

**Legislation and Planning Committee
Embassy Suites Hotel
Richmond, VA
May 5, 2023
8:30 a.m.**

Members Present:	Members Absent:	OEMS Staff:	Others:
Gary Samuels (Chair, VPF)	Byron Andrews (VSFA)	Scott Winston	Steve Simon (WVEMS Council)
Beth Adams (Vice Chair, NVEMS Council)	Jeff Meyer (VAGEMSA)	Michael Berg	David Long (Leg. & Planning, VEMA)
Steve Higgins (VAA)		Gary Brown	Sonny Saxton (VA APCO)
Jake O’Shea (VHHA)		Dr. George Lindbeck	Melissa Meador (Greene Co. EMS)
Ed Rhodes (At-Large)		Daniel Linkins	
Gary Dalton (VAVRS)		Lara Traylor	
Bryan Rush (VML)		Mo Abbamin	
Michael Player (VFCA)			

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
I. Welcome and Introductions	Chair Gary Samuels called the meeting to order at 8:30 AM.	Michael Player motioned to accept proposed agenda for today’s meeting. Bryan Rush seconded. Committee unanimously approved proposed agenda.
II. Review and Approval of February 3, 2023 meeting minutes	OEMS received from County Court Reporters, Inc. and distributed the transcript of the February 3, 2023 meeting of the Legislative and Planning Committee. The minutes from the February 3, 2023 meeting were reviewed by the Legislative and Planning Committee members.	Michael Player motioned to accept draft minutes from February 3, 2023 meeting of the L&P Committee. Seconded by Beth Adams. Committee unanimously approved February 3 meeting minutes.
III. OEMS Update – Quarterly Report to EMS Advisory Board (OEMS Staff)	Mr. Scott Winston encouraged the members to read the quarterly report to the state EMS Advisory Board prepared by OEMS staff. Mr. Winston called on OEMS staff in the room to provide an update. Mr. Michael Berg mentioned plans by OEMS to establish an ambulance loaner program. OEMS is in the process of purchasing two (2) demo model ambulances that will be equipped with a radio, patient	

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	<p>stretcher, power load system, oxygen loading system, location tracker, and other basic devices. Due to emergencies and delays in delivery of ambulances related to supply chain disruptions, ambulances that are urgently needed often take 2 to 3 years to be delivered after they are ordered. Additionally, OEMS is purchasing five (5) ambulances for use by EMS agencies with a financial hardship. There are occasions where EMS agencies are unable to pay for an 80/20 hardship grant award. In these instances, EMS agencies would be able to request an ambulance, based on financial hardship, that is owned and titled to VDH, OEMS to be used for a five-year period, with the option to extend this time.</p> <p>Mr. Berg reported that items totaling \$19M have been requested during the Spring RSAF grant cycle. \$12M in funds are being requested in matching grant funds from the state to purchase these items. There is approximately \$3.5M available to funds these requests.</p> <p>Mr. Berg also reported the tremendous cost escalation in items funded by RSAF. Due to these price increases, many fewer vehicles, equipment and supplies are able to be funded. The award price for ambulances will be established using a list price for an ambulance award based on a 50/50 matching grant.</p> <p>There has not been a funding increase for EMS since 2008, which at that time was \$.25 increase to the motor vehicle registration fees for the certification and recertification of volunteer EMS providers.</p> <p>Mr. Gary Brown and Scott Winston reported that OEMS has hired a Certified Government Planner (Michelle) that is evaluating how the EMS Advisory committee and Board meetings are conducted. Her review includes assessing the number of meetings that are being held, sequencing of meeting, etc. She will provide a report with recommendations to the Executive Committee of the state EMS Advisory Board in the near future.</p>	
IV. State EMS Plan	<p>The current version (2020-2022) of the State EMS Plan is available for download via the OEMS website at the link below: http://www.vdh.virginia.gov/emergency-medical-services/state-strategic-and-operational-ems-plan/</p> <p>The final edited draft (2023-2025) of the state EMS Plan was approved by the state EMS Advisory Board meeting on November 18, 2022.</p> <p>The state EMS Plan will be placed on the agenda for the September 14, 2023 Board of Health meeting.</p>	
V. EMS Regulations	<p>Final proposed draft of Chapter 32 (12VAC5-32) of the EMS Regulations was approved by the Rules and Regulations Committee at their January 4, 2023, meeting. The draft document can be shared but</p>	

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	<p>not edited by the EMS community and general public. Chapter 32 is an action item at the May 5, 2023, state EMS Advisory Board. If approved in May by the EMS Advisory Board it will be presented to the Board of Health at their September 14 or December 15, 2023, meeting.</p> <p>Once the draft EMS Regulations are approved by the BoH, the regulations will officially enter State Two of the regulatory process and begin the Executive Branch review. Upon review by the Executive Branch agencies, the draft regulations will be posted, and a public comment period will be open for 60 days.</p> <p>The committee discussed some of the history of adopting the draft CH32 EMS regulations. There has been some comments from the Medical Direction Committee that recommendations from this committee made during a joint Rules and Regulations/Medical Direction Committee were not incorporated into the draft document.</p>	
<p>VI. 2023 Legislative Agenda</p>	<p><u>EMS as an Essential Service.</u> HB 1472 (Fowler) and SB 1246 (Obenshain). These bills have been signed by the Governor and will go into effect on July 1, 2023. The wording “seek to” ensure was left in the bill language but the word “essential” has been added in two places that recognizes EMS as an integral and essential part of the public safety program of the county, city or town.</p> <p><u>Administration of medications and devices.</u> HB 1447 (Orrock) and SB 1426 (Sutterlein) requested by VHHA, amends 54.1-3408 to specify paramedics certified by the Board of Health engaged or employed by a medical facility are authorized to administer medications and devices and who act pursuant to a written or oral order or standing protocol. Hospital attorneys have interpreted the Code many ways and there are some that feel there is no language in the Professional use by Practitioners section of the Code (54.1-3408.B.2) that authorizes EMS and other allied health care providers to work in medical facilities.</p> <p>Both of these bills have been signed by the Governor and will go into effect on July 1, 2023.</p> <p><u>Administration of prescription medications under certain circumstances by EMS providers.</u> HB 1449 (Orrock) is a bill to allow EMS providers to administer patient prescribed medications when the patient is unable to consent to care. The administration of patient prescribed medications has been discussed at the Medical Direction Committee and a white paper has been developed. Patients or family members are encouraged to get in touch with their local EMS agency, and the agency can work with their medical director to come up with a policy on developing instructions on how to administer the medications, because it usually is not going to be carried in the drug box.</p> <p>This bill has been signed by the Governor and will go into effect on July 1, 2023.</p>	

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	<p><u>Workgroup to study existing fire and EMS needs.</u> HB 2175 (Sickles), a section 1 bill, directs the Secretary of Public Safety and Homeland Security to establish a workgroup to study existing fire and EMS service needs, analyze sustainability of current funding, and review alternative funding models from other states. The Secretary shall report the work group’s findings on or before October 1, 2023.</p> <p>In conducting the study, an outside consultant may be hired (although there is no money and an approved state budget has not been adopted), and a needs assessment survey shall be created that analyzes, a) existing fire and EMS needs, b) sustainability of current funding, c) any gaps in current funding, d) how other states fund fire and EMS services, and e) best practices from other states.</p> <p>The work group is comprised of representatives from the Department of Fire Programs, the Department of Planning and Budget, the Office of EMS, the Virginia Fire Services Council, Virginia’s Regional EMS Councils, the Virginia Fire Chiefs Association, the Senate Committee on Finance and Appropriations, the House Committee on Appropriations, and such other stakeholders as the Secretary deems appropriate to study existing fire and EMS service needs.</p>	
<p>VII. 2024 Potential Legislative Actions</p>	<p>Inter-state EMS Response. Mecklenburg County has expressed interest in the question of inter-state EMS response and Virginia state government’s role in potentially facilitating such a process. Prior dialog has indicated that VDH & the Office of EMS do not have the authority to grant out-of-state EMS agencies the ability to be primary respondents in Virginia; only secondary, based on the invocation of mutual aid agreements. Mecklenburg County desires to work through the Office of EMS legislative process and ultimately, the General Assembly to grant OEMS the authority to license out-of-state EMS agencies and recognize EMS providers based on their existing credentials to provide primary response in the Commonwealth. Given geography and their lake situation, it is often easier and quicker for squads from North Carolina to reach portions of Mecklenburg County, Virginia (and occasionally, the opposite as well).</p> <p>Drone Medical Package Delivery for Improved Transportation and Better Patient Outcomes program will test drones as a way to deliver medicine to patients with limited transportation in rural areas (Eastern Shore of VA). Partners in the pilot project include Riverside Health System, DroneUp, the Virginia Institute for Spaceflight & Autonomy at Old Dominion University, the Virginia Innovation Partnership Corporation, and the Accomack-Northampton Planning District Commission. Mr. David Long, Executive Director, Tidewater EMS Council, reported that the medical drone delivery project is split into two stages: planning and prototyping, and implementation. In the first stage, the team is testing and planning delivery of prescription medications by remotely operated drones. Stage two involves deploying drones from Riverside Shore Memorial Hospital in Onancock to deliver medicine to patients’ doorsteps. The partners have been conducting tests and plan to officially launch the pilot program in</p>	

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	<p>June 2023. It will start by delivering blood pressure medicine after VDH data showed the Eastern Shore has one of the state’s highest rates of hypertension. The trial will involve widening circles of delivery areas and last between 12 and 14 months. It could pave the way for drone delivery of medicine in other parts of Virginia.</p> <p>This project has the potential to affect the delivery of rural healthcare as well as the need to coordinate this project with air medical services operating in the area.</p> <p>Role of Advanced Practice Providers. Mr. David Long, Executive Director, Tidewater EMS Council, shared information about the increasing interest in the use of nurses and physician assistants in mobile integrated healthcare programs. The National Association of EMS Physicians (NAEMSP) is looking at the role of advanced practice providers in the pre-hospital setting. What impact will these practice disciplines have on the delivery of EMS? How can these advanced practice providers be utilized in the realm of EMS? Questions about medical oversight, quality assurance/quality improvement, and the in-field provision of care have come up.</p>	
VIII. Unfinished Business	There is no unfinished business.	
IX. New Business	Dr. Jake O’Shea mentioned that his term on the state EMS Advisory Board is ending soon. This may be his last meeting as a member of the Legislative and Planning Committee. Dr. O’Shea thanked the committee members for sharing their knowledge and expanding his understanding of EMS in VA. The committee thanked Dr. O’Shea for his participation on the committee and his sound advice and expertise.	
X. Public Comment	Chair Gary Samuels asked if there was any public comment, and there was none.	
XI. Next Meeting	The next meeting will be on Friday, August 4, 2023, at 8:30 AM at the Embassy Suites Hotel in Richmond, VA. This meeting will be followed by a meeting on November 17.	
XII. Adjourn	A motion was made by Mr. Michael Player and seconded by Mr. Ed Rhodes to adjourn the meeting. The committee approved. Chair Gary Samuels adjourned the meeting at 9:30 am.	Chair Gary Samuels adjourned the meeting at 9:30 am.