



**Minutes of the
EMERGENCY MEDICAL SERVICES BOARD
Disciplinary Hearing
Monday, February 26, 2024
Iris Room at 665 Mainstream Drive, Nashville, Tennessee**

To view a recording of the February 26th meeting, please follow the link below:
<https://tdh.streamingvideo.tn.gov/Mediasite/Play/76b7af992e844b4b81e329846f26310c1d>

Day 1 - Monday, February 26, 2024

CALL TO ORDER/ROLL CALL

- The meeting was called to order at 0901 by Chairman Steve Hamby. Finding 12 members present and 1 absent, a quorum was established.

<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 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
 Britnei Outland, EMS Data Manager
 Chad Brown, EMS Consultant Region 6
 Aaron Kinser, EMS Consultant At-Large
 Ronda Webb-Stewart, Senior Associate Counsel – Office of General Counsel
 Timothy Peters, Senior Associate Counsel – Office of General Counsel

CONTESTED CASES

- 17.34-232129a Tennessee Department of Health V. Zachary Lewis
- 17.34-232131a Tennessee Department of Health V. Johnathan Porchia

- 17.34-232738a Tennessee Department of Health V. Jacob Harper
- 17.34-221856a Tennessee Department of Health V. Chad Till – *Continued to a future date*
- The Honorable Judge Kim Summers, Administrative Law Judge was assigned to the Board on this date.
- The hearing docket and process of hearing were explained. Attorneys for the department and the respondents were introduced.
- Jason Tunstall stated that he believed he would need to recuse himself due to Affiliation with the Memphis Fire Department.
- Mr. Tim Peters provided opening statements for the State. The attorney for the respondents, Mr. Kevin Snider provided an opening statement as well.
- A series of body cam videos were played for the members.
- A brief recess was taken.
- Ms. Katrina Stewart was sworn in before the Board via Webex as a witness. Both Mr. Tim Peters and Mr. Kevin Snider asked questions of Ms. Stewart.
- Judge Summers swore in all 3 respondents prior to them providing testimony. Mr. Harper took the stand first. He answered questions of the State and Mr. Snider. The Board members then asked questions. Mr. Harper was then excused.
- Mr. Johnathan Porchia was then called to the stand. He answered questions of the State and Mr. Snider. The Board members then asked questions. Mr. Porchia was then excused.
- Mr. Zachary Lewis was then called to the stand. He answered questions of the State and Mr. Snider. The Board members then asked questions. Mr. Lewis was then excused. A recess was taken at 11:45 for lunch. The meeting resumed at 12:15pm.
- The State ended their proof.
- The Defense called Deputy Chief Angie Sullivan of the Memphis Fire Department to the stand. She was sworn in and was asked questions by the defense, the State, and the Board members. Chief Sullivan was then excused.
- Closing statements were provided by Mr. Peters and Mr. Snider.
- Judge Summers provided the Board with deliberation instructions, noting that each respondent would be deliberated upon separately.

Jacob Harper, License # 210492

- The Board members discussed the various aspects of the case as they perceived it.
- The Judge requested the Board determine if the State had met burden of proof of violations.

A motion to accept numbers 27 and 28 of the alleged violations was duly made by Greg Miller and properly seconded by Drew Hooker. The motion passed.							
<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>	<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent			Ayes 11; Nays 0; Recusal 1; Absent 1 - Motion Passed			

A motion to accept Findings of Fact with exception of editing *Paramedic to AEMT* in the first section was duly made by Greg Miller and properly seconded by Stacy Prater. The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent				<i>Ayes 11; Nays 0; Recusal 1; Absent 1 - Motion Passed</i>			

A motion to adopt the Conclusions of Law part 27 and 28 (minus 6,8,13, and paragraph 29) by Greg Miller and properly seconded by Drew Hooker. The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent				<i>Ayes 11; Nays 0; Recusal 1; Absent 1 - Motion Passed</i>			

A motion to Disciplinary Action of “Probation of 4 years, EMS refresher at AEMT level, 4 hours of patient assessment training, 4 hours resuscitation training, 4-hour ethics course, 4-hour internal policy training, 4-hour trauma course”. The motion was properly seconded by Greg Miller requesting change licensure level to AEMT and add “Board Approved” to all training. The Judge requested a 10-minute recess. The motion was later withdrawn to re-address the Conclusions of Law

A motion to adopt the Conclusions of Law part 27 and 28 (remove paragraph 6 and first part of paragraph 8 leaving in “otherwise engaging in unethical practices or conduct” by Greg Miller and properly seconded by Jeff Bagwell. The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent	<i>Ayes 10; Nays 1; Recusal 1; Absent 1 - Motion Passed</i>					
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A motion to Disciplinary Action of “Probation of 4 years, EMS refresher at AEMT level, as well as 4 hours of patient assessment, 4 hours resuscitation training, 4 hours of ethics, 4 hours internal protocol training, 4 hours trauma to be completed within 1 year” was duly made by Drew Hooker and was properly seconded by Jeffrey Bagwell. After discussion, the motion passed.

<i>Board Member’s Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>	<i>Board Member’s Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent			<i>Ayes 8; Nays 3; Recusal 1; Absent 1 - Motion Passed</i>			

A motion to accept policy statement exclude word “suspension” and substitute “probation” was duly made by David Blevins and properly seconded by Jeffrey Bagwell. The motion passed.

<i>Board Member’s Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>	<i>Board Member’s Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent			<i>Ayes 8; Nays 3; Recusal 1; Absent 1 - Motion Passed</i>			

Johnathan Porchia, License # 211589

A motion was duly made by Jeffrey Bagwell and properly seconded by Tim Bell that no proof of violation was made by the State. After discussion by several of the Board members, the roll was called, and the motion failed.

<i>Board Member’s Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>	<i>Board Member’s Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent			<i>Ayes 2; Nays 9; Recusal 1; Absent 1 - Motion Failed</i>			

A motion was duly made by Joyce Noles and properly seconded by Chris Wheat that proof of violation was made by the State. The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent				<i>Ayes 9; Nays 2; Recusal 1; Absent 1 - Motion Passed</i>			

A motion to accept the Findings of Fact was duly made by Greg Miller and properly seconded by Joyce Noles. It was also noted that "Collierville" would be changed to "Memphis". The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent				<i>Ayes 11; Nays 0; Recusal 1; Absent 1 - Motion Passed</i>			

A motion was duly made by Shannon Morphis and properly seconded by Stacy Prater to accept Conclusions of Law with the removal of number 6 and a change on 8 to "engaging in unethical practices or conduct". The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent				<i>Ayes 9; Nays 2; Recusal 1; Absent 1 - Motion Passed</i>			

A motion to Disciplinary Action of "Probation of 4 years, EMS refresher at AEMT level, as well as 4 hours of patient assessment, 4 hours resuscitation training, 4 hours of ethics, 4 hours internal protocol training, 4 hours trauma to be completed within 1 year" was duly made by Drew Hooker and was properly seconded by Stacy Prater. After discussion, the motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent				<i>Ayes 8; Nays 3; Recusal 1; Absent 1 - Motion Passed</i>			

A motion to accept the policy statement was duly made by Greg Miller and properly seconded by David Blevins. The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent				<i>Ayes 10; Nays 1; Recusal 1; Absent 1 - Motion Passed</i>			

Zachary Lewis, License #210964

A motion was duly made by Greg Miller and properly seconded by Jeanie Diden to move forward with the hearing

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent				<i>Ayes 9; Nays 2; Recusal 1; Absent 1 - Motion Passed</i>			

A motion was duly made by Greg Miller and properly seconded by Stacy Prater to accept the Findings of Fact as presented. The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>		<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent			<i>Ayes 9; Nays 2; Recusal 1; Absent 1 - Motion Passed</i>			

A motion was duly made by Greg Miller and properly seconded by Joyce Noles to accept the Conclusions of law as presented. The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>	<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent			<i>Ayes 9; Nays 2; Recusal 1; Absent 1 - Motion Passed</i>			

A motion was duly made by Drew Hooker and properly seconded by Greg Miller for “suspension for 6 months, probation for 4 years, Paramedic Refresher, 4 hours of resuscitation, 4 hours ethic, 4 hours of internal policy training all to be completed within 1 year”. After discussion, it was decided to amend the motion to remove the “6-month suspension”. The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>	<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent			<i>Ayes 10; Nays 1; Recusal 1; Absent 1 - Motion Passed</i>			

A motion was duly made by David Blevins and properly seconded by Jeff Bagwell the Policy Statement after removing suspension and replacing with probation. The motion passed.

<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</i>	<i>Board Member's Name</i>	<i>Aye</i>	<i>Nay</i>	<i>Recused</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	Absent			<i>Ayes 10; Nays 1; Recusal 1; Absent 1 - Motion Passed</i>			

The February 26th meeting was adjourned at 3:10 pm.