	<b>Maryland Institute for Emergency Medical Services Systems</b>		
	<b><i>Policy: EMRC/SYSCOM Medical Case Review Policy</i></b>		
	<b><i>Originator: Office of the Medical Director</i></b>		
	Policy Number	Effective Date	Revision Date
330.01	July 1, 2013	November 4, 2020	

## 1. Purpose

Medical Review of EMRC/SYSCOM Communications among field clinicians, EMRC/SYSCOM operators (MSP and MIEMSS), hospital staff, PSAP personnel, and consulting physicians provides an opportunity for reviewing system performance, medical direction and EMS communications initiated by and provided to EMS clinicians for purposes of:


- a. Evaluating and improving the quality of health care provided by certified or licensed EMS clinicians, other health care practitioners and telecommunications communicators;
- b. Evaluating the level of health care needed and the level of performance of health care provided by EMS clinicians and other health care practitioners;
- c. Evaluating the quality of medical direction provided to EMS clinicians;
- d. Evaluating the qualifications, competence, and performance of EMS clinicians;
- e. Documenting information for medical review committee investigations of patient care encounters; and
- f. Assessing system performance pertaining to the helicopter request and dispatch process.

## 2. Definitions

- a. Regular Member – Participating member whose position is counted toward the quorum requirement.
- b. Ex Officio – Participating member by virtue of their position with the agency and is not counted towards the quorum requirement.
- c. Adjunct Member – Supports the operation of the committee and whose presence is not counted towards the quorum requirement.
- d. Quorum – Number of regular members required to be present for a meeting of the committee to occur. For the purpose of this policy, the number of regular members required is 3.
- e. MDEMSAR – Maryland EMS Audio Records. A system that records all EMS communications occurring on the MIEMSS EMS Communications System.
- f. EMSOP - EMS Operational Program

## 3. MIEMSS EMRC/SYSCOM Medical Review Committee


- a. The MIEMSS EMRC/SYSCOM Medical Review Committee is a medical review committee under Health Occupations Article §1-401 which consists of the following members:
  - MIEMSS State EMS Medical Director, Regular Member
  - MIEMSS Chief Compliance Officer, or designee, Regular Member
  - MIEMSS Chief, Health Facilities & Special Programs or designee, Regular Member

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- MIEMSS Director of Regional Programs, Regular Member
  - MIEMSS Chief of Information Technology and Communications or designee, Regular Member
  - MIEMSS Executive Director, Ex Officio Member
  - MIEMSS Deputy Director, Ex Officio Member
  - MIEMSS Director of State Office of Commercial Ambulance Licensing and Regulation, Ex Officio Member
  - MIEMSS Director, Trauma & Injury Specialty Care Program, Adjunct Member
  - MIEMSS Director EMRC/SYSCOM, Adjunct Member
  - MIEMSS State Aeromedical Director, Regular Member
- b. All Members of the EMRC/SYSCOM Medical Review Committee – regular, ex officio, and adjunct – shall have access to audio recordings of EMS clinicians and other health care practitioners for the purposes set forth in Section 1 above. The MIEMSS Director EMRC/SYSCOM shall maintain a confidential record of Members accessing such recordings under this policy unless access is directly via the MDEMSAR which automatically records access.
- c. A MIEMSS employee who is not a member of the EMRC/SYSCOM Medical Review Committee may have access to audio recordings of EMS clinicians and other health care practitioners for the purposes set forth in Section 1 above with the approval of the State EMS Medical Director provided the employee executes an Audio Recording Confidentiality Agreement (Attachment B - MIEMSS Employee Confidentiality Agreement).

#### **4. Audio Recording of EMRC/SYSCOM Operations**

- a. EMRC/SYSCOM audio recording of medical direction and EMS communications initiated by and provided to EMS clinicians complies with the authority provided by the Attorney General in the letter dated January 25, 2001, which is attached to this policy memorandum (Attachment A - Dedicated Emergency Telephone Lines).
- b. EMRC/SYSCOM audio recordings are confidential records under Health Occupations Article §14-506(b).
- c. EMRC/SYSCOM audio recordings are made of EMRC/SYSCOM communications for the purpose of reviewing the health care provided by the State EMS system under Health Occupations Article §14-501.
- d. EMRC/SYSCOM audio recordings will be reviewed periodically by the Regular Members of the MIEMSS EMRC/SYSCOM Medical Review Committee and such other Members as may have interest in such review. Other persons who may be of assistance in such review may attend review sessions provided they execute an EMRC/SYSCOM Medical Review Committee confidentiality agreement.


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- i. Recordings for periodic review will be selected quarterly and reviewed on a random basis of one call per shift (minimum). If follow up quality improvement is required, a Member of the MIEMSS EMRC/SYSCOM Medical Review Committee will address the matter with the appropriate personnel.
- ii. A confidential log will be maintained by the Director EMRC/SYSCOM, which lists recordings reviewed periodically by date, time, type of call, EMRC/SYSCOM personnel involved and any follow up resulting from the quality control review.
- iii. In addition to the scheduled reviews, any Member of the MIEMSS EMRC/SYSCOM Medical Review Committee can review additional recordings for the purposes set forth in Section 1 as the need arises.

**5. Requesting EMRC/SYSCOM Audio Recordings**

Recordings will be available for review by request from medical review committees from other institutions as follows:

- a. The Request Review Subcommittee consists of the State EMS Medical Director, the Director of EMRC/SYSCOM and the Chief Compliance Officer of MIEMSS. The Request Review Subcommittee is also a medical review committee under Health Occupations Article §1-401.
  - i. The Request Review Subcommittee is responsible for evaluating audio recording requests from outside institutions to determine if the audio recording may be released to the requesting entity.
- b. Audio recordings shall be made available to hospital medical review committees via the MIEMSS audio recording system to hospitals which have executed a Memorandum of Understanding Regarding Hospital Access to Audio Records via MDEMSAR.
- c. Upon written or email request to the Request Review Subcommittee, audio recordings may be made available to appropriate EMSOP medical review committees or base station medical review committees for the purpose of medical case review and quality assurance as follows:
  - i. All requests for recordings shall be in writing or submitted via email to the Director of EMRC/SYSCOM or the State EMS Medical Director together with a phone number to be used for password transmission. Requests will be forwarded to the Request Review Subcommittee.
  - ii. If the Request Review Subcommittee determines the release of a recording to an EMSOP medical review committee or base station medical review committee is appropriate:
    - 1. The EMSOP or base station shall sign a confidentiality agreement (Attachment C - Audio Recording Confidentiality Agreement) which ensures that the audio record

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shall be used only for medical review committee purposes under Health Occupations Article §1-401, shall be deleted or destroyed by the EMSOP per the confidentiality agreement, and shall not be reproduced/copied in any way;

2. The audio recording shall be released only to the individual(s) appointed by the EMSOP or base station to receive the record; and
3. The audio recording shall be provided in an encrypted file via DVD, CD, or email together with the executable program required to decrypt and playback the audio recording. The encryption password shall be sent independently by telephone or text message to the phone number supplied by the requestor.

**6. Access by Health Oversight Agencies for Quality Assurance and Compliance**

- a. Audio recordings can be made available to the Maryland Department of Health, for the purposes of quality assurance and compliance, upon written or email request, and with the approval of the MIEMSS Executive Director.

**7. Maintenance of EMRC/SYSCOM Audio Recordings**


- a. EMRC/SYSCOM audio shall be maintained in accordance with the approved Records Retention and Disposal Schedule for Recordings of Emergency Medical Services Consultation Requests and Associated Emergency Communications unless:
  - i. There is a pending request for an audio recording;
  - ii. The audio recording has been supplied to the MIEMSS Incident Review Committee as part of an investigation; or
  - iii. The audio recording is part of a criminal investigation and a written request to maintain the recording has been made from a law enforcement agency.

**7. Public/Private Designation**

Public - This document is approved for publication and unrestricted distribution.

Policy approved by MIEMSS:

Date: 11/4/2020

Signature:   
 Theodore R. Delbridge, MD, MPH  
 Executive Director



# Maryland Institute for Emergency Medical Services Systems

## Attachment A - Dedicated Emergency Telephone Lines

Policy Number: 330.01

Effective Date: July 1, 2013

J. JOSEPH CURRAN, JR.  
Attorney General



CARMEN M. SHEPARD  
DONNA HILL STATON  
Deputy Attorneys General

Fax No.: (410) 576-7036

Telephone No.: (410) 576-7051

TELECOPIER No.

### STATE OF MARYLAND OFFICE OF THE ATTORNEY GENERAL

WRITER'S DIRECT DIAL No.

January 25, 2001

Robert R. Bass, MD  
Executive Director  
Maryland Institute for Emergency Medical Services Systems  
653 West Pratt Street  
Baltimore, Maryland 21201

Re: Dedicated Emergency Telephone Lines

Dear Dr. Bass:

Pursuant to Article 27, §555B(a) of the Annotated Code of Maryland, I hereby approve the operation by the Maryland Institute for Emergency Medical Services Systems ("MIEMSS") of telephone recorder-connector equipment, on certain telephones at MIEMSS, EMRC/SYSCOM, currently located at 653 West Pratt Street, Baltimore, Maryland 21201. This approval is limited to public telephone lines having the numbers 410-706-0036, 410-706-0092, 410-706-7813, 410-706-7814, 410-706-7815, 410-706-8080, 410-706-8081, 410-706-8082, 410-706-8529, 410-578-8400, 410-578-8401, 410-578-8402, 410-659-6868, 410-659-6869, 410-783-7525, 410-783-7526, 301-333-4671, 301-333-4672, 301-333-4673, 1-800-468-5090, 1-800-492-1185, 1-800-492-3805, 1-800-648-3001, and 1-877-840-4245. This authorization and approval is predicated on the lines referred to above being used exclusively for police, fire, and rescue calls, including all incoming calls and outgoing calls to hospitals for medical information. It is my understanding that these lines have been dedicated to be used exclusively for the purposes as indicated previously.

Approval is also given for a waiver of the requirement to use a distinctive recorder tone on the lines referred to above. It is my understanding that the use of a "beep" tone could interfere with the transmission of telemetry signals during medical consultations, e.g., during the transmission of electrocardiogram data. In addition, these tones could be disruptive to the flow of information during the hectic pace of emergency medical services communications and activities.

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200 Saint Paul Place ♦ Baltimore, Maryland 21202-2021  
Telephone Numbers: (410) 576-6300 ♦ D.C. Metro 470-7534  
Telephone for Deaf: (410) 576-6372



**Maryland Institute for Emergency Medical Services Systems**

***Attachment A - Dedicated Emergency Telephone Lines***

Policy Number: 330.01

Effective Date: July 1, 2013


Robert R. Bass, MD  
January 25, 2001  
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Any change in the use of the telephone lines referred to above other than for the purposes stated above shall negate the authorization contained in this letter.

You should remind your staff that any violation of the provision of Article 27, §555B, subjects a person to criminal prosecution and upon conviction, immediate dismissal from state service.

Very truly yours,

Attorney General

	<b>Maryland Institute for Emergency Medical Services Systems</b>	
	<b><i>Attachment B – MIEMSS Employee Confidentiality Agreement</i></b>	
	Policy Number: 330.01	Effective Date: July 1, 2013

**MIEMSS Employee EMRC/SYSCOM Medical Review Committee**

**MIEMSS Employee Confidentiality Agreement**

I am a MIEMSS employee, and I require access to an EMRC Audio Recording for one of the purposes set forth in Section 1 of the EMRC/SYSCOM Medical Case Review Policy, which I have read and understand. I further understand that the EMRC/SYSCOM Medical Review Committee is established as medical review committee by MIEMSS and therefore its activities are provided confidential status under the law. I agree to respect and maintain the confidentiality of the EMRC Audio Recording(s) to which I seek access. I agree to make no voluntary disclosures of such information except to persons authorized to receive it in the conduct of EMRC/SYSCOM Medical Review Committee activities.

I understand that the EMRC/SYSCOM Medical Review Committee and MIEMSS are entitled to undertake such action as is deemed appropriate to ensure that this confidentiality is maintained. This includes action necessitated by any breach or threatened breach of this agreement, such as disciplinary action. I further understand that willful and knowing release of information deemed confidential by law could result in criminal penalties. Additionally, willful and knowing disclosure of a confidential record which identifies any individual could result in liability to the individual for actual and punitive damages.

Name: \_\_\_\_\_  
*Printed*


Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Phone#: \_\_\_\_\_

Access Approved: \_\_\_\_\_  
Timothy Chizmar, MD

Questions regarding data release and confidentiality may be referred to Monty Magee, Assistant Attorney General for MIEMSS, (410)706-8531

	<b>Maryland Institute for Emergency Medical Services Systems</b>	
	<b><i>Attachment C - Audio Recording Confidentiality Agreement</i></b>	
	Policy Number: 330.01	Effective Date: July 1, 2013

**MIEMSS EMRC/SYSCOM Medical Review Committee**

**Audio Recording Confidentiality Agreement**

To obtain the Audio Record for a Specific Incident:

\_\_\_\_\_

*Location, Date and Time of Incident*

To designate an Agency Representative to request and receive Audio Records:

\_\_\_\_\_

*Designee - Name and Title*

Authorization lasts for a 365 period from the Requestor's signature date below.

In consideration for the MIEMSS EMRC/SYSCOM Medical Review Committee providing access to confidential medical review committee audio records ("Audio Records") the

\_\_\_\_\_ Medical Review Committee by its

*Name of Requesting Agency*

authorized officer/representative agrees as follows:

1. The Audio Record and its contents as well as the minutes of the Requesting Agency Medical Review Committee will be maintained in confidence and protected under the confidentiality afforded by Health Occupations Article §1-401, Annotated Code of Maryland.
2. The Requesting Agency Medical Review Committee assumes responsibility for the retention and destruction of the Audio Record.
3. The Requesting Agency Medical Review Committee shall delete/destroy the audio record on or before 180 days from the Incident Date.
4. The Audio Record and/or its contents shall not be copied or reproduced in any manner.

This confidentiality agreement is executed on behalf of the **Requesting Agency Medical Review Committee** by the undersigned who represents that he or she has authority to do so.

\_\_\_\_\_  
*Printed Name and Title of Requestor*

\_\_\_\_\_  
*Requestor Signature*

\_\_\_\_\_  
 Date