



**Minutes of the
EMERGENCY MEDICAL SERVICES BOARD
Thursday, June 27, 2024
Iris Room at 665 Mainstream Drive, Nashville, Tennessee**

Day 2 - Thursday, June 27, 2024

To view a recording of the December 7th meeting, please follow the link below:
<https://tdh.streamingvideo.tn.gov/Mediasite/Play/a016c2ef92f94df19daaf577885db6811d>

CALL TO ORDER/ROLL CALL

- The meeting was called to order by Chairman Steve Hamby. The roll was called, finding 12 members present and Tim Bell absent, a quorum was declared.

<i>Board Member's Name</i>	<i>Present</i>	<i>Absent</i>	<i>Board Member's Name</i>	<i>Present</i>	<i>Absent</i>
Chairman Steve Hamby	X		Vice-Chairman Greg Miller	X	
Jeffrey Bagwell	X		Shannon Morphis	X	
Tim Bell		X	Joyce Noles	X	
David Blevins	X		Stacy Prater	X	
Jeanie Diden	X		Jason Tunstall	X	
Drew Hooker	X		Chris Wheat	X	
Dr. Jared McKinney	X		<i>12 Members Present, 1 Member(s) Absent = Quorum</i>		

**Also,
present:**
Brandon
Ward,

Director - Office of Emergency Medical Services
 Hansel Cook, Assistant EMS Director
 Tory Ferguson, Regulatory Board Administrative Assistant 3
 Ronda Webb-Stewart, Senior Associate Counsel – Office of General Counsel - EMS Board Advisory Attorney
 Kertyssa Smalls, Senior Associate Counsel – Office of General Counsel

DIRECTOR'S REPORT

- Director Brandon Ward presented the report. The buckle guard device was discussed. The device has been removed from all straps and are stored separately in a cabinet. They will be used, when necessary, as per the service policies and manufacturer recommendations. Director Ward states that he believes that the devices will be used as the Board and office intends them to be.

OGC REPORT

- Ms. Ronda Webb-Stewart, Senior Associate Counsel – Office of General Counsel - EMS Board Advisory Attorney presented the OGC report, beginning with the conflict-of-interest statement.
- Approximately 92 open cases currently. 26 additional complaints/investigations will be coming before the Case Review group within the next month.
- Emergency Pay Supplement rules are active and were presented to Government Operations committee earlier in the week. The permanent rules will be reviewed for changes today by the Board.

- Air Ambulance rules are undergoing internal review process.
- Other proposed rule changes to be discussed (disciplinary modifications, good moral character letters, EMT to Paramedic, air ambulance)
- Discussed Public Chapter 893 - advertisement of profession. Urged licensees to review this public chapter and how it may be related to EMS.
- Public Chapter 921 concerning citizenship requirements. ‘Lawful presence’
- Public Chapter 924 applicants that come before the Board with mental health or career fatigue have the option to discuss these applications in an executive session with the Board out of the public view. The process for this and its application is currently under review.
- Public Chapter 944 - Board has the authority to issue advisory opinions or statements upon request.
- Public Chapter 1030 – Violations of public meetings act can result in litigation. Ms. Webb-Stewart warns member about the dangers of potential conflicts of interest. 2 members or more speaking or conversing in any way is considered a meeting.
- Public Chapter 1061 – Family’s rights and responsibilities act deals with parental consent for Emergency Medical Services. In an emergency, a minor in need of treatment requires blanket consent or other consent from the parent to render treatment. This is in the last section of this public chapter.

PAY SUPPLEMENT CHANGES

- Ms. Webb-Stewart reviewed changes to pay supplement rule with members. There was discussion of the approval process of education. There was also discussion about potential addition of adding a condition or definition of eligibility for disciplinary action. The members were polled about a “denial” or enhanced eligibility for the pay supplement. All present signified they were in-favor by raising their hands.
- A recess was called for approximately 20 minutes due to a Fire Alarm in the office building.
- Upon resumption, the Chair indicated an off-topic note that the Morris – McDaniel contract for critical care was in effect until 06/30/2027. It is a sole source contract.
- The language in the Pay Supplement proposed rule was discussed in a line-by-line review.
- Inservice training course eligibility submission methods were discussed. It was noted that the ambulance service was the agency of record for the submitted hours.
- ***A motion was duly made by Greg Miller and properly seconded by Shannon Morphis that language in section A be edited to include “pursuant to TCA 68-140-335, to be eligible for the training pay supplement, a licensed ambulance service must submit to the department the Board approved roster listing all eligible personnel within 30 business days upon request from the department” rather than “approved program”. The motion passed on a voice vote will all present in favor and 1 member absent.*** Mr. Aaron Kinser was asked to provide information related to the forms that may potentially be used to submit information related to attestation of training.
- ***A motion was duly made by Greg Miller and properly seconded by Jeffrey Bagwell to strike section B. The motion passed on a voice vote will all present in favor and 1 member absent.***
- ***A motion was duly made by Greg Miller and properly seconded by Chris Wheat to add the word ‘Ambulance Service’ into the definition where groups are listed under section H. The motion passed on a voice vote will all present in favor and 1 member absent.***
- ***A motion was duly made by Greg Miller and properly seconded by Jason Tunstall to change the language of section G to add “the Ambulance Service providing the training or validating the eligible personnel shall be the Custodian of Records” in section G. The motion passed on a voice vote will all present in favor and 1 member absent.***
- 10-minute break at 11:11 2:10:52
- ***A motion was duly made by Shannon Morphis and properly seconded by Dr. Jared McKinney to change section (3)(a) by removing 1-6 and adding new language “shall provide a certificate of completion for each class, course, or component of the 40-hours.’ The motion passed on a voice vote will all present in favor and 1 member absent.***
- ***A motion was duly made by Greg Miller and properly seconded by Jason Tunstall to remove any language stating \$800 and only use the wording ‘training pay supplement’. The motion passed on a voice vote will all present in favor and 1 member absent.***

- Disciplinary action – A suggestion was made by Ms. Smalls regarding licensees that receive disciplinary action on their license may have the supplement eligibility removed in the consent order or by the Board when crafting disciplinary action at a contested case hearing.
- A proposed form for submission of the supplement information was presented to the Board to review. The form would then require further review by the forms committee and finance offices.
- A clarification that the individuals must be a licensed full-time employee of an ambulance service and complete the appropriate required hours.
- There was a discussion of the attestation portion of the form having the wording ‘To the best of my knowledge’ in the section for the training coordinator. ***A motion was duly made by Greg Miller and properly seconded by Drew Hooker to add the wording “To the best of my knowledge” in the section for the Training Coordinator attestation statement. The motion passed on a voice vote with all present voting in favor and 1 member absent.***
- After completing discussion and changes above, ***a motion was duly made by Greg Miller and properly seconded by Jeffrey Bagwell to accept the EMS Training Stipend rules with the edits. The motion passed on a voice vote with all present in favor and 1 member absent.***

A lunch break was taken from 1152-1252.

DISCIPLINARY PROCESS/MATRIX

- Ms. Webb-Stewart provided a document for the Board to review related to proposed changes to the disciplinary process as related to case review process and other enforcement matters. She provided handouts for the members outlining the proposed process.
- Ms. Webb-Stewart and Ms. Smalls provided a historical document of disciplinary actions to the members that she wished for them to review and return with feedback on September 18th-19th about potential ideas and suggestions going forward for more streamlined, consistent, and reasonable discipline. The idea to provide a framework for future cases, case reviews, and screening panels. The OGC would like to be able to carry out the will of the Board and provide consistency.
- Ms. Smalls addressed questions about the Summary Suspension procedure.
- Ms. Webb-Stewart reviewed other proposed rule changes related to disciplinary action, screening panels, and using a Board Consultant. A screening panel would serve as a “pre-hearing” that would allow for a recommendation for discipline. This would be a group of 3 consisting of no more than one Board member and a Board Consultant. Multiple screening panels could run simultaneously. The respondent could request a screening panel in some instances in lieu of an agreed order for instance. The screening panel allows for a more informed process. The eligible licensee can bring material related to their case, an attorney, and or witnesses.
- ***A motion was duly made by Drew Hooker and properly seconded by Shannon Morphis to change the rule language in 1200-12-01-.17 Unethical Practices and Conduct, adding a section 2 and add new sections 1200-12-01-.23 and .24. The roll was called, all 12 members present voted in favor, Tim Bell was absent. The motion passed.***
- There was a discussion regarding a proposed Screening Panel policy, composition, and procedures. The parameters and process was discussed. Drew Hooker mentioned that an active Paramedic for the screening panel may be beneficial to provide a ‘peer’ perspective. ***A motion was duly made by Chris Wheat and properly seconded by Jeffrey Bagwell to approve the policy for the screening panel with the changes made. The roll was called, all 12 members present voted in favor, Tim Bell was absent. The motion passed.***

CLINICAL ISSUES VICE CHAIR APPOINTMENT

- ***A motion was duly made by Greg Miller and properly seconded by Drew Hooker to appoint David Burdett to the role of Vice Chair of the Clinical Issues Committee. The motion passed on a voice vote with all present in favor and 1 member absent.***

EDUCATION COMMITTEE cont.

- Mr. Greg Johnson, Chair of the Education Committee came to the Board to answer questions related to the Practical Handbook. The item was tabled yesterday’s meeting to allow time for review by the members. ***A motion was duly***

made by Greg Miller and properly seconded by Drew Hooker for approval of the handbook as presented. The motion passed on a voice vote will all present in favor and 1 member absent.

ADDITIONAL MEETING DATE FOR ENFORCEMENT MATTERS

- Ms. Webb-Stewart requested an additional date of Monday, September 30th. The Board members were polled and indicated that a quorum could be present.

A 10-minute recess was called at 1358.

NEW BUSINESS

- David Blevins presented a request for the education committee to review potential action steps for educational institutions should an unanticipated event occur, that would inhibit the normal operation of the system. Director Ward opined that the Board had the decision to make, but in the past, other agencies outside of the EMS department made these decisions. *A motion was duly made by Drew Hooker and properly seconded by Jason Tunstall to send to the Education Committee to review the necessity of a continuity of education plan from the CAAHEP document. The motion passed on a voice vote will all present in favor and 1 member absent.*
- Stacy Prater presented information on LifeForce Air Medical “Operation K9 Cain” to the Board members. This is intended to be a transport mechanism for working K9 (dog) officers that are injured. Mr. Prater appeared before and received permission from the TN Veterinary Board for a pilot project for LifeForce to transport K9 officers and will receive training and treatment guidelines related to this area. Mr. Prater also outlined the process that would be used for a transport in the aircraft. *A motion was duly made by David Blevins and properly seconded by Drew Hooker to approve a pilot program for LifeForce Air Medical to transport K9 officers and military K9 officers injured in or out of the line of duty and will report to the board annually.* During discussion, Greg Miller asked if this was formalized in writing. Ms. Webb-Stewart stated it was in the minutes of the Veterinary Board and that Board had also agreed to allow a Veterinary physician medical director to provide oversight for this program. Training and other necessary steps will also be formalized for the process and are included in a policy and procedure. The decontamination process were discussed as well. Mr. Prater stated the process would be akin to a COVID decontamination and opinions were provided by both medical and veterinary physicians. *The roll was called, and 11 members voted in favor, Mr. Prater recused, and 1 member was absent.*

PUBLIC COMMENT

- No requests

OLD BUSINESS

Mr. Prater asked if we could have a representative from Morris – McDaniel to attend the Education Committee meeting soon to address the critical care test process. *A motion was duly made by David Blevins and properly seconded by Jeanie Diden for this request. The motion passed on a voice vote will all present in favor and 1 member absent.*

The meeting was adjourned at 1450 hours.