



Legislation and Planning Committee Meeting (L&P)
Norfolk Waterside Marriott. Coral Sea Boardroom
Wednesday, November 6, 2013
10:00 A.M.

Members Present:	Members Absent:	Staff:	Others:
Chris Eudailey, Chair	Eddie Ferguson (excused)	Scott Winston	Chad Blosser
Michael Player	Anita Ashby (excused)	Gary Brown	Ray Whatley (rep. VAGEMSA)
Ed Rhodes		Michael Berg	Gary Samuels
Rob Logan, Vice-Chair			Dreama Chandler, VAVRS
Gary Dalton			Michael Gerber
Art Lipscomb			Bruce Edwards
Mark Stroud			Cathy Fox
Byron Andrews			

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
OPENING	<p>Mr. Chris Eudailey called the meeting to order at 10 AM. The minutes from Friday, August 9, 2013 meeting were reviewed.</p>  <p>2013Aug09 LP Committee Meeting M</p>	<p>Motion made by Ed Rhodes and seconded by Michael Player to approve the August 9, 2013 meeting minutes. The Committee voted unanimously to approve the minutes.</p>
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/ABQuarterlyReport1113.pdf</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</p>	

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
	<p>1, 2013, changes to the EMS recertification process have been delayed until a fast-track regulatory review is completed. The Commissioner of Health, Office of Attorney General (OAG), Dept. of Planning and Budget (DPB) have approved the regulatory review packet and it now awaiting approval by the Governor's Policy Analyst.</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, the enactment of these new requirements into law (§32.1-111.5) are delayed.</p> <p>Mr. Byron Andrews asked when the fingerprint criminal background checks would be implemented. Mr. Berg indicated the regional EMS Councils will be the point of distribution for the fingerprint cards and information will be posted on the OEMS Web site. Once the equipment is received and training can be completed, there will be at least a thirty (30) day advance notice prior to initiation of the new policy.</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 were 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 has initiated a fast track regulatory review of the existing EMS Regulations to make the corresponding change in the EMS Regulations. The regulatory review package has been submitted to VDH administration for review and approval.</p> <p>Mr. Berg reported a number of changes have been requested in the EMS Regulations pertaining to training, medevac services, financial assistance for EMS, equipment and supplies, etc. The Office</p>	

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
	<p>of EMS is considering submitting a fast track regulatory review packets in January 2014 to address these necessary changes. The proposed revisions to the training sections of the EMS Regulations will not be submitted as a fast track process.</p>	
<p>STATE EMS PLAN UPDATE</p>	<p>The committee discussed several procedural issues related to how to handle the state EMS Plan. The committee discussed should the document be accepted in concept as a consensus document or should specific action be taken to adopt changes to the document after agreement to language changes.</p> <p>Key strategic initiative 2.1.4 was referenced and the use of the abbreviation VAVRS. It was noted that VAVRS is not defined in the glossary of commonly used acronyms section of the state EMS Plan.</p> <p>Mr. Bruce Edwards asked about the suggested changes to the state EMS Plan made during the public comment period. Mr. Winston advised the committee that OEMS received comments about the plan from only one individual. Mr. Edwards stated committee members and OEMS staff should be diligent to circulate and consider all public comments prior to preparation of final draft versions.</p> <p>Mr. Mike Player motioned and Ed Rhodes seconded the action to accept the revised state EMS Plan as presented that incorporates public comments.</p>  <p>State EMS Plan 2013.DraftForLegisla</p> <p>The committee anticipates further edits to include information about the poison control network. The plan will then be presented to the full state EMS Advisory Board in February 2014 and to the Board of Health at their March 20, 2014 meeting.</p> <p>Mr. Tim Perkins will continue to work with Paul Sharpe and members of the Poison Control Network to develop draft language that will be submitted to the Legislation and Planning committee for their review and consideration.</p>	<p>Revise draft state EMS Plan to define “VAVRS” in the glossary of commonly used acronyms.</p> <p>Motion made by Mike Player and seconded by Ed Rhodes accept the revised state EMS Plan with addition of VAVRS to the glossary of commonly used acronyms. .</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</p>	

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
	<p>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 was reviewed by the full Medical Direction Committee at their Thursday, Oct. 10 meeting. The policy provides 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 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 completed their work and recommends developing a process to identify the need for and complete a program(s) with the intent of attracting and recruiting volunteers for EMT certification, utilizing various resources including but not limited to regional EMS Councils, no later than June 30, 2015.</i></p> <p><i>OEMS presented an interim report for review to the Executive Committee of the state EMS Advisory Board on Thursday, Oct. 10. The Executive Committee approved the report on behalf of the full Board and OEMS has submitted the report to the Commissioner of Health for final approval prior to delivery to the House Health, Welfare and Institutions and Senate Education and Health Committees by December 1, 2013.</i></p> <p><i>The report will be shared with the public upon review and approval by the Commissioner of Health.</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. Mr. Rhodes indicated a funding stream has been identified for the line of duty act (LODA) and a patron has agreed to carry the bill as long as it is not viewed as a tax increase.</p>	

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
	<p>Mr. Rhodes reported he and members of OEMS have been working with legislative services to make technical changes to the code pertaining to references related to EMS. Currently, EMS agencies are referenced by multiple terms in the code; i.e., rescue squad, life saving crews, first aid crew, volunteer sea rescue, etc. There have been multiple meetings with legislative services to work on this project. The current draft legislation is approximately 250 pages long. In addition to the use of consist references, terminology and definitions for EMS, all references to EMS currently found in the Fire code (Title 27) will be moved to the Health code section (Title 32).</p> <p>The 2014 Virginia’s Fire and EMS Legislative Agenda is complete and includes initiatives related to Fire and EMS funding and Line of Death Act funding. There will 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. 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> <p>Other potential legislation that may be introduced during the 2014 session includes:</p> <ul style="list-style-type: none"> a) changing language related to pan handling to allow 501 c (3) organizations to fund raise in the right of way, b) referencing the Virginia Professional Firefighters association instead of use of the term “a Virginia Professional Firefighter” in sections of the code pertaining to representation on the state EMS Advisory Board, c) Changing language in §32.1-283.1 pertaining to the establishment of a child fatality review team from “local emergency medical services personnel” to a representative from VAGEMSA or VAVRS, d) In §40.1-103, remove reference to attended rescue squad that employs emergency medical technicians, concerning drop off within the first 14 days of the child's life as it relates to a defense from prosecution for abandoning an infant, e) Technical changes to the code pertaining to the consistent use of the term volunteer length of service award programs (VOLSAP) <p>Mr. Rhodes reported that efforts to update the code sections pertaining to medical direction and</p>	

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
	<p>operational medical directors (OMD) will probably occur in 2015.</p> <p>Mr. Rhodes reported the inaugural meeting of the Fire and EMS Caucus was held on Oct. 10 in the Speaker of the House Conference Room. Five legislators are currently members of the caucus: Sen. Phillip Puckett, Del. Gordon Helsel, Del. John Cosgrove, Del. Jenn McClellan, and Del. Tom Rust. Mr. Rhodes stated a lot of material was shared with the caucus members and they asked a lot of questions.</p>	
UNFINISHED BUSINESS	There is no unfinished business to bring before the committee.	
NEW BUSINESS	There was no new business to bring before the committee.	
MEETING DATES FOR 2014	<p>In 2014, the committee will meet on the following dates:</p> <p>February 7, May 9, August 8 and Wednesday, November 5 in conjunction with the 35th Annual State EMS Symposium.</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 11:30 AM	