to vote on to start in June.

**OLD BUSINESS**

No old business

**NEW BUSINESS**

Mrs. Tidwell went over a program that will allow an individual to upload their CEH’s into a program for free and it will keep up with them. This program will help to not only keep up with the CEH’s; it will also cut down on how many audits will have to go out each month. If an individual has the CEH’s in this program we can go check it and see if they are in compliance. Mr. Strange motioned to accept the CEBroker program and Mr. Hutsell seconded. Motion passed.

Dr. Smith stated that they needed to have nomination for a new chair for the Board.

Mr. Hutsell motioned to re-nomonate Dr. Smith as chair of the board and Mr. Strange seconded.

Motion passed.

Meeting was adjourned.