



**Minutes of the
EMERGENCY MEDICAL SERVICES BOARD
Wednesday, September 20, 2023
Iris Room at 665 Mainstream Drive, Nashville, Tennessee**

To view a recording of this meeting, please follow the link below:
<https://tdh.streamingvideo.tn.gov/Mediasite/Play/ab762f75eab648a69f0d3cb8653f10b11d>

CALL TO ORDER/ROLL CALL

- Office of EMS Director Brandon Ward called the group to order, acting as the moderator. As this was the first meeting of a newly appointed Board, all members were asked to introduce themselves to the other attendees and those viewing the meeting online. It was noted at the conclusion of the introduction that all 13 members of the Board were present.
- The first order of business was the nomination of a new Chairperson. David Blevins nominated Steve Hamby for consideration. Drew Hooker Nominated Greg Miller for consideration. Nor further nominations were made.

Ms. Tory Ferguson conducted a roll call. Mr. Steve Hamby was elected as the Chairman.						
<i>Board Member's Name</i>	<i>Hamby</i>	<i>Miller</i>	<i>Board Member's Name</i>	<i>Hamby</i>	<i>Miller</i>	
Steve Hamby		X	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>Hamby: 7 votes Miller: 6 votes</i>			

- Mr. Hamby gave a brief introduction and thanked the members for their support.

Also, present:

Brandon Ward, Director - Office of Emergency Medical Services
 Hansel Cook, Assistant EMS Director
 Tory Ferguson, Regulatory Board Administrative Assistant 3
 Dr. Joe Holley, Medical Director
 Timothy Peters, Senior Associate Counsel – Office of General Counsel
 Matthew Gibbs, Deputy General Counsel – Office of General Counsel
 Russell Gupton, EMS Consultant at-large
 Britnei Outland, EMS Data Manager
 Jonathan Beaty, Region 2 EMS Consultant
 Nita Jernigan, Region 3 EMS Consultant
 Brian Tompkins, Region 4 EMS Consultant
 Dwight Davis, Region 5 EMS Consultant

APPROVAL OF MINUTES

- *A motion was duly made by David Blevins and properly seconded by Drew Hooker for the minutes to stand as read for the June 21, 2023, meeting. The vote was unanimous.*

CONTESTED CASE HEARINGS

- The Honorable Judge Phillip Hilliard introduced himself and provided a brief overview of the process. He then called the 3 cases on the docket for this meeting and confirmed that 2 of the 3 respondents were present. Both respondents indicated they were not represented by counsel and intended to represent themselves. A short recess was taken to allow Mr. Timothy Peters to have a chance to meet with both respondents present.

During the brief recess mentioned above, the following were discussed:

SCHEDULING OF FUTURE BOARD MEETINGS

- December 6-7 with an additional date of December 8, 2023, was discussed with the members. It was determined that a majority of the quorum (7) of the members could be present on that day. It was determined the 8th would be added.
- Wednesday, January 10th, 2024, was also selected and confirmed as an additional date, with that meeting being held in the Poplar room.

UPDATES TO AIR AMBULANCE RULES

- At the June meeting, the previous Board approved revisions to the Air Ambulance rules. These proposed changes were provided to the members for review.

CONTESTED CASE HEARINGS (resumed)

Michael Cronan, License #19561 –Substance Abuse & Criminal Violation

- The Judge asked all members to introduce themselves for the record and the court reporter and established a quorum. Judge Hilliard then provided rules, instructions, and procedures related to the cases to the Board members, as well as reviewed documents pertaining to the case.
- Mr. Cronan confirmed that he was representing himself. He is called as a witness by the state and provides testimony, citing his history and treatment since the incident.
- Board members were allowed an opportunity to ask questions of Mr. Cronan. He provided a letter of reference. Ms. Teresa Phillips, Executive Director of TNPAP was sworn in as a witness and provided testimony in support of Mr. Cronan’s progress in the TNPAP program.
- Judge Hilliard provided charging instructions to the Board.

A motion to adopt the Findings of Fact opening paragraph with the amended notice of charges, and sections 1-4 was duly made by Greg Miller, and properly seconded by Drew Hooker. The motion passed unanimously after a roll call.							
<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	X			<i>Ayes 13; Nays 0 - Motion Passed</i>			

A motion to adopt the Conclusions of Law as stated for sections 2, 5, & 6 was duly made by Tim Bell and properly seconded by David Blevins. The motion passed unanimously on a voice vote

<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	X				<i>Ayes 13; Nays 0 - Motion Passed</i>			

There was significant discussion regarding proposed discipline. A motion to place the respondent on Probation for a period of 6 months and strike sentence #2 in section 7 as a disciplinary action was duly made by Tim Bell and properly seconded by Jason Tunstall. There was further discussion about inclusion of suspension for non-compliance as well as length of probation. 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		X			<i>Ayes 4; Nays 9 - Motion FAILED</i>			

A motion to “place license on suspension upon ratification for period of 6 months but is stayed under the following: 7. Remove language after 6 months”; was duly made by Drew Hooker and properly seconded by Jeff Bagwell. There was discussion about the context and intention of the motion. It was noted that the intent of the motion was not to suspend the respondent, but to stay the suspension unless the respondent failed to meet the stipulations of the order. The motion passed. A brief 10-minute recess was taken at the Judge’s request.

<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	X				<i>Ayes 13; Nays 0 - Motion Passed</i>			

After the recess, the Board resumed discussing the remainder of the Disciplinary Action. A motion for approval of III ORDER 8-11 as presented was duly made by Tim Bell and properly seconded by David Blevins. Discussion about clarification of length of probation of 3 years from this date and proposed length. After a roll call vote, 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	X			<i>Ayes 11; Nays 2 - Motion Passed</i>			

A motion was duly made by Tim Bell and properly seconded by Jeffrey Bagwell to adopt policy statement 4 in its entirety, with removal of the last sentence in paragraph 1. The motion passed unanimously.

<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	X			<i>Ayes 13; Nays 0 - Motion Passed</i>			

The cases were paused until after a lunch break until approximately 1p.m.

ELECTION OF VICE-CHAIR

- Greg Miller was elected as the Vice-Chairman after a nomination was duly made by Drew Hooker and finding all members in favor of the election.

CONTESTED CASE HEARINGS (resumed)

Bobbie Michelle McCracken, License # 24336 – Criminal Violation, Substance Abuse, Unethical Practices & Conduct

- Chairman Hamby recused himself from this case and Vice-Chair Miller assumed the role.
- Ms. McCracken introduced herself and acknowledged that she was representing herself in this matter with Mr. Tim Peters representing the department.
- Judge Hilliard reviewed the technical record of the case for entry by the court reporter. An opening statement was then made by Mr. Peters and Ms. McCracken. Mr. Peters then called Ms. McCracken as a witness, providing testimony. Ms. McCracken was then allowed to read a statement that she had prepared. Several Board members asked questions of Ms. McCracken. Ms. Teresa Phillips, Executive Director of TNPAP provided an overview of the positive progress of the respondent in the TNPAP to the members.
- Mr. Peters and Ms. McCracken provided a closing. Judge Hilliard provided charging instructions to the Board members.

A motion was duly made by Tim Bell and properly seconded by David Blevins to accept the Findings of Fact 1-8, to include correction to read 60-day outpatient and correct date to November 29, 2023. 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			Abstain
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>Ayes 11; Nays 0; 1 Abstention; 1 Recusal - Motion Passed</i>			

A motion was duly made by Drew Hooker and properly seconded by Shannon Morphis to accept Conclusions of Law 9-11 as written. 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			Abstain
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>Ayes 11; Nays 0; 1 Abstention; 1 Recusal - Motion Passed</i>			

A motion was duly made by Jason Tunstall and properly seconded by Jeffrey Bagwell to approve the Disciplinary action as written. 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	X			<i>Ayes 6; Nays 6; 1 Recusal - Motion Failed</i>			

A motion was duly made by Tim Bell and properly seconded by Joyce Noles for striking 12-14, suspension for 60 days, then placed on probation for 360 days, an ethics class of not less than 3 hours, and completion of current TNPA. Respondent must return to Board if terms are violated. Ethics must be completed within 90 days. 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		X		<i>Ayes 3; Nays 9; 1 Recusal - Motion Failed</i>			

A motion was duly made by Drew Hooker and properly seconded by Chris Wheat for suspension for 18 months, stayed following 9 months after continuation of TNPAP, 2-year probation, 6 hours of ethics. 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	X			<i>Ayes 11; Nays 1; 1 Recusal - Motion Passed</i>			

A motion was duly made by Drew Hooker and properly seconded by Shannon Morphis to approve the Policy Statement after striking the word revocation and replacing with 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	X			<i>Ayes 12; Nays 0; 1 Recusal - Motion Passed</i>			

A motion was duly made by David Blevins and properly seconded by Dr. Jared McKinney to approve the Proposed Order opening paragraph as written. 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	X			<i>Ayes 12; Nays 0; 1 Recusal - Motion Passed</i>			

- A brief recess was taken to allow the Judge, Ms. McCracken to review order language. Judge Hilliard reviewed all the perceived Board intention of disciplinary action with the Board, the respondent, and Ms. McCracken.
- **The matter of the TDH vs Winesha Patterson, License #39537 was postponed at the request of OGC in order to prove adequate service of the respondent, as she was not present.**

APPLICANT APPROVALS

- Ms. Jillian Simmons appeared before the Board to request upgrade of her current EMT license on probation. Mr. Matt Gibbs explained the conditional license approval agreement to the Board members. ***A motion was duly made by Drew Hooker and properly seconded by Jeffrey Bagwell to approve the conditional licensure agreement. The motion carried on a unanimous voice vote.***
- Mr. Gibbs asked the Board if they would like to continue with the conditional licensure agreement route in the future when a licensee wishes to upgrade an encumbered license. The licensee would sign the agreement and the Board would then vote on its approval. The members indicated their support.
- Mr. Todd Wiencek appeared before the Board in reference to request an alternate to the agreed disciplinary action from a previous Board action. Mr. Wiencek signed a consent order in September 2022 wherein he agreed to the traditional TNPAP order with the provision of suspension if the respondent failed to comply with the recommendation. The license is currently in a suspended status due to failing to complete TNPAP monitoring agreement. Mr. Wiencek provided his account of the situation to the members. There were several questions from the Board members to Mr. Wiencek about the situation. Mr. Matt Gibbs stated that there was no reconsideration authority by the Board on this matter. The order is a contract and had been signed. The program was not started, so the license remains in suspended status until the conditions are met. No further action was taken.
- Ms. Kevin McCants came before the Board to request clarification about reinstatement of a suspended/expired license. It was clarified that he could meet the requirements of his original agreed order and the reinstatement process. The TNPAP process was also discussed.
- Ms. Shanida Robinson came before the Board to request approval of her CBC allowing for licensure via reciprocity. Ms. Robinson provided numerous letters of support and moral character. ***A motion was duly made by Greg Miller and properly seconded by David Blevins to grant the license. The motion passed on a voice vote.***
- Mr. Matthew Singleton came before the Board to provide further information, medical certification, and letters of support from colleagues as requested by the previous Board at the last meeting in June 2023 in order to obtain confirmation that he would be eligible for licensure after successful completion of an EMS educational program. ***A motion was duly made by Joyce Noles and properly seconded by Shannon Morphis to grant Mr. Singleton the opportunity to become licensed in the state of Tennessee. The motion passed on a unanimous voice vote.***

CONSENT/AGREED ORDERS

- ***Nicholas Felker, License # 214916 – Practicing on an expired license – Proposed Discipline of 90-day suspension followed by 3-year probation, 4- hour ethics course, and must submit proof of continuing education. A motion to accept the order was duly made by Joyce Noles and properly seconded by Drew Hooker. The motion passed on a unanimous voice vote.***
- ***Jamie Quezada, License # 141459 – Unethical Practices/Conduct – Proposed Discipline of 3-year probation, 4-hour ethics course, and 4-hour workplace sexual harassment training. A motion to accept the order was duly made by Greg Miller and properly seconded by Jeffrey Bagwell. The motion passed on a unanimous voice vote.***

- *Jonathan Norris, License # 213766 - Failure to report patient care which accurately reflects the evaluation and treatment of each patient – Proposed Discipline of 3-year probation and 4-hour ethics course. David Blevins recused himself from this matter. A motion to accept the order was duly made by Greg Miller and properly seconded by Jeanie Diden. The motion passed with all those voting in favor and the abstention as previously noted.*
- *Kynan Kreidel, License # 209119 – Criminal Conviction – Proposed Discipline of TNPAP. A motion to accept the order was duly made by Shannon Morphis and properly seconded by Greg Miller. The motion passed on a unanimous voice vote.*
- *Saber Medical Transport, Case # 20230010001 - Allowing EMT to practice on expired license – Proposed Discipline of 3-year probation and \$3700 Civil Penalty. A motion for approval was duly made by Joyce Noles and properly seconded by Stacy Prater. During discussion, it was decided to withdraw the motion and table this case until it could be determined if the person that had signed the consent order had the authority to do so, as that individual had been relieved of their duties since the order was signed on August 7, 2023.*
- *Michael Work, License # 40153 - Failure to report patient care which accurately reflects the evaluation and treatment of each patient; Engaging in acts of dishonesty which relate to the practice of emergency medical care – License Voluntarily Surrendered. It was also noted that a Voluntary Surrender has the same effect as a revocation. A motion to accept the order was duly made by Stacy Prater and was properly seconded by Jason Tunstall. The motion passed on a unanimous voice vote.*

TNPAP REPORT

- Ms. Teresa Phillips, Executive Director for TNPAP provided a report to the Board for the time period of July 1, 2022, through June 30, 2023.

COPEC REPORT

- Ms. Natasha Kurth provided a brief report to the Board about the role of COPEC and CECA in Tennessee, as well as current and ongoing projects.

MEDICAL DIRECTOR REPORT

- Dr. Joe Holley addressed the Board regarding a tabled issue from the previous Board regarding the buckle lock device that is used to restrain a patient to the ambulance stretcher using a lock over the buckle. He stated that he was able to obtain minimal information on this subject after polling other Medical Director colleagues. He requested the Board review the recommendations of the prior clinical issues committee and come up with a stance in the future.

DATES FOR UPCOMING MEETINGS

- Mr. Gibbs polled the Board about the perceived necessity of a date for November for a strictly business meeting, stating that the December 6th meeting would be a full day of cases and the 7th-8th would be cases with minimal other business intertwined.
- Greg Miller stated he felt that it was important to look at the committee structures and see what committees were necessary and how they would be constructed.
- It was determined that Thursday November 2nd would be the date for a business meeting to address issues such as the committee construction, out of state clinical rotations, the \$800 annual pay supplement, and the EMT-Paramedic program. Drew Hooker stated that he also felt as Greg Miller did about committees, and he then proposed *a motion to form a committee to study committees with a proper second made by Shannon Morphis. Discussion determined that the committee would be comprised of 5 members: Greg Miller, Drew Hooker, Stacy Prater, Chris Wheat, and Jeanie Diden. The motion passed on a unanimous voice vote.*

SCHOOL APPROVALS

- Sullivan County EMS and TCAT Jacksboro were recommended for approval to allow them to teach the AEMT course. *A motion was duly made by Greg Miller and properly seconded by Drew Hooker. The motion passed on a unanimous voice vote.*

DIRECTOR'S REPORT

- Director Ward noted that the first leadership development conference would be held on October 31st at the Williamson County Public Safety Center so that the course could be reviewed by other experienced leaders.

CONDITIONAL LICENSURE APPROVAL

- The Board approved a conditional licensure for an AEMT upgrade to Paramedic for a licensee that is on probation. *A motion was duly made by Jason Tunstall and properly seconded by Shannon Morphis to approve the conditional licensure agreement. The motion passed on a unanimous voice vote.*

BOARD MEETING SCHEDULE APPROVAL

- *A motion was duly made by Drew Hooker and properly seconded by Stacy Prater with additional dates of November 2nd, December 8th, and January 10th. The motion passed on a unanimous voice vote.*

The meeting was adjourned at approximately 5:50pm.