

**Legislation and Planning Committee Meeting (L&P)
 Courtyard by Marriott, Richmond North
 Friday, August 9, 2013
 9:00 A.M.**

| Members Present: | Members Absent: | Staff: | Others: |
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| Chris Eudailey, Chair | Eddie Ferguson | Scott Winston | Chad Blosser |
| Michael Player | | Gary Brown | Kent Weber |
| Ed Rhodes | | Michael Berg | Gary Samuels |
| Rob Logan, Vice-Chair | | Tim Perkins | Wes Shifflett |
| Gary Dalton | | Warren Short | Carol Rhodes |
| Art Lipscomb | | | |
| Anita Ashby | | | |
| Byron Andrews | | | |
| Mark Stroud | | | |

| Topic/Subject | Discussion | Recommendations, Action/Follow-up; Responsible Person |
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| OPENING | Mr. Chris Eudailey called the meeting to order at 9 AM. The minutes from Friday, May 10, 2013 meeting were reviewed. | Motion to approve the May 10, 2013 meeting minutes was made and seconded. The Committee voted unanimously to approve the minutes. |
| OEMS UPDATE | <p>Mr. Winston informed the committee to refer to the quarterly OEMS report to the state EMS Advisory Board for updates on key activities. The report is posted on the OEMS Web site at: http://www.vdh.virginia.gov/OEMS/Files_Page/Advisory_board/ABQuarterlyReport0813.pdf.</p> <p>Mr. Winston shared several OEMS personnel updates with the committee. The Office has recruited and filled the positions of OEMS Fiscal Assistant (Tracy Manley), Training and, Emergency Services Manager (Karen Owens), and Human Services Program Specialist (Adam Harrell). In addition, OEMS is seeking authorization from the Office of Secretary of Health and Human Resources (OSHR) to re-establish a biostatistician position within the Division of Trauma and Critical Care. Recruitment for the Development Coordinator Senior, formerly held by Mr. Chad Blosser is complete and a total of 20 individuals will be offered interviews in late August</p> | |

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| | <p>2013.</p> <p>The committee was briefed by Mr. Gary Brown, Mr. Michael Berg, Mr. Warren Short and Mr. Winston on various OEMS activities and legislative initiatives.</p> <p>Changes in the EMS recertification process pertaining to the elimination of testing requirements or the requirement to obtain a test waiver have been delayed. Originally scheduled to take effect July 1, 2013, changes to the EMS recertification process have been delayed until a fast-track regulatory review is completed. The Commissioner of Health and Office of Attorney General (OAG) have approved the regulatory review packet and it must now be approved by the Dept. of Planning and Budget (DPB) and a public comment period completed before these changes can take effect.</p> <p>The Office of EMS is working with the Virginia Department of Health (VDH) executive leadership and the Virginia State Police to obtain the necessary equipment, supplies and develop policies and procedures for the implementation of FBI background checks for each person who, on or after July 1, 2013, applies to be a volunteer with or employee of an EMS agency. Because these tasks are not complete, there will be a delay in the enactment of these new requirements into law (§32.1-111.5).</p> <p>Before the Office of EMS can remove language in the EMS Regulations that requires EMS personnel to obtain the signature on the prehospital patient care report of the medical practitioner who assumes responsibility for the patient at the hospital for an incident when a drug is administered or an invasive procedure is performed, the Board of Pharmacy must remove language pertaining to the medical practitioner signature in their existing regulations that appears in 12VAC110-20-500. The Board of Pharmacy met on June 18, 2013 and voted to pursue a final exempt regulatory action to eliminate the practitioner signature requirement. The OAG has approved these changes in regulation and the amended regulations will be published in the Virginia Register on August 26. The changes to the Board of Pharmacy regulations will become effective on September 25, 2013. The Office of EMS will immediately initiate a fast track regulatory review of the existing EMS Regulations to make the corresponding change in the EMS Regulations.</p> <p>Mr. Mark Stroud, representing VML, offered the support of VML for legislative initiatives introduced by the EMS community. Mark is a member of the Education and Human Development</p> | |

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| | <p>committee of VML and indicated there may be opportunities in the future to work together to help promote common legislative interests and initiatives.</p> <p>Mr. Berg reported a number of changes have been requested in the EMS Regulations pertaining to medevac services, financial assistance for EMS, equipment and supplies, etc. The Office of EMS is considering submitting a regulatory review packet in January 2014 to address these necessary changes.</p> <p>Mr. Winston updated the committee on the progress of developing model language for an interstate compact for EMS personnel licensure. Mr. Winston has been appointed by NASEMSO to serve on the drafting team for the Model Interstate Compact for EMS Personnel. The drafting team had its initial meeting in Washington, DC on June 4 and 5. The second meeting of the drafting team is scheduled to be held in Baltimore, MD on August 20 and 21.</p> <p>Mr. Winston updated the committee on E.V.E.N.T. (EMS Voluntary Event Notification Tool) an anonymous system for EMS practitioners to report near-miss and line of duty death (LODD) incidents by answering a series of questions in an online format. These Near Miss and LODD Online Reporting Tools and reports of the aggregate data collected are now live at www.emseventreport.org. These tools and reports, along with an already existing tool to report patient safety events, form the EMS Voluntary Event Notification Tool (E.V.E.N.T.).</p> | |
| <p>STATE EMS PLAN UPDATE</p> | <p>Mr. Tim Perkins provided the committee an update on the status of the state EMS Plan. The assignment for committees of the state EMS Advisory Board to review the existing state EMS Plan as well as the mission and vision of their respective committees has been completed. Input from OEMS staff following their Sept. 2012 retreat and committee input has been incorporated into a draft proposed EMS Plan. This draft is in appendix D of the Quarterly Report to the State EMS Advisory Board and will be presented to the full board for their consideration. A public comment period will be held to solicit comments from interested stakeholders and constituents. The state EMS Advisory Board will be requested to approve the plan at their November 6 meeting. If approved by the state EMS Advisory Board, the plan will be presented to the Board of Health for approval at their December 6 or March 2014 meeting.</p> <p>The committee reviewed the proposed revisions to the state EMS Plan and offered the following</p> | |

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| | <p>additional revisions:</p> <p>Rob Logan noted that there is no longer a requirement in the regional EMS Council contracts for the submission of regional training plans as referenced in 2.2.1.1. Alternative language was suggested: <i>“In conjunction with, and using resources of the regional EMS Councils, widely publicize the availability of and ensure adequate, accessible and quality EMS provider training and continuing education through course offerings held across the state.”</i></p> <p>There was also discussion about the role of the EMS Symposium as it relates to strategic initiative 2.1. Supply quality education and certification of EMS personnel. Some members of the committee felt that specifically mentioning the VA EMS Symposium in the plan, it drew attention to this event and language could be added to support the EMS Symposium without specifically mentioning the event by name. Other members of the committee favored referencing the EMS Symposium in the Plan in order to legitimize the program and make it more difficult to discontinue this event in the future. The following alternative language was offered for action step 2.2.5.3. <i>“Provide continued support for an annual multi-disciplinary EMS Symposium as a primary statewide EMS system continuing education event.</i></p> | <p>Motion made by Rob Logan and seconded by Byron Andrews to amend 2.2.1.1 and 2.2.5.3 of the EMS Plan as presented. Suggested alternative language was discussed and agreed upon in principle. The committee unanimously approved the motion.</p> |
| <p>2013 Session of the VA General Assembly</p> | <p>The committee was provided an update by OEMS staff on the assignments created by the passage of HB1856 patroned by Delegate Bobby Orrock. A substitute bill was introduced during the session and ultimately approved as a section 1 bill. The substitute bill essentially requires i) the Board of Health to direct the state EMS Advisory Board to inform EMS providers about the appeals process for any adverse decision made by an OMD that would limit the ability of an individual to practice or function under the authority of the OMD, <i>Dr. McLeod, Chair of the Medical Direction Committee formed a workgroup to develop a draft policy. The draft policy will be reviewed by the full Medical Direction Committee at their next meeting scheduled for Thursday, Oct. 10. The policy will provide guidelines for the formation of peer review groups at the local and regional level.</i></p> <p>ii) an SOP template to be developed and used in the development of local BLS protocols, <i>Dr. Lindbeck is lead on this project. Guidelines for use in the development of BLS patient care</i></p> | |

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| | <p><i>guidelines (protocols) already exist.</i></p> <p>and iii) the Board, in cooperation with the state EMS Advisory Board shall review the availability of EMS personnel training throughout the state and identify and address disparities in the delivery of EMS training programs. <i>Workgroup of Training and Certification Committee has been meeting by conference call to discuss this assignment. Webinar is scheduled on Monday, August 12 to continue work on this assignment. A survey will be sent to all current Education Coordinators, randomly selected individuals who have recently obtained their certifications and Program Directors of accredited EMS training programs.</i></p> <p><i>Interim report is due to the House Health, Welfare and Institutions and Senate Education and Health Committees by December 1, 2013. Commissioner of Health has requested a draft report for review no later than October 16. Executive Committee of the state EMS Advisory Board has scheduled a meeting on Thursday, October 10 to review draft interim reports and will take action on behalf of the full Board.</i></p> | |
| <p>Potential Legislation for the 2014 Virginia General Assembly Session</p> | <p>Mr. Rhodes and Mr.Lipscomb reported the number one priority for the 2014 session of the Virginia General Assembly will be to restore state funding for the Line of Duty Death (LODD) benefit. It has been reported that VACO may be introducing legislation to take over management of the LODD fund. Mr. Rhodes indicated several sources of funding were being looked at for the line of duty act (LODA). Population based communications tax and settlement money from a criminal case against Abbott Laboratories are being considered. Regarding the settlement from Abbott Laboratories, Mr. Rhodes reported VACO has sent a letter to the Office of the Attorney General (OAG) for money from the settlement to be released to the Dept. of Criminal Justice Services (DCJS) to be distributed to localities within VA.</p> <p>There will also be efforts once again to restore the interest money from RSAF administered by OEMS and Aid to Locality (ATL) administered by VA Dept. of Fire Programs. Interest from these funds is currently diverted to the General Fund.</p> <p>Mr. Rhodes also reported there may be an effort to restore the \$2.00 from the EMS Fund that is currently being diverted to the General Fund.</p> | |

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| | Other potential legislation that may be introduced during the 2014 session includes helicopter fees charged by private services and elimination of the number of emergency lights than can be installed on personal vehicles. | |
| EMS NEEDS ASSESSMENT | <p>Mr. Winston reported that data from the 2012 EMS Needs Assessment Survey has been analyzed. A draft report of the findings from the assessment and several Excel spreadsheets with pivot tables were distributed to the committee members prior to the meeting. Analysis of the data by regional EMS Council service areas has been completed in an effort to determine if there are specific areas of need across the state.</p> <p>Mr. Winston also reported he is completing his review of the final report and an Executive Summary of the data collected from the 2012 EMS Needs Assessment will be available soon. These reports will be posted on the OEMS Web site once completed.</p> <p>The committee discussed repeating the assessment in subsequent years. Mr. Winston reported he does not foresee being able to complete another comprehensive survey until mid 2014. Items for consideration in future assessments should include developing a plan to conduct assessments on an annual basis, notification of regional EMS Councils on a weekly basis of what agencies have and have not responded to the survey, how to address situations where jurisdictional EMS services may respond on behalf of all independent, volunteer EMS agencies within a jurisdiction, and developing promotional information leading up to an official launch of the annual needs assessment.</p> <p>The EMS assessment workgroup will be requested to review information in order to develop the 2014 EMS Needs Assessment that will be released sometime in mid-2014.</p> <p>Mr. Winston also shared information about a 12-lead ECG survey that will be released later this year by the Virginia Heart Attack Coalition (VHAC). Regional VHAC teams and regional EMS Councils, along with the Office of EMS have been requested to support this survey that will collect information about various aspects of 12-lead programs across the commonwealth, to include equipment, communications, education and training, protocols, etc.</p> | |
| UNFINISHED BUSINESS | There is no unfinished business to bring before the committee. | |
| NEW BUSINESS | Ed Rhodes and Art Lipscomb reported the creation of a Fire and EMS Caucus. At least five (5) | |

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| | legislators have agreed to participate on the Caucus, including Delegates Rust, McClellan and Cosgrove and Senator Puckett. The Caucus is scheduled to meet on October 10 in the Speaker of House Conference Room in the Virginia General Assembly Building in Richmond. | |
| MEETING DATES FOR 2013 | <p>The following meeting dates remain for 2013:</p> <p>Wednesday, November 6 at 10 AM at the Norfolk Waterside Marriott or an alternate date that coincides with the Virginia Fire Services Council Legislative Summit (typically held in October time frame).</p> <p>All meetings will be held in Richmond and begin at 9 AM unless otherwise indicated.</p> | |
| ADJOURNMENT | The meeting was adjourned at approximately 11:15 AM | |

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