

**State Emergency Medical Services Board
December 8, 2009
Minutes**

Board Members Present: Donald L. DeVries, Esq., Chair; Victor A. Broccolino, Vice-Chair; David Fowler, M.D.; David Hexter, M.D.; Murray Kalish, M.D.; Robert Maloney; Mary Alice Van Hoy, R.N.; Dany Westerland, M.D.; Eugene L. Worthington.

Board Members Absent: Dean E. Albert Reece, M.D., PhD.; Sally Showalter.

Others Present:

MIEMSS: Dr. Bass; Ms. Alban; Dr. Alcorta; Ms. Aycock; Ms. Beachley; Mr. Brown; Mr. Dubansky; Mr. Hurlock; Mr. Fiackos; Dr. Floccare; Ms. Gainer; Ms. Gilliam; Ms. Goff; Ms. Myers; Mr. New; Mr. Seifarth.

OAG: Mr. Magee; Ms. Sette

MSP Aviation Command: Major McAndrew; Corie Cosgrove.

Maryland State Firemen's Association: President Roger Powell; First Vice President Doyle Cox; Second Vice President David Lewis.

R Adams Cowley Shock Trauma Center: Jamie Huggins; Brenda Fosler Johnson; John Spearman.

UMMS: Barney Stern, M.D.; Virginia Ganley.

Mr. DeVries called the meeting to order at 9:07 a.m.

ACTION: Upon the motion of Mr. Broccolino, which was seconded by Ms. Van Hoy, the Board approved the minutes of the November 10, 2009, EMS Board meeting.

EXECUTIVE DIRECTOR'S REPORT

H1N1 Virus. Dr. Bass reported that it appeared that the second wave of H1N1 virus that had started in October had peaked in Maryland and appeared to be on the decline since that time. He said that the virus had turned out to be not as virulent as had originally been feared and fewer deaths had resulted from the H1N1 virus than from the seasonal flu. He said that it was unclear whether there would be another wave of H1N1 flu in the upcoming months.

New Electronic Patient Care Reporting System: Dr. Bass said that MIEMSS' draft Request for Proposal for the electronic patient reporting system to replace EMAIS® is being reviewed by the Maryland Department of Information Technology. He reminded the Board that MIEMSS had been awarded a grant for \$150,000 toward the replacement project. He said that MIEMSS requested additional Highway Safety funding through Section 408, but was advised instead to use the Section 402 (State and Community Highway Safety Grants). He said that by combining both sources of funding, MIEMSS would have available a total of \$300,000, which requires a 60/40 match basis. He said that MIEMSS has sufficient funding to do this as long as the replacement costs do not exceed \$500,000; if costs were greater, however, MIEMSS would not be able to purchase the replacement and could potentially lose the highway safety grant funding. As a result, MIEMSS is temporarily holding \$200,000 in monies it typically provides for the 50/50 matching grant program in case it is needed for EMAIS® replacement. He said that the remaining \$200,000 of the 50/50 monies had already been distributed.

Dr. Bass said that some providers were concerned about the possible loss of the remaining 50/50 matching funds, should they be needed for the EMAIS® replacement. He said that he believed it was fiscally prudent to continue to temporarily hold the remaining funds until the costs of the replacement were known. He said that the only alternative would be to request use of EMSOF funds for the replacement which would require approval of the Department of Budget and Management, the Governor, and the Joint Chairmen's Committee which is comprised of the Chair and Vice-Chair of each Legislative Committee. He said that MIEMSS had recently been advised that by DBM that its 2011 budget would be a "flat-funded." Dr. Bass said that disapproval of a request to use EMSOF funds for this project would not be surprising, given the current concerns with the economy and the state budget.

Mr. DeVries asked if any of the members of the audience would like to speak about the issue; no comments were offered by the audience. Mr. DeVries asked when it was likely that the price of the contract for replacement would be known. Dr. Bass indicated that once DOIT approves the draft RFP, the RFP would be issued with a date for submission of proposals which must include cost information. Once the proposals are received, they must be evaluated on a technical basis to ensure that the proposals meet the requirements of the RFP, after which the proposals are reviewed on the basis of cost. Dr. Bass said that MIEMSS would do everything it could to ensure that the process is completed as quickly as possible.

Mr. DeVries asked whether there had been any time-sensitive purchase requests associated with this year's matching grants monies. Ms. Alban said that MIEMSS had awarded \$200,000 and had received signed agreements from the jurisdictions, but that no jurisdiction had yet filed for reimbursement. She said that in a typical year, many jurisdictions do not complete their purchases until the end of the fiscal year in June. Mr. Worthington asked for a listing of those who had requested 50/50 funding and who had received funding.

Mr. DeVries asked whether those companies that needed to make time-sensitive equipment purchases had been able to do so. Dr. Bass said that the Regional Affairs Committee had looked at this specifically and had worked with the jurisdictions to ensure that time-sensitive purchases were able to be made. Mr. DeVries said that under those circumstances, it appeared that the remaining potential purchases were of a non-time-sensitive critical nature; therefore, it seemed reasonable to continue to temporarily hold half of the monies typically provided for the 50/50 matching grant program in case it might be needed for EMAIS® replacement.

Dr. Fowler asked whether MIEMSS had a rough estimate of the amount that might be needed for EMAIS® replacement. Dr. Bass said that the figure would not be known until completion of the RFP process; however, the much larger state of Virginia had spent about \$600,000 for their new electronic ambulance patient care reporting system.

Dr. Fowler noted that it may not be necessary to purchase all the necessary software licenses at the beginning. Ms. Alban said that Virginia had obtained a state license and a bridge license; Maryland envisioned obtaining a state license with an option for jurisdictions to purchase a bridge license at the state price. Mr. DeVries asked that staff report back on the payment options once that information became available.

HC Standard Replacement for FRED / CHATS. Dr. Bass reported that “HC Standard 3” has been implemented and is working. He said that most hospitals have switched over and are pleased with the new version. He said that MIEMSS staff provided support and assistance to facilities as they came online to the new HC Standard 3. He said that HC Standard can also be used to track patients and can be used in multi-casualty events. He said that planning is underway to create a dashboard to incorporate additional programs, including the Maryland Health Alert Network, ESSENCE, WebEOC, ESAR-VHP, and Maryland MIR3.

Helicopter Replacement Procurement. Dr. Bass reported that work continues on the helicopter procurement process. Major McAndrew said that Trooper 6 will soon move from its Centreville base to a base at the Easton airport.

Disaster Medical Assistance Team (“MD-1 DMAT”). Dr. Bass said that Maryland is forming a new Disaster Medical Assistance Team with personnel from Maryland and the National Capitol Region. The team will provide medical care during a disaster or any event that overwhelms a region’s healthcare infrastructure. He said that MD-1 DMAT is part of the National Disaster Medical System (NDMS) within the U.S. Department of Health and Human Services.

National Educational Standards: Dr. Bass reported that new national EMS educational standards had been approved by the National Highway Traffic Safety

Administration. He said the MIEMSS educational committees will review the new standards.

STATEWIDE EMS ADVISORY COUNCIL REPORT

Dr. Kalish reported that SEMSAC met in December and considered four items: (1) the 2010 EMT 24-hour refresher course syllabus; (2) proposed STEMI regulations; (3) 2010 Update to the Maryland Medical Protocols; and (4) new officers for the Jurisdictional Advisory Committee.

R ADAMS COWLEY SHOCK TRAUMA CENTER REPORT

Ms. Fosler reported that actual admissions during the month of November were about 150 more than the same period last year; she said that the bed occupancy was increased as well. She said that the number of OR cases also increased over the same period last year. She noted that there had been one Capacity Alert during November that lasted about 3 hours, but no admissions were lost during that period. She said that year-to-date interfacility transfers to STC were 129 more than the same period last year.

LEGISLATIVE REPORT

Ms. Gainer reported that the General Assembly's House of Delegates EMS Workgroup would be re-convening to work on various EMS and helicopter-related issues.

OLD BUSINESS

Proposed COMAR Amendment Regarding Documents Incorporated by Reference: Mr. Magee said that the Board had proposed to amend existing regulations to incorporate certain documents by reference. He said that the proposed regulation had appeared in the October 23rd issue of the Maryland Register and no comments had been received. He said that the proposed regulation was before the Board for final action.

ACTION: Upon the motion of Mr. Broccolino, which was seconded by Dr. Hexter, the Board approved the proposed amendment to COMAR 30.01.02.01 as it appeared in the October 23rd issue of the *Maryland Register*.

Draft MAIS Regulation. Dr. Bass presented the draft regulation and explained that it identified the required timeframes for submission of the EMS patient care report. He said that the draft regulation had been reviewed and approved by SEMSAC. He also said that the draft had been discussed with the MSFA Executive Committee, who had requested that the implementation date be moved to October 2010. He said that the requirement to submit data had been in existence for many years, and

the regulation would help define what is necessary for jurisdictions to be in compliance with that requirement.

Mr. Powell said that the reason for the request for the October 2010 date was that it would allow for the new electronic patient care reporting system to be implemented.

ACTION: Upon the motion of Ms. Van Hoy, which was seconded by Dr. Fowler, the Board approved the draft regulation for publication in the Maryland Register as a proposed regulation.

“Housekeeping” Amendments to COMAR 30.03.04.04. Mr. Magee said that several housekeeping amendments to various parts of Title 30 were needed. He said that the Board had previously voted to approve the amendments for publication as draft regulations, but that one additional item that had been inadvertently left off. He said that the amendments before the Board reflected the complete version.

ACTION: Upon the motion of Ms. Van Hoy, which was seconded by Dr. Westerband, the Board approved the “housekeeping” amendments to COMAR 30.03.04.04.

Draft STEMI Regulations. Dr. Bass said that MIEMSS had started work several years ago on development of a STEMI designation program and draft STEMI regulations. He said MIEMSS had drafted and circulated several iterations of the draft regulations with stakeholders throughout the state. He said the most recent draft before the Board was the third draft which had also been circulated and had been favorably received by stakeholders. He summarized the draft regulation, as well as the various comments that had been received on the draft. Mr. DeVries noted that MIEMSS staff had worked hard to obtain consensus on the draft regulations.

ACTION: Upon the motion of Dr. Westerband, which was seconded by Dr. Kalish, the Board approved the draft STEMI regulations for publication as proposed regulations.

NEW BUSINESS

Protocol Change Pursuant to Governor’s Executive Order. Dr. Bass said that on November 6, 2009, Governor O’Malley had signed an Executive Order to permit Maryland paramedics and CRTS to immunize the public against H1N1 flu virus. He said that the Executive Order was necessary because current law allows paramedics to vaccinate public safety personnel only. Subsequent to the Executive Order, a protocol change had been approved by Mr. DeVries and Dr. Bass on an emergency basis that specified how the Executive Order would be implemented. He asked that the Board approve the protocol change.

ACTION: Upon the motion of Mr. Broccolino, which was seconded by Ms. Van Hoy, the Board approved the protocol to implement the Executive Order, as well as any extension to the Executive Order. Mr. DeVries asked Dr. Alcorta to report back to the Board on which jurisdictions had implemented the protocol.

Jurisdictional Advisory Committee. Mr. Hurlock said that the bylaws of the Jurisdictional Advisory Committee (JAC) require the election of officers every two years and that the elected officers are to be approved by the Board. He said that David Carrier (Caroline County) and Mike Deckard, Jr., (Cecil County) had been elected Chairman and Vice-Chairman respectively.

ACTION: Upon the motion of Ms. Van Hoy, which was seconded by Mr. Broccolino, the Board approved the election of the JAC Chairman and Vice-Chairman.

Mr. DeVries announced that the Board would be adjourning to Executive Session and would reconvene into Open Session.

ACTION: Upon the motion of Ms. Van Hoy, which was seconded by Mr. Broccolino, the Board adjourned to Executive Session.

The purpose of the closed session was to carry out administrative functions under State Government Article 10-502(b), to obtain legal advice from counsel under State Government Article 10-508 (a)(7) and to discuss certain site reviews and maintain certain records and information in confidence as required by Health Occupations Article 14-506 (b) under State Government Article 10-508(a)(13).

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Board Members Absent: Dean E. Albert Reece, M.D., PhD.; Sally Showalter.

Others Present:

MIEMSS: Dr. Bass; Dr. Alcorta; Mr. Dubansky; Ms. Gainer; Mr. Schaeffer; Mr. Seifarth.

OAG: Mr. Magee; Ms. Sette

UMMS: Barney Stern, M.D.; Virginia Ganley.

The results of educational site reviews and the status of applications for program designations were discussed.

There was discussion of the compliance of EMS Operational Programs with COMAR regulations.

The Board received legal advice on a pending research project.

The Board reviewed and took action on pending disciplinary cases.

The Board reconvened in Open Session at 11:51 a.m.

Board Members Present: Donald L. DeVries, Esq., Chair; Victor A. Broccolino, Vice-Chair; David Fowler, M.D.; David Hexter, M.D.; Murray Kalish, M.D.; Mary Alice Van Hoy, R.N.; Dany Westerband, M.D.; Eugene L. Worthington.

Board Members Absent: Robert Maloney; Dean E. Albert Reece, M.D., PhD.; Sally Showalter.

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RAMPARTS Study.

ACTION: Upon the motion of Mr. Broccolino, which was seconded by Dr. Hexter, the Board approved the following motion, with Dr. Kalish abstaining:

The Rapid Anticonvulsant Medication Prior to Arrival Trial (RAMPART) research protocol regarding midazolam and lorazepam is approved under COMAR 30.03.05.04 subject to the requirements of COMAR 30.03.05.04 and subject to the following:

The University of Maryland, Baltimore Institutional Board is designated as the MIEMSS IRB for the purposes of the Rampart research protocol, subject to that IRBs acceptance of this designation;

The results of the Johns Hopkins Medicine IRB review of the Rampart study be provided to the EMS Board by the Dr. Stern when such results are available; and

The research protocol shall be performed in accordance with the RAMPART protocol submitted by the Protocol Review Committee.

ACTION: Upon the motion of Ms. Van Hoy, which was seconded by Dr. Kalish, the Board provisionally approved the Harford Community College ALS Education Program for a period of one year.

ACTION: Upon the motion of Ms. Van Hoy, which was seconded by Mr. Broccolino, the Board approved the 2010 EMT 24-Hour Refresher Course Syllabus.

There being no further business before the Board, the Board adjourned by acclamation.