

**BOARD OF EMERGENCY MEDICAL SERVICES  
MAY 11, 2007**

The meeting of the Board of Emergency Medical Services was called to Order by Bruce Beins, Chairperson, at 9:05 a.m. The meeting was held at the Staybridge Suites, 2701 North Fletcher Ave, Conference Room, Lincoln, Nebraska, 68521. Copies of the agenda had been sent to board members and other interested parties at least ten days prior to the meeting. Roll was taken and the following members were present:

Ron Balthazor	Shawn Baumgartner
Bruce Beins	Mike Buscher
Joel Cerny	Bob Dunn
Dan Hakel	Bob Olson
Clint Rasmussen	Jim Smith, MD
Val Snyder	Jeffrey Strawn
Tom Surber, MD	

Members absent: Linda Jensen, Leon Sykes, MD, Scott Wiebe

Credentialing Staff present were:

Diane Hansmeyer, Section Administrator  
Patty Pierson, Credentialing Coordinator  
Pam Harris, Credentialing Specialist

**AGENDA**

Olson moved to approve the revised agenda as presented. Snyder seconded.

Discussion: none.

Voting aye: Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson, Rasmussen, Smith, Snyder, Strawn, Surber. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

**APPROVAL OF MINUTES – FEBRUARY 9, 2007 AND APRIL 13, 2007,  
TELEPHONE CONFERENCE CALL**

Olson moved to approve the amended February 9, 2007, Board of Emergency Medical Services Minutes. Dunn seconded.

Discussion: Beins would like to correct the spelling of the “Lyon’s Club” to “Lion’s Club”.

Voting aye: Surber, Strawn, Snyder, Smith, Rasmussen, Olson, Hakel, Dunn, Cerny, Buscher, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Balthazor moved to approve the amended April 13, 2007, Telephone Conference Call Minutes. Hakel seconded.

Discussion: In the Miscellaneous Section, Beins stated that he had informed the Board regarding the request for an increase from the General Fund. Beins also corrected the word "drafted" to "requested".

Voting aye: Olson, Hakel, Dunn, Cerny, Buscher, Beins, Baumgartner, Balthazor, Rasmussen, Smith, Snyder, Strawn, Surber. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

## **PUBLIC HEARING FOR KENDA KUEHNER REINSTATEMENT APPLICATION**

Bruce Beins, Chairperson, turned the meeting over to Roger Brink, Hearing Officer, for the public hearing on Kenda Kuehner's application for reinstatement of her paramedic certificate. Information was received from Ms. Kuehner, her attorney, Nancy Wynner, Assistant Attorney General, Lisa Anderson, and other witnesses.

Baumgartner moved to go into closed session at 10:20 a.m. for the purpose of protecting the reputation of an individual. Dunn seconded.

Discussion: none.

Voting aye: Olson, Hakel, Dunn, Cerny, Beins, Baumgartner, Balthazor, Surber, Strawn, Snyder, Smith, Rasmussen. Voting nay: none. Absent: Buscher, Jensen, Sykes, Wiebe. Motion carried.

Returned to open session at 10:40 a.m.

Baumgartner moved that the Board deny the reinstatement of Kenda Kuehner's paramedic certificate. The denial was based on her admission of addiction and her sobriety of nineteen months not being sufficient time to assure protection of the public.

Olson seconded.

Discussion: none.

Voting aye: Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson, Rasmussen, Smith, Snyder, Strawn, Surber. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

## **APPLICATIONS FOR LICENSURE/CERTIFICATIONS**

### **SERVICES**

The Department has not received an application at this time; therefore, the item was tabled.

### **TRAINING AGENCIES**

Olson moved to approve Union College International Rescue & Relief as a Basic Training Agency. Strawn seconded.

Discussion: Doug Tallman, Assistant Director, Donna Kopf, and Edward Walter of Union College International Rescue & Relief were present for any questions the Board may have. Gary Steele did the site visit. Steele stated that they had every thing in order and meet the requirements of the rule and regulations. Union College International Rescue & Relief is located in Lincoln, Nebraska.

Voting aye: Surber, Strawn, Snyder, Smith Rasmussen, Olson, Hakel, Dunn, Cerny, Buscher, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

## **INVESTIGATIONS REPORTS**

Smith moved to go into closed session at 10:55 a.m. for the purpose of protecting the reputation of individuals and reviewing investigation reports. Cerny seconded.

Discussion: none.

Voting aye: Rasmussen, Smith, Snyder, Surber, Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Returned to open session at 12:20 p.m.

## **APPLICATION FOR LICENSURE/CERTIFICATIONS**

### INDIVIDUAL CERTIFICATIONS

Baumgartner moved to approve Daniel C. Robinson's reinstatement application to practice as a certified emergency medical technician paramedic and have the Department administer the Administrative Penalty based on runs that he stated were made. Snyder seconded.

Discussion: none.

Voting aye: Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson, Rasmussen, Smith, Snyder, Strawn, Surber. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Baumgartner moved to approve certification applications for Kristi A. Royle to practice as a certified emergency medical technician and Bradley W. Ternus to practice as a certified emergency medical technician paramedic. Snyder seconded.

Discussion: none.

Voting aye: Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson, Rasmussen, Smith, Snyder, Strawn, Surber. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Baumgartner moved to deny Brian W. Lauterbach's application for a certificate to practice as an emergency medical technician because of his convictions, diagnosis of alcohol dependence, and failure to comply with the investigation. Smith seconded.

Discussion: none.

Voting aye: Rasmussen, Smith, Snyder, Strawn, Surber, Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Strawn moved to deny Austen J. Blobaum's application for a certificate to practice as an emergency medical technician because of multiple convictions. Buscher seconded.

Discussion: none.

Voting aye: Olson, Hakel, Dunn, Cerny, Buscher, Beins, Baumgartner, Balthazor, Surber, Strawn, Snyder, Smith, Rasmussen. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Hakel moved to approve the Colorado EMS Instructor Course for Michael S. Hudson's EMS Instructor certification application to practice as an EMS Instructor. Balthazor seconded.

Discussion: Diane Hansmeyer, Section Administrator, stated that the Department had received an application from Michael S. Hudson to practice as an EMS Instructor in Nebraska. Mr. Hudson was completing a Colorado EMS Instructor Course. Hansmeyer stated that Colorado had sent in a copy of the curriculum for their EMS Instructor Course. She asked Garry Steele, Training Coordinator to review the curriculum to see if the course was equivalent to the Department of Transportation EMS Instructor Course. Garry Steele, Training Coordinator, stated that the course was not quite the same length in hours; however, he felt the course was equivalent to the rule and regulations requirement for EMS Instructors. Hansmeyer stated that his certificate of completion will be sent to the Department once he has completed the course.

Voting aye: Balthazor, Baumgartner, Beins, Bucher, Cerny, Dunn, Hakel, Olson, Rasmussen, Smith, Snyder, Strawn, Surber. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

## **EMS UPDATE**

Dean Cole, EMS Program Administrator, requested that the Board hold the December 14, 2007, board meeting in conjunction with the Leadership Conference at the New World Inn in Columbus, Nebraska. Cole stated that EMS Programs would place a question and answer period for the Board on the Leadership Conference Agenda. The question and answer period could be held before the board meeting and would give the public an opportunity to address any issues or concerns they may have regarding the future of emergency medical services. Shawn Baumgartner will be presenting on the new Scope of Practice. There will also be a presentation on ethics.

EMS Programs will continue to offer the leadership workshops. Funding is going to be provided through the Critical Access Hospitals and the Office of Rural Health.

EMS Programs will be offering the physician medical director's course. There will be six sessions of the physician medical director's course offered across the State. Dr Rice will be instructing the course. The course will be approximately four hours in length. Physician's Surrogates will be invited and it will also be recommended that rescue chiefs attend the physician medical director's course. Dates for the physician medical director's course will be available at the July 12, 2007, Board of Emergency Medical Services Meeting.

The National Association of EMS Directors and EMS Physicians has developed a CD presentation for physician medical directors. This CD should be available sometime in October. This presentation will also be available on-line. Information on this presentation will be going out to all physician medical directors and ambulance services.

The Intermediates/Paramedics Scope of Practice that allows them to practice in the emergency room of hospitals is starting to show a positive effect on emergency medical

services. A presentation was developed on intermediates and paramedics working in emergency rooms and the cooperative effort of ambulance services sharing paramedics and intermediates in EMS/hospital settings. This presentation was presented to a group of rural hospital providers in Michigan. On June 25<sup>th</sup>, 2007, the National Office of Rural Health's technical assistant center, requested an on-line telephone conference call with the group of rural hospital providers in Michigan explaining what Nebraska has done.

Cole reported that the printing and handling of the NARSIS forms are becoming expensive. EMS Programs are moving ambulance service towards electronic reporting. Ambulance services will need to have electronic reporting in place for Medicare/Medicaid reimbursement. Effective January of 2008, the NARSIS form will only be offered on-line. An ambulance service will need to retrieve and print their NARSIS form.

Paramedic services are now doing more tiering. The costs of an advanced ambulance service tiering is having some ambulance services talking about developing intercept units. Intercept units may be something the Board will have to address in the future.

The Office of Rural Health and Critical Access Hospitals have provided funding to assist communities with an EMS assessment. Gage County requested an assessment of their county. The University of Nebraska Medical Center, Office of Public Health and Rural Health Policy have interest in the Gage County Assessment. They are planning to follow Gage County for the next five years to see the effectiveness of the assessment in patient care. This information will be shared with the Board.

Cole stated that he has had a meeting with the Office of Public Health. The Office of Public Health is a new program at the University of Nebraska Medical Center. The Office of Public Health will be working with EMS Programs in the future towards developing an EMS fellowship. This would be some kind of Master's Doctoral Program. The Master's Doctoral Program would have an individual for a period of years work with the Public Health Program and EMS Programs doing research and dealing with emergency medical services. At this time there is no funding for this program; however, they hope to move forward with proposals for future funding. The Office of Public Health would like EMS Programs to start working with the Emergency Medical Physicians Specialty Program at the University of Nebraska Medical Center on how they can work with rural communities.

EMS Programs will be bringing together individuals who work with eNARSIS for future updates. The contract for eNARSIS will end in the near future.

Nebraska and Minnesota has been selected to participate in the International Roundtable of Community Paramedics and Rural Care Delivery. A conference call will be held on May 14, 2007 to determine if Nebraska would like to move forward. Diane Hansmeyer, Bruce Beins, Shawn Baumgartner, and Dean Cole will be present for that conference call. If it is determined that Nebraska would like to participate then a meeting will be held on May 25, 2007. The meeting will include board members, training agencies, etc.

Garry Steele, Training Coordinator, stated that the training agency inspections are coming along. There have been some changes made to the inspection form. The Lincoln Fire Department inspection is finished. Central Community College-Columbus inspection is also finished. Documentation seems to be the area that needs the most improvement.

Steele stated that he met with the Nebraska State Patrol. They are looking into becoming a Nebraska Training Agency. They would like to have their recruits be certified first responders.

EMS Programs had previously identified three problem areas for taking/passing the National Registry Examinations. Those areas were Obstetrics (OB), Airway, and Trauma. Instructors felt they needed some kind of visual tool to use instructing the OB course. A CD video has now been developed to use as a visual tool for the OB course. At the present time, EMS Programs is working on the trauma portion. A survey was sent out to instructors asking what points in the curriculum are difficult to teach. Steele will collate the information from the survey and provide it to instructors.

EMS Programs is working with training agencies in developing a program to assist in improving instruction of an EMS Course. The Instructor Improved Information Program is at the pilot stage. An evaluation of the program will be done at the end of June.

The Leadership Conference will have presentations on ethics, stress, EMS and the media, generation differences, personality evaluations, build training on personality differences and needs, marketing in EMS, etc. The leadership training is a four day course. Each ambulance service will be invited to send two to three individuals to the leadership training.

Concealed Handgun Course has been developed in conjunction with the Nebraska State Patrol. The first part of the course is on the statute and the second part deals with the handling of the concealed handgun. Ambulance services can contact their EMS Program Regional Specialist to set up a course.

## **AMBULANCE NETWORK**

Dale Gibbs, Good Samaritan Hospital, presented a summary of an overview of the Rural Health Network Development Grant for a Regional Ambulance Network. (Attachment A) Gibbs stated that this is a three year grant. The total amount of this grant is \$422,000.00 over a three year period to develop an ambulance network in Central and Western, Nebraska. The first year's grant will be approximately \$160,000.00. The second year's grant will be approximately \$122,000.00. The third year's grant will be approximately \$135,000.00. There are eighteen partners in the Ambulance Network. All the hospitals are critical access hospitals except for Regional West Medical Center and Good Samaritan Hospital. A director will be hired to develop a structure. The partners will be developing a strategic plan. The partners will be meeting tentatively on July 12, 2007. A plan will be developed to combine dispatch centers into one system for only ground and air inter-facility transports. This would not be used for 911 systems. The network will also be looking at a purchasing consortium for ambulance units, development of an advocacy/education plan for service's reimbursement, and concentrate on the area of recruitment and retention.

## **PREHOSPITAL STROKE ASSESSMENT**

Dr Jim Smith gave a presentation to the Board on assessment of acute stroke treatment. (Attachment B) Stroke is the third leading cause of death nationally. Dr Smith would like to see the Board address the issue of acute stroke treatment in the rule and regulations under the practice and procedures of the EMT(s), Intermediates, and Paramedics. The issue will be reviewed by the Scope of Practice Committee for future amendments to the rule and regulations.

## **PROPOSED RULE AND REGULATION CHANGES**

Diane Hansmeyer, Section Administrator, stated that a question has come up as to having something in the rule and regulations that would state that a primary care provider would be designated on each service run. In the past, this issue has been a problem for documentation. After some discussion, it was felt by the Board that a primary care provider could be identified on the NARSIS form and have it addressed in the model protocols. Beins, Chairperson, assigned this issue to the Protocols/NARSIS Committee.

A question was asked if in the current rules and regulations that address non smoking in an ambulance unit. The person wanted to incorporate the rule and regulation that addresses the non smoking issue into their service's by-laws. Hansmeyer explained to the person that they can add non smoking to their service's by-laws without a rule and regulation. There are no smoking regulations addressed in the current rule and regulations. The Board felt this issue was more of a physician medical director's protocol for their ambulance service and does not need to be addressed in rules and regulations.

Another question has been asked what is the difference between TITLE 172 NAC 11, Section 11-006.02, Emergency Medical Technician Practices and Procedures, Item 3(1a) determine presence, absence and quality of breath sounds and in Section 11-006.03, Emergency Medical Technician-Intermediate Practice and Procedures, Item 2(b), perform advanced physical assessment including auscultate breath sounds. Shawn Baumgartner explained that the EMT-Basic curriculum states they must determine if there are presence or absence of lung sounds and if they are normal or not normal. The EMT-Intermediate curriculum gets more into the wheezes, crackles, etc., which is the advanced level.

A question was asked in TITLE 172 NAC 11, Section 11-006.02, Emergency Medical Technician Practices and Procedures, Item 4(a), could an out-of-hospital emergency care provider assist a patient in administering a medication prior to having an MRI or would there be a need for an amendment. The medication for a MRI needs to be administered an hour before the MRI. A patient may be on the way to the MRI when the medication is needed to be administered by the patient. After some discussion, the Board felt this was a patient administered drug and an amendment was not needed.

## **EMS AGENDA FOR THE FUTURE**

Baumgartner moved to approve the Board changing the terms to emergency medical responder, emergency medical technician, advanced emergency medical technician, and paramedic to be consistent with the National Scope of Practice terms. Snyder seconded.

Discussion: Shawn Baumgartner did a presentation regarding the “EMS Agenda for the Future”. This agenda created a national core content, which essentially looks at all of what EMS encompasses and all the skills/knowledge EMS may need to have. From this review came the National Scope of Practice, and from that the National Education Standards and National Educational Guidelines are being developed. The National Scope of Practice was designed to create a model. Each State will enact statutes and rules and regulations. The National Scope of Practice is somewhat flexible and the State can deviate through their statutes and rule and regulations. The National Scope of Practice, the National Education Guidelines and the Instructional Guidelines will be used to develop the National Registry examinations.

The National DOT curriculum will no longer be used. The Board and the Scope of Practice Committee is going to have to review what is best for Nebraska’s patients considering the vast difference from frontier medicine to urban medicine and what is safe for patients. The State has an excellent opportunity to review the National Scope of Practice, review where EMS is at in the State and go through a major rewrite of the State’s scope. The Scope of Practice Committee was then formed.

The new levels of providers are: emergency medical responder, emergency medical technician, advanced emergency medical technician and paramedic.

It will probably be summer before drafts of the National Education Guideline will be available for the public. There will be a comment period after each draft with the ultimate goal of the third draft being in April of 2008 and a final in August 2008. The web site is [nemses.org](http://nemses.org)

Shawn Baumgartner, Chairperson of the Scope of Practice Committee, reported that the committee has met. The Scope of Practice Committee is now reviewing patient care data on what kind of skills are being utilized. The Scope of Practice Committee recommends to the Board that the terms stay consistent with the new National Scope of Practice terms. Diane Hansmeyer reminded the Board that this would take a statutory change.

Voting aye: Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson, Rasmussen, Smith, Snyder, Strawn, Surber. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Baumgartner moved that advanced emergency medical technicians and paramedics must be on an advanced ambulance service to perform their advanced skills and to administer drugs. Dunn seconded.

Discussion: If advanced emergency medical technicians and paramedics performed their advanced skills or administer drugs on the basic ambulance service they would need to have a prescription from the basic ambulance service’s physician medical director. This is beyond the level of service of a basic ambulance service. It also becomes a reimbursement issue for basic ambulance services.

Voting aye: Surber, Strawn, Snyder, Smith, Rasmussen, Olson, Hakel, Dunn, Cerny, Buscher, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

### **SCOPE OF PRACTICE ISSUE**

Diane Hansmeyer, Section Administer, stated that a question came from a paramedic regarding the insertion of urinary catheters. The paramedic would like the Board to review the insertion of urinary catheters and consider placing the issue under the paramedic's scope of practice. The paramedic felt this scope of practice would not be field related; however, it would be beneficial to the intermediates and paramedics that are in the emergency room setting of a hospital. Bruce Beins, Chairperson, assigned this issue to the Scope of Practice Committee.

### **COURSE APPROVAL**

Smith move to approve Eileen Boot to complete the Professional Boundaries Inc., Introduction to Professional Ethics, Boundaries, and Crossings Course. Buscher seconded.

Discussion: Eileen Boot is required to complete an ethics course approved by the Board within the first six months of her probation. Ms. Boot presented three ethic courses for the Board's approval. Those courses are: The Evolution of Nursing Ethics and the Impact on the Advanced Practice Nurse, Code of Ethics for Nurses, and the Professional Boundaries Inc., Introduction to Professional Ethics, Boundaries, and Crossings. Participants of the Profession Boundaries Inc, ethics course must complete the entire course, pass the post-test, and complete an evaluation form to be awarded a certificate. The certificate would then be sent to Ruth Schuldt the compliance monitor.

Voting aye: Olson, Hakel, Dunn, Cerny, Buscher, Beins, Balthazor, Surber, Strawn, Snyder, Smith, Rasmussen. Voting nay: none. Abstain: Baumgartner, Absent: Jensen, Sykes, Wiebe. Motion carried.

Smith move to approve Jay Wilber to complete the Professional Boundaries Inc., Introduction to Professional Ethics, Boundaries, and Crossings Course. Buscher seconded.

Discussion: Jay Wilger is required to complete an ethics course approved by the Board within the first six months of his probation. Wilger sent the outline of the Professional Boundaries Inc., Introduction to Professional Ethics, Boundaries, and Crossings Course.

Voting aye: Surber, Strawn, Snyder, Smith Rasmussen, Olson, Hakel, Dunn, Cerny, Buscher, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Strawn moved to approve Gretna Fire and Rescue Department's Assessment and Documentation Courses. Olson seconded.

Discussion: Gretna Fire and Rescue Department in accordance with the Agreed Settlement must take an assessment and documentation courses within six months from the date of the Order. They will take the State's documentation course presented by Doug Fuller on June 28, 2007. They will take the assessment course presented by Bill Bowes on August 23, 2007. Bill Bowes's assessment course listed the course objectives.

Voting aye: Olson, Hakel, Dunn, Cerny, Buscher, Beins, Baumgartner, Balthazor, Surber, Strawn, Snyder, Rasmussen. Voting nay: none. Abstain: Smith. Absent: Jensen, Sykes, Wiebe. Motion carried.

### **TASK FORCE COMMITTEE (FOCUS GROUP)**

Task Force Committee met on February 10, 2007. It was the Focus Group's decision that Nebraska should not lower the standard below the EMT-Basic level for transportation of a patient. The Focus Group also discussed the recruitment/retention issues. The Focus Group would like to meet again to further discuss what could be done to facilitate either legislative changes or develop new creative ideas.

The Focus Group did offer a compromise that would authorize a first responder to be enrolled in an EMT-B course and complete certain training modules in order to apply to the Department for a provisional EMT license which could be held until the EMT-B Course is completed. Initially Senator Flood's office was very supportive of these suggestions until Senator Flood spoke with his constituents. A new amendment was proposed that first responders could transport with a few requirements. One of the requirements was that first responders would have to take a course in spinal mobilization approved by their physician medical director. There was no standard such as the National Registry Exam or the EMT-B Curriculum. Another requirement was that the first responder must make contact with an EMT, etc. by radio or electronic communications. This requirement was not clear.

LB244 is sitting in committee at this time with no amendments.

### **SCOPE OF PRACTICE COMMITTEE**

Shawn Baumgartner, Chairperson of Scope of Practice Committee, said he had nothing else to report to the Board.

### **OUT-OF-HOSPITAL PERSONNEL COMMITTEE**

NURSE'S SCOPE OF PRACTICE COMMITTEE

There is nothing new at this time.

### **TRAINING AGENCY COMMITTEE**

REVIEW ISSUE OF INSTRUCTOR TEACHING OUTSIDE OF THE CURRICULUM

Mike Buscher, Chairperson of the Training Agency Committee, stated that in reviewing the issue of instructors teaching outside of the curriculum it was found that it seems to be an educational issue. The eighteen hour continuing education requirement for the renewal of the Emergency Medical Instructor must include the subject matter of EMS Course Curriculum Updates, EMS legislation and regulations, EMS evaluation methods, and the principles of adult education. A training agency must hold two meetings per year

for their EMS Instructors. It was also suggested to encourage training agencies to discuss this issue with their EMS Instructors at the Training Agency Meeting held by the Department. It was suggested that an email or letter would need to be sent because not all training agencies are able attend the Training Agencies Meeting held by the Department. The Board will not make any amendments to the rule and regulations. Instead they will remind training agencies of this issue through future correspondence.

## **SERVICE PROGRAMS COMMITTEE**

### **EMS SERVICE SELF-INSPECTION FORM & REGULATION**

Clint Rasmussen, Chairperson of the Service Programs Committee, stated that Diane Hansmeyer, Section Administrator, had made some corrections to the EMS Service Self-Inspection Regulations. (Attachment D and Attachment C). The EMS Service Self-Inspection Regulations would be added as amendments to TITLE 172 NAC 12, Emergency Medical Services, Section 12-007, Inspection of Emergency Medical Services. Hansmeyer stated she would like the Board to review the EMS Service Self-Inspection Form and Regulations for any needed corrections to the language that was used. The Emergency Medical Services Quality Assurance Report Notice would be used at the time an ambulance service is renewing their license. The EMS Service Self-Inspection Form would not replace the audit inspection. The information on the EMS Service Self-Inspection Form and the checklist for audit inspections is from TITLE 172 NAC 12, Emergency Medical Services. Bruce Beins, Chairperson, tabled the approval of the EMS Service Self-Inspection Form and Regulations until the next board meeting giving the Board an opportunity to review the form and the regulations.

### **SERVICE'S BACK UP RESPONSE PLAN**

After much discussion, the Board felt that the section on back up response plan needs to be amended in the current rule and regulations. There were several suggestions made. Those suggestions were: 1. Time frame could be reviewed; however, a time frame would be difficult because of ambulance services locations through out the State; 2. Time frame could be more of a time of response to dispatch; 3. Review the definition of response time; 4. Have a tiering plan in place. The service's back up response plan needs more detailed elements in the back up plan instead of the current requirement of having a mutual aid agreement. Bruce Beins, Chairperson, assigned the amendments for a service's back up response plan back to the Service Program Committee. The committee will bring those amendments to next board meeting.

## **NON-STATE REGULATORY COMMITTEE**

Centers for Medicare and Medicaid changed how they will interpret the definition of emergency and non-emergency inter-facility transfers, which means more inter-facility transfers will meet emergency criteria.

Shawn Baumgartner, Chairperson of Non-State Regulatory Committee, recommended that any ambulance service that is planning on purchasing a new/used Ford 6.0 or 6.4

diesel ambulance unit do research before making a decision. Ford Motor Company has basically stopped production of the Ford 6.0 diesel ambulance units.

## **LEGISLATIVE COMMITTEE**

Bruce Beins, Chairperson of Legislative Committee, gave a report on the legislative bills that have moved forward.

LB 103, authorize release of patient information and change provision relating to regional trauma advisory boards; advanced to general file on February 5, 2007.

LB 144, adopts the Hepatitis C Education and Prevention Act; advanced to general file. There have been some amendments to this bill. It is a speaker priority bill.

LB 157, provides for leaving an infant with a firefighter or hospital staff; is on general file. There has been an amendment and this is a priority bill.

LB 160, changes fire and rescue department provisions relating to clothing, equipment, and donations; passed and signed by the Governor.

LB 244, changes provision relating to transportation of patients in ambulances could still be amended by the speaker and Health and Human Services Committee, which then could be part of a clean-up bill and go to the floor. The Board would then need to contact Senators on the floor to raise questions. This bill is being closely monitored.

LB 253, adopts the Motorcycle Safety and Training Act; is on general file.

LB 296, would collapse the three existing departments into a single code agency (the Nebraska Department of Health and Human Services); passed and signed by the Governor.

LB 463, adopts the Uniform Credentialing Act; passed by the legislature and at the Governor's office for signature.

The field handgun amendment changed the definition for schools as a prohibited place; however, it did not change hospitals as a prohibited place. This is on general file.

The Cigarette Act never left committee.

The Legislative Resolution encouraging public fire departments to use the national firefighter guidelines has not moved forward. Public Hearings were held.

The Nebraska Emergency Medical Service Association (NEMSA) approached the Appropriations Committee for an additional \$167,000.00 funding for training, etc for emergency medical services. Beins stated that in reviewing the budget it contains a statement that says the volunteer emergency medical training fund shall include an additional \$162,000.00 each year for volunteer emergency medical technician training. Funding for training in 2002 had been reduced from \$210,000.00 to \$185,000.00 and has remained flat since. This tuition increase will also include assistance with books, testing, and continuing education.

## **PROTOCOLS/NARSIS COMMITTEE**

There is nothing new at this time.

## **REAFFIRMATION OF MAIL BALLOTS**

Buscher moved to reaffirm the mail ballots to approve Dena Bartels, Dan Bodammer, Tyler Brickell, Troy Bruns, Charlene Cordle, Tyler Dean, Dennis DeKay, Joani Franzluebbers, Sherri Gothier, William Guidebeck, Joseph Hautzinger, Tara Johnson, Oscar Mendez, Justin Porta, Joe Smoyer, James Spence, Kevin Stiefel, Shannon Strobl to practice as certified emergency medical technicians; Josh Bondegard, Jeff Warren to practice as certified first responders; Carolyn Whittamore to practice as a certified emergency medical technician paramedic; Raymond McGuire's recertification to practice as a certified emergency medical technician intermediate. Snyder seconded.

Discussion: none.

Voting aye: Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson, Rasmussen, Smith, Snyder, Strawn, Surber. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

## **MISCELLANEOUS BUSINESS**

### TRAUMA BOARD LIAISON REPORT

Shawn Baumgartner, Trauma Board Liaison, stated that he gave the Trauma Board his presentation on the EMS Agenda for the Future.

The Trauma Board was concerned about taking a political stand on the first responder issue because of how their board is constructed. The Board of EMS is statutory designed to look at legislative issues and provide input on legislative bills. The Trauma Board is more of an appointed board within Health and Human Services; however, they were willing to individually present comments on the first responder bill.

Trauma Board is struggling with the State Statute in the exchanging of data. They are also working on regional improvements.

### OTHER

Diane Hansmeyer, Section Administrator, presented the Board some information on the flow of the Department's New Complaint Review Process and the explanation of that process. There are six priority levels. The information included the number of complaints received, opened, closed and carried over. The average time to complete a case from receipt to the Attorney General's report is seven months. Hansmeyer also presented the number of cases in graphics.

## **APPLICATION FOR LICENSURE/CERTIFICATIONS**

### INDIVIDUAL CERTIFICATIONS

Baumgartner moved to go into closed session at 03:40 p.m. for the purpose of protecting the reputation of individuals. Hakel seconded.

Discussion: none.

Voting aye: Surber, Strawn, Snyder, Smith, Rasmussen, Olson, Hakel, Dunn, Cerny, Buscher, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Returned to open session at 04:03 p.m.

Olson moved to approve the certification applications for Michelle L. Grant, Kelly G. Olinde, Kory L Stewart, Jeffrey A. Lowman to practice as certified emergency medical technicians. Baumgartner seconded.

Discussion: none.

Voting aye: Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson, Rasmussen, Smith, Snyder, Strawn, Surber. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Baumgartner moved to issue Gwendolyn Hooyboer a probationary certification for two years to practice as a certified Emergency Medical Service Instructor with the following conditions: 1. Meet the eighteen hour renewal requirement at the end of her probation; 2. Take a course on the current rule and regulations within six months; 3. Pay the Administrative Penalty. The reason for this probationary certification is based on practicing without an Emergency Medical Service Instructor certification. Olson seconded.

Discussion: none.

Voting aye: Olson, Hakel, Dunn, Cerny, Buscher, Beins, Baumgartner, Balthazor, Surber, Strawn, Snyder, Smith Rasmussen. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

Baumgartner moved to approve Brian S. Houser a probationary certification for two years to practice as a certified emergency medical technician with the condition of adhering to the recommendations of the First Step Recovery & Wellness Center Evaluation. The reason for the probationary certification is three MIP convictions. Buscher seconded.

Discussion: none.

Voting aye: Rasmussen, Smith, Snyder, Strawn, Surber, Balthazor, Baumgartner, Beins, Buscher, Cerny, Dunn, Hakel, Olson. Voting nay: none. Absent: Jensen, Sykes, Wiebe. Motion carried.

There being no further business, Bruce Beins, Chairperson, adjourned the meeting at 4:10 p.m.

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Joel Cerny, Secretary