

**State Emergency Medical Services Board**  
**July 12, 2011**  
**Minutes**

**Board Members Present:** Donald L. DeVries, Esq., Chairman; Vic Broccolino; David Hexter, M.D.; Murray Kalish, M.D.; Robert Maloney; Dean Albert Reece, M.D., Ph.D.; Sally Showalter; Mary Alice Vanhoy, R.N.; Dany Westerland, M.D.; Gene Worthington.

**Board Members Absent:** David Fowler, M.D.

**Others Present:**

**MIEMSS:** Dr. Bass; Ms. Abramson; Ms. Alban; Dr. Alcorta; Ms. Aycock; Mr. Brown; Mr. Darchicourt; Dr. Floccare; Ms. Gainer; Ms. Goff; Mr. Hawthorne; Mr. Hurlock; Mr. Kelley; Mr. New.

**OAG:** Mr. Magee; Ms. Sette.

**MSP Aviation Command:** Major Mark Gibbons.

**Maryland State Firemen's Association:** 1<sup>st</sup> Vice President John Denver; Past President Doyle Cox.

**R Adams Cowley Shock Trauma Center:** Karen Doyle, R.N.

**USAF:** MSgt. Charles Halcome; TSgt. Andrew Brown.

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

**ACTION: Upon the motion of Dr. Westerland, which was seconded by Dr. Kalish, the Board approved the minutes of the May 2011 meeting.**

**EXECUTIVE DIRECTOR'S REPORT**

Maryland State Firemen's Association. Dr. Bass congratulated the Maryland State Firemen's Association on their successful convention. He thanked Past President Cox for his leadership of the MSFA for the past year and congratulated him his successful presidency. He said he was looking forward to working with the new MSFA President, Dave Lewis.

Communications System. Dr. Bass reported that work was continuing on the communications inter-operability. He said that intra-operability is always a concern because different agencies cannot communicate if they operate on different and incompatible frequencies. He said that public safety community had been transitioning from lower frequencies into 800 MHz and then 700 MHz and that the

state had been trying to build a statewide backbone that could accommodate 700 MHz and 800MHz, thus achieving interoperability among state agencies and with locals. Unfortunately, in the 1990's, the 800 MHz frequencies were lost, dictating reliance on the 700 MHz frequencies. At present, a contract has been awarded and state is rolling out the 700 MHz system. Left unanswered, however, is the future of EMS communications, since EMS communications are currently not intra-operable with other entities. Further complicating this, the medical channels that EMS uses (UHF) may be eliminated, despite the fact that we have recently modernized our equipment to comply with current FCC rules. He said that staff is meeting with the contractors and with the various intra-operability groups to grapple with the various issues.

eMEDS. Dr. Bass reported that after a successful pilot project, the agency is working on a statewide roll-out. He said that most jurisdictions have decided to use eMEDS.

Helicopter Billing Study. Dr. Bass reminded the Board that the 2011 Joint Chairmen's Report included language requiring completion of a study to evaluate the legality, feasibility and ramifications of insurance provider billing for MSP medevac services. Dr. Bass said that the study group would soon convene to begin the study which is due to the General Assembly on January 1, 2012. Mr. DeVries asked that any Board member interested in working on the study to let him know.

EMS Plan. Dr. Bass said that work on updating the State EMS Plan would soon begin.

Trauma Study. Dr. Bass said that MIEMSS is continuing to work with the Maryland Health Care Commission (MHCC) on the Trauma Study that is examining the levels and geographic distribution of Maryland's trauma centers. He said that the MHCC's focus is primarily on the fiscal implications of establishing a lower level trauma center. He said that the MHCC had recently secured an outside contractor to help with some of the analyses that needed to be completed.

## **STATEWIDE EMS ADVISORY COUNCIL**

Dr. Kalish reported that SEMSAC had approved the following protocol changes: (1) a change to the EMS DNR Protocol to accommodate the new MOLST form; (2) the addition of the designated cardiac interventional centers; and (3) the modification of the public access AED protocol.

## **R ADAMS COWLEY SHOCK TRAUMA CENTER**

Ms. Doyle reported that patient volume is high and has remained so throughout the fiscal year. She said that beds occupied is about the same as last year's, and that the number of OR cases are slightly higher. She said that Capacity Alerts have remained minimal throughout the year. She said she would provide a more detailed report at a future Board meeting. Ms. Doyle also said that construction on the new facility is going well. She said that the new building should be open in the Fall of 2013.

## LEGISLATIVE REPORT

Ms. Gainer reported that the Legislative Budget Analyst for MIEMSS would be visiting the agency on July 14<sup>th</sup>.

## UPDATE ON ACTIVITIES

MSP Aviation Command. Major Gibbons reported that Jim Haley, the Procurement Officer for the new helicopters, had been ill and was recuperating. He said that the first delivery date for the new helicopters is May 2012. He reviewed current MSP activities and said that the number of scene transports had increased. He updated the Board on helicopter maintenance needs, noting that four (4) aircraft are currently in "T" inspections. He said that the Dynamic Deployment operation was continuing through Labor Day. He said that personnel were working on acquiring the flight training device that had been approved by the Legislature.

Maryland State Firemen's Association. Mr. DeVries thanked Past President Doyle Cox for his excellent leadership of the MSFA during the past year and said that the Board was grateful for all his hard work. He also congratulated Board member Gene Worthington who had received the MSFA's Robert H. Shimer Administrator of the Year Award and MIEMSS Ombudsman Phil Hurlock who had received the MSFA's Gladhill-Thompson Trophy.

Past President Cox thanked Jim Brown, Brian Slack, and Gail Kostas for all the work they do to help the MSFA and the citizens of Maryland and presented them with a plaque in recognition of their efforts. He noted that Chris Hyzer, of MIEMSS, was also elected to the MSFA Hall of Fame. He said he had enjoyed working with the Board and looked forward to future collaboration.

## OLD BUSINESS

Proposed Regulation Change – Protocol Review Committee – COMAR 30.03.05.02.  
Mr. Magee said that a modification to the regulations had been drafted to better specify the members of the Protocol Review Committee.

**ACTION: Upon the motion of Mr. Broccolino, which was seconded by Ms. Vanhoy, the Board approved the draft modification for publication as a proposed regulation.**

Proposed Regulation Change – Incorporation by Reference – COMAR 30.01.02.01.  
Mr. Magee asked the Board to approve a draft amendment to 30.01.02.01 to update the EMS Protocols and the Trauma Data Dictionaries which are incorporated by reference in the regulations.

**ACTION: Upon the motion of Mr. Broccolino, which was seconded by Ms. Vanhoy, the Board approved the draft amendment for publication as a proposed regulation.**

Criminal Background Checks – Update on Pilot Study. Mr. Shaefer said that MIEMSS had undertaken a pilot study to determine the necessity of conducting criminal background checks. He said that the study consisted of a retrospective review of initial and renewal certifications / licensures in 2010. Of the 2,602 individuals reviewed, 60 had criminal backgrounds, 20 of whom had reported such to MIEMSS. Of the 40 individuals who did not report, the Incident Review Committee decided to issue complaints in 11 of the cases; the remaining 23 were determined not to require further action. Mr. Schaefer said that the pilot project took about 240 staff hours to complete. Dr. Bass said that MIEMSS would include an article in the EMS Newsletter informing providers that, going forward, MIEMSS will be conducting such checks for initial and renewal certifications / licenses.

## **NEW BUSINESS**

Proposed Changes to AED Public Access Regulations – COMAR 30.06.03.01. Dr. Alcorta and Ms. Sette presented draft changes to the AED Public Access Regulations. They explained that the current protocol very specifically describes the procedures to be followed for lay AED use. The draft change, however, would simplify the protocol for layperson AED use to provide that the individual should follow the machine prompts and their training. They said that the draft was in alignment with national guidelines.

**ACTION: Upon the motion of Ms. Vanhoy, which was seconded by Dr. Kalish, the Board approved publication of the draft as a proposed regulation.**

EMS Protocol Change – Approved Cardiac Interventional Centers. Mr. Kelley asked the Board to approve the addition of the list of designated Cardiac Interventional Centers to the 2011 Maryland Medical Protocols.

**ACTION: Upon the motion of Dr. Westerband, which was seconded by Ms. Showalter, the Board approved the addition of the approved Cardiac Interventional Centers to the Maryland Medical Protocols for EMS Providers.**

EMS Protocol Change – DNR / MOLST. Dr. Alcorta explained that the new MOLST (Medical Orders for Life-Sustaining Treatment) form goes into effect on October 1, 2011, and can be accepted in lieu of the EMS/DNR form. He asked the Board to approve draft changes to the DNR Protocol to include recognition of the Maryland MOLST Form.

**ACTION: Upon the motion of Ms. Showalter, which was seconded by Mr. Broccolino, the Board approved the draft changes to the DNR Protocol to include recognition of the Maryland MOLST Form.**

Mr. DeVries announced that the Board would be retiring to Executive Session, after which it would reconvene in Open Session.

**ACTION: Upon the motion of Mr. Broccolino, which was seconded by Ms. Vanhoy, 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).

The closed session was attended by:

**Board Members Present:** Donald L. DeVries, Esq., Chairman; Vic Broccolino; David Hexter, M.D.; Murray Kalish, M.D.; Robert Maloney; Dean Albert Reece, M.D., Ph.D.; Sally Showalter; Mary Alice Vanhoy, R.N.; Dany Westerland, M.D.; Gene Worthington.

**Board Members Absent:** David Fowler, M.D.

**Others Present:**

**MIEMSS:** Dr. Bass; Dr. Alcorta; Ms. Aycock; Mr. Fiackos; Ms. Gainer; Mr. Hawthorne; Ms. Myers; Ms. Oliveira; Mr. Schaefer.

**OAG:** Mr. Magee; Ms. Sette.

The Board approved the closed session minutes from the May 10, 2011, meeting.

The Board considered nominations to fill a vacancy on the Statewide EMS Advisory Council.

The Board was provided information regarding various EMS provider education programs.

The Board considered provider disciplinary cases.

**The Board reconvened into Open Session at 11:25 a.m.**

**Board Members Present:** Donald L. DeVries, Esq., Chairman; Vic Broccolino; David Hexter, M.D.; Murray Kalish, M.D.; Robert Maloney; Dean Albert Reece, M.D., Ph.D.; Sally Showalter; Mary Alice Vanhoy, R.N.; Dany Westerland, M.D.; Gene Worthington.

**Board Members Absent:** David Fowler, M.D.

**Others Present:**

**MIEMSS:** Dr. Bass; Dr. Alcorta; Ms. Aycock; Ms. Gainer; Mr. Schaefer.

**OAG:** Mr. Magee; Ms. Sette.

**ACTION:** Upon the motion of Mr. Broccolino, which was seconded by Dr. Kalish, the Board voted to approve the Harford Community College ALS Program for the remainder of a five-year period.

**ACTION:** Upon the motion of Ms. Vanhoy, which was seconded by Dr. Reece, the Board voted to approve the Carroll County Community College ALS Program on a one-year provisional basis.

**ACTION:** Upon the motion of Dr. Reece, which was seconded by Dr. Kalish, the Board voted to approve the Butler Medical Transport EMS Refresher Program for five (5) years.

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