

**Legislation and Planning Committee Meeting (L&P)
 Courtyard by Marriott, Richmond North (Glen Allen)
 Friday, February 7, 2014
 9:00 A.M.**

Members Present:	Members Absent:	Staff:	Others:
Chris Eudailey, Chair	Eddie Ferguson	Scott Winston	Chad Blosser
Michael Player	Mark Stroud (excused)	Gary Brown	Kent Weber
Ed Rhodes		Michael Berg	Gary Samuels
Rob Logan, Vice-Chair		Dennis Molnar	Dreama Chandler, VAVRS
Gary Dalton		Tim Perkins	Melinda Duncan
Art Lipscomb		George Lindbeck, MD	Bruce Edwards
Anita Ashby		Warren Short	Cathy Fox
Byron Andrews			Sam Dahl

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
OPENING	<p>Mr. Chris Eudailey called the meeting to order at 9 AM. Mr. Eudailey requested a moment of silence in honor of Reserve Captain, Kevin Quick, Waynesboro PD. The minutes from Friday, November 6, 2013 meeting were reviewed.</p> <div style="text-align: center;">  2013Nov6 LP Committee Meeting M </div>	<p>Motion made by Ed Rhodes and seconded by Gary Dalton to approve the Nov. 6, 2013 meeting minutes. The Committee voted unanimously to approve the minutes.</p>
OEMS UPDATE	<p>Mr. Scott 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/ABQuarterlyReport0214.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>Mr. Winston reported a number of personnel changes at the Office of EMS. Mr. Russ Stamm, Virginia Statewide Trauma Registry (VSTR) and DDNR Coordinator has retired. Mrs. Christi Shires, VPHIB Coordinator has tenured her resignation to accept another position in Chesterfield</p>	

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	<p>County. Her last day at OEMS will be Friday, Feb. 14. Mr. Romney Smith has accepted a position as an EMS Program Representative with OEMS and the Asst. Manager position in Emergency Operations at OEMS has been offered to their top candidate and they are waiting to hear back from their top choice.</p>	
<p>STATE EMS PLAN UPDATE</p>	<p>A copy of a proposed final draft of state EMS plan appeared in Appendix C of the Nov. 6, 2013 Quarterly Report to the state EMS Advisory Board. This document was prepared prior to the Legislation and Planning (L&P) Committee meeting held on November 6, 2013.</p> <p>During the (L&P) Committee meeting on Nov. 6, changes were made to the proposed final draft of the state EMS Plan to include additional language recommended during the public comment period. In addition, the Committee discussed adding language to the state EMS Plan related to the Poison Control Network.</p> <p>Mr. Rob Logan asked Mr. Perkins about the appropriate time to incorporate language into the state EMS plan regarding poison control centers. Mr. Michael Player asked about the process for making changes to the plan “out of cycle” from the customary review and update every three (3) years as required by Code. Mr. Perkins explained that changes to the plan can be made at any time with prior review and approval by the state EMS Advisory Board and Board of Health.</p> <p>During the state EMS Advisory Board meeting held on Nov. 6, the Board was <u>not</u> requested to take action on the state EMS plan because additional time was needed to incorporate further language changes. Mr. Chris Eudailey, Chair of the L&P Committee reported the committee was waiting on one additional element from the Poison Control Centers that will be added to the Plan. It was reported that the committee will review that element at their February 7 meeting and then will bring the state EMS Plan back for the full Board’s consideration at their February 7, 2014 meeting.</p> <p>Because of a Feb. 7 VDH internal deadline for submitting a complete copy of all action items to be discussed at the next scheduled Board of Health meeting to be held on March 20, and amendments introduced to the state budget related to poison control centers in early January 2014, OEMS staff determined the best option at this time is not to add language pertaining to poison control centers into the proposed final draft of the state EMS plan.</p>	

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	<p>Mr. Winston advised the committee because of the short turnaround time to get materials to VDH for the March 20 Board of Health meeting, the state EMS Plan would be presented to the Board for adoption at their Thursday, June 5 meeting, if approved by the state EMS Advisory Board at their meeting later today.</p> <p>The committee was requested to approve the attached draft of the state EMS plan and the full state EMS Advisory Board will be requested to adopt the attached plan later in the day. The attached document contains items that are highlighted to identify language in the proposed final draft of the state EMS Plan that has changed from the version of the plan that was included in Appendix C of the Nov. 6, 2013 quarterly report.</p> <div data-bbox="556 695 621 751" data-label="Image"> </div> <p data-bbox="487 760 695 805">State EMS Plan 2013.FinalDraftforAd</p> <p>If you have any questions about the state EMS Plan, please contact Mr. Tim Perkins, State EMS Planner at tim.perkins@vdh.virginia.gov or Mr. Scott Winston, Assistant Director at scott.winston@vdh.virginia.gov.</p>	<p>Motion made by Art Lipscomb and seconded by Mike Player to accept the revised state EMS Plan.</p>
<p>Regulatory Changes resulting from 2013 session of VA General Assembly</p>	<p>Mr. Michael Berg reported that changes in the EMS recertification process pertaining to the elimination of testing requirements or the requirement to obtain a test waiver are currently under public comment. The public comment period ends the third week of February 2014. Originally scheduled to take effect July 1, 2013, changes to the EMS recertification process will go into effect on March, 1, 2014 following the conclusion of the fast-track regulatory review process. Mr. Berg reported that no new EMS Regulations books would be printed after these changes take effect.</p> <p>The Office of EMS is working with the Virginia Department of Health (VDH) executive leadership and the Virginia State Police (VSP) to obtain the necessary permissions to allow a PC installed at OEMS to communicate with the VSP, Automated Fingerprint Identification System (AFIS). All necessary equipment, supplies, forms and 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 is in place. Because OEMS is experiencing difficulty working with</p>	

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	<p>VITA/VSP to connect their PC to the VSP, LiveScan program, the enactment of these new requirements into law (§32.1-111.5) have been delayed.</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 (BoP) 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 the BoP regulations and the amended regulations were published in the Virginia Register for public comment on August 26. The changes to the Board of Pharmacy regulations became effective on September 25, 2013. The Office of EMS immediately 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 approved by VDH administration and 72 days have passed awaiting review by OAG and DPB.</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 of EMS will submit a fast track regulatory review packets in March 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>2014 Virginia General Assembly Session</p>	<p>Mr. Ed Rhodes and Mr. Art Lipscomb reported the number one priority for the 2014 session of the Virginia General Assembly is to restore state funding for the Line of Duty Death (LODD) benefit provided for in the Line of Duty Act (LODA). The LODD bill in the house has been carried over until 2015 and the senate version of the bill was amended with a letter to JLARC requesting a study to be completed.</p> <p>HB581/SB355: Mr. Rhodes reported the impetus for HB581 and SB355 was from the Division of Legislative Services (DLS) in response to confusion over the use of terms and definitions in the Code related to EMS when dealing with legislation introduced last year during the 2013 session of the VA General Assembly (HB1856). Mr. Rhodes reported he and members of OEMS have been</p>	

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	<p>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. Mr. Rhodes has held multiple meetings with legislative services to work on this project.</p> <p>HB 581 has been carried over to the Health, Welfare and Institutions Committee until the 2015 session of the General Assembly. SB 355 has been carried over until 2015 with a request by the state EMS Advisory Board to review and make recommended changes to the existing bill.</p> <p>Mr. Rhodes reported that legislative services has requested to participate in any meetings held by OEMS to discuss making revisions to the drafted bill language in HB581 and SB355. Mr. Player asked if the focus of review of these bills will be conducted by the Legislation and Planning Committee. Mr. Winston reported that the Chair of the state EMS Advisory Board will assign a workgroup to review and comment on these bills. It was stated, the EMS community will be in a better position to understand the proposed changes to the Code if they have had an opportunity to participate in drafting the language changes.</p> <p>Mr. Rhodes cited examples of changes proposed in the bill related to leaving an infant (less than 14 days from birth) at an attended rescue squad building, removing citations to Fire/EMS in Title 27 of the Code and moving all references to EMS to Title 32 of the Health section of the Code, and use of consistent terminology to identify the person in charge at the scene of an EMS event.</p> <p>The committee discussed identifying a series of dates to hold work sessions in order to begin work on reviewing the proposed language changes in HB581 and SB355. Mr. Rhodes stated he would contact Sarah Stanton, Esq., DSL, in order to determine her availability to meet with the L&P Committee.</p> <p>HB1010: The committee discussed HB1010 at length. HB1010 is a bill introduced by Delegate Kathy Bryon at the request of the Board of Supervisors in Bedford County and Fire Chief Jack Jones. The bill as introduced provides that regulations of the Board of Health governing qualifications for certification of emergency medical services providers shall require no more than 40 hours of classroom instruction for certification of an emergency medical services provider as an</p>	<p>Mr. Rhodes will contact Sarah Stanton, DLS regarding her availability to meet with the L&P Committee to begin work on HB581 and SB355.</p>

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	<p>emergency medical responder or emergency medical services first responder and no more than 80 hours of classroom instruction for certification of an emergency medical services provider as an emergency medical technician. This bill is carried over pursuant to Rule 22 of the House after it was subsequently defeated in subcommittee on a vote of 8 Yeas and 9 No's.</p> <p>HB1010 was not supported by any EMS organization (regional EMS Councils, VAGEMSA, VAVRS, VFCA, EMS Educators, VPFF, etc.) An amendment in the nature of a substitute (Title 1 bill) was introduced once the bill was assigned to HWI Subcommittee #3. In the substitute, the bill directed the state EMS Advisory Board to review recruitment and retention programs and the impact of such programs on the availability of qualified EMS providers throughout the Commonwealth, and develop recommendations for changes that may increase the number of qualified EMS providers in the Commonwealth.</p> <p>Rob Logan remarked that although the bill has been carried over until next year, the EMS Advisory Board needs to be prepared to show steps that have been taken to address recruitment and retention issues in the state. A number of suggestions were offered by committee members and OEMS staff in addition to referencing programs that have already been developed, such as fully fund LODD benefits, fully fund the volunteer length of service award program (VOLSAP), greater utilization of the Keeping the Best! EMS Workforce Retention Program, VAVRS EMS Leadership Challenge, EMS Officer Standards, Standards of Excellence program, strategic EMS plan includes key strategic initiatives related to recruitment and retention, VAVRS Volunteer Rescue Squad Assistance Workgroup (VRSAWG), Leadership and Management certificate program at EMS Symposium, improving relationships between EMS agencies and their community and local governments, ensure the availability of EMS education and training programs, financial support for recruitment and retention efforts from local and state government, VFCA Volunteer Workforce Solutions grant program, educate local governments about EMS and through VACO and VML, conduct recruitment and retention seminars to identify resources and tools, case studies, etc.</p> <p>All members of the committee agree it is a very complex subject and there are no immediate solutions/quick fixes, and probably no permanent solutions to the problem of recruitment and retention of EMS personnel. The committee felt it would be helpful to put together a bullet list of reasons individuals are not volunteering or leave once they become a member of a volunteer/career</p>	

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	<p>EMS agency. It was also noted that another reason it is difficult to attract EMS volunteers is because of cultural and lifestyle changes.</p> <p>Budget Amendments: Mr. Art Lipscomb stated there are no bad budget amendments introduced this year. He referenced several budget amendments that were introduced to provide funds for the Public Safety Memorial and poison control centers.</p>	
VIRGINIA FIRE AND EMS CAUCUS	<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.</p> <p>On Thursday, January 23, 2014 the Fire and EMS Caucus met at 5 PM in the 6th floor, Speakers Conference Room. Del. Tom Rust, Del. Gordon Helsel, Sen. John Cosgrove, Sen. Phillip Puckett, Del. Kaye Kory, and Del. Dave LaRock were in attendance. The legislators heard from the Fire and EMS Community about Line of Duty Act (SB289, SB493, and HB1230), HB1010 and the Public Safety Memorial. Mr. Matt Gray, Exec. Director of the Virginia Public Safety Foundation stated that all funding for construction of the memorial has been secured in private contributions. Going back to 1865, a total of 832 men and women have been killed in the line of duty and will be memorialized. In 2009, Virginia was one of only six states that did not have a public safety memorial. Today, Virginia is only one of five states that do not have a memorial. The memorial is scheduled to be built between the Capital and the General Assembly Building in an areas referred to as Darden Gardens. However, construction of the memorial may be postponed or the location moved because of plans to renovate/demolish the General Assembly Building. The representatives of the Fire and EMS Community encouraged the legislators present to push for the completion of the memorial without further delay.</p>	
UNFINISHED BUSINESS	There is no unfinished business to bring before the committee.	
NEW BUSINESS	Mr. Rob Logan suggested the committee may want to consider moving meeting dates to coincide with the beginning of the General Assembly session (second Wednesday of January) in order to be better able to respond in a more coordinated fashion to legislative proposals. Art Lipscomb and Ed Rhodes indicated scheduling meetings during the legislative session is challenging because of the speed at which bills are considered. A suggestion was offered to hold a meeting at the General	

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	Assembly building or alternatively in the Patrick Henry Building or VPPF headquarters in downtown Richmond. The Chair of the Committee suggested Mr. Logan's recommendation be considered further.	
MEETING DATES FOR 2014	<p>In 2014, the committee will meet on the following dates:</p> <p>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 Glen Allen, VA and begin at 9 AM unless otherwise indicated.</p>	
ADJOURNMENT	The meeting was adjourned at approximately 10:15 AM	

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