

Legislation and Planning Committee Meeting (L&P)
Courtyard by Marriott, Richmond North
Friday, May 10, 2013
9:00 A.M.

Members Present:	Members Absent:	Staff:	Others:
Chris Eudailey, Chair	Byron Andrews	Scott Winston	Chad Blosser
Michael Player		Gary Brown	Kent Weber
Ed Rhodes		Michael Berg	Gary Samuels
Rob Logan, Vice-Chair		Tim Perkins	Cathy Fox
Gary Dalton			Bruce Edwards
Art Lipscomb			Dale Wagoner
Anita Ashby			
Eddie Ferguson			
Mark Stroud			

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
OPENING	Mr. Chris Eudailey called the meeting to order at 9 AM. The minutes from Friday, February 15, 2013 meeting were reviewed. The committee welcomed a new member to the committee, Mr. Mark Stroud. Mr. Stroud is a former employee of Stone's Ambulance Service, City of Martinsville Sheriff's Office and currently serves on the City Council of Martinsville. Mr. Stroud represents the VACO/VML seat on the committee.	Motion to approve the Feb. 15, 2013 meeting minutes was made and seconded. The Committee voted unanimously to approve the minutes.
OEMS UPDATE	Mr. Winston informed the committee to refer to the quarterly OEMS report to the state EMS Advisory Board report for updates on key activities. The report is usually posted on the OEMS Web site at: http://www.vdh.virginia.gov/OEMS/AdvisoryBoard/ABQuarterlyReports.htm prior to each Advisory Board meeting. Mr. Winston shared several OEMS personnel updates with the committee. The Office has received permission to fill a number of vacant positions: OEMS Fiscal Assistant, Training and Development Coordinator Senior, Emergency Services Manager, and Human Services Program Specialist. In addition, OEMS is seeking to re-establish a biostatistician position within the Division of Trauma and Critical Care. The Assistant Public Relations Coordinator position has been filled by Ms. Tristen Graves.	

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	The committee was briefed by Mr. Gary Brown, Mr. Michael Berg and Mr. Winston on OEMS staff involvement on a number of NASEMSO Committees and workgroups. Mr. Berg is serving on the Agency, Vehicle and Licensure (AVL) committee looking at the new NFPA 1917 standards for ambulances, Mr. Winston has been appointed to serve on the drafting team for the Model Interstate Compact for EMS Personnel, and Mr. Brown is serving on an EMS Workforce Workgroup. In addition, at the request of Mr. Art Lipscomb, the committee was briefed on the Governor's Traffic Incident Management (TIM) initiative. Mr. Berg was requested by Mr. Dale Wagoner to provide an update on the new requirement to conduct criminal background checks. Mr. Berg provided the committee an update on what actions have been taken by OEMS to implement HB 1383/SB1288. Criminal history checks of EMS personnel. Effective July 1, 2013, each person who applies to be a volunteer with or employee of an EMS agency must submit fingerprints and provide personal descriptive information to be forwarded to the FBI for purposes of obtaining criminal history record information. Mr. Brown reported the first Saturday in June (1), the Fallen Firefighters Memorial Service will be held at the old state Fair Grounds. It was also announced the Governor has signed a proclamation recognizing the week following the first Saturday in June each year as Fire and EMS Memorial Week. Mr. Eddie Ferguson distributed talking points for the resolution that includes information about four (4) regional events (Roanoke County, Accomack County, Richmond/Tri-Cities, James City County) that are scheduled to be held between June 2 and June 12.	
STATE EMS PLAN UPDATE	Mr. Tim Perkins provided the committee an update on the status of the state EMS Plan. A number of committees of the state EMS Advisory Board have completed their assignments to review the existing state EMS plan as well as the mission and vision of their committee. Mr. Perkins is collecting this input and will compile the information received to be forwarded to the full membership of the L&C Committee. At the August 2013 meeting of the state EMS Advisory Board meeting, a draft of the proposed revisions to the state EMS Plan will be presented. 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.	

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EMS REGULATIONS	Mr. Michael Berg reported that he and his Regulation and Compliance staff have conducted numerous workshops across the state to educate the EMS community about the new EMS Regulations that became effective on October 10, 2012. In addition, Mr. Berg reported a portion of the agenda for Medical Director updates is set aside to review the EMS Regulations. Mr. Berg also noted that requirements in the new regulations pertaining to Designated Emergency Response Agencies (DERA's) and Emergency Response Plans have served to initiate improved communications between EMS agencies and local government. Mr. Bruce Edwards pointed out that one of the strategic initiatives of the Volunteer Rescue Squad Assistance Work Group (VRSAG) is to improve and enhance the relationship between rescue squads and local governments. The process to begin revisions to the new EMS Regulations has already begun. OEMS staff and the Rules and Regulations committee have begun noting sections of the regulations that need to be revised because it took so long to promulgate the current EMS regulations.	
2013 and 2014 Virginia General Assembly Sessions	The committee discussed HB1856 introduced by Del. Orrock. It was noted the EMS medical community strongly opposed the bill as introduced and ultimately, a substitute was introduced as a section 1 bill. The substitute bill was approved by the legislature and Governor and 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, ii) an SOP template to be developed and used in the development of local BLS protocols, 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. Mr. Lipscomb commented that unless the OMD is recognized as a Director/Officer of the agency, any decision he or she makes pertaining to the ability to practice or any other matter cannot be grieved.	

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	Mr. Michael Player stated that any appeals process developed at the state, regional or local agency level should include some basic requirements. It was noted by many of the committee members that the OMD has the final say as to whether an EMS provider can function under his/her authority and license. During discussion of this subject at the Medical Direction Committee meeting on April 11, it was suggested that EMS agencies should be encouraged to include language about an appeals process in their Medical Direction agreement between the agency and OMD. Mr. Berg updated the committee on the status of HB1499 pertaining to the ability of EMS providers to administer medications pursuant to an oral or written order or standing protocol. This legislation seeks to remove the requirement that EMS providers must obtain a physician signature on the patient care report whenever a medication is administered. Mr. Berg advised the group that he will be attending a meeting of the Board of Pharmacy on June 18 to discuss these changes. Legislation anticipated during the 2014 session of the Virginia General Assembly 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 will be introducing legislation to take over management of the LODD fund. There will also be efforts once again to restore the interest money from the RSAF and ATL (VA Dept. of Fire Programs) funds that is currently diverted to the General Fund.	
EMS NEEDS ASSESSMENT	Mr. Winston reported the data from the 2012 EMS Needs Assessment Survey is being analyzed. Analysis of the data will be reported by regional EMS Council service areas in an effort to determine if there are specific areas of need across the state. Mr. Winston also reported he is working on developing an Executive Summary of the data collected from the 2012 EMS Needs Assessment. This report will be posted on the OEMS Web site once completed. Mr. Player and Mr. Logan indicated the report should recognize those EMS agencies that participated and completed the survey. This information should also be shared with the regional	

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	EMS Councils and work group in order to target agencies that did not complete the inaugural survey. The workgroup will be reviewing information in order to develop the 2013 EMS Needs Assessment that will be released later this year.	
UNFINISHED BUSINESS	There is no unfinished business to bring before the committee.	
NEW BUSINESS	Mr. Art Lipscomb shared with the committee information about the Fire and EMS Memorial Proclamation from the Governor. Mr. Lipscomb also mentioned work continues to build a Public Safety Memorial in front of the General Assembly building. According to Mr. Lipscomb, the Fund to pay for the construction of the memorial wall is approximately \$200K short of their goal. Funds have been requested for the memorial from the OAG Seizure Assets.	
PUBLIC COMMENT	There was no public comment.	
MEETING DATES FOR 2013	The following meeting dates were announced for 2013: Friday, August 9 Wednesday, November 6 or an alternate date that coincides with the Virginia Fire Services Council Legislative Summit (typically held in October time frame). All meetings will be held in Richmond and begin at 9 AM unless otherwise indicated.	
ADJOURNMENT	The meeting was adjourned at approximately 10:45 AM	A motion to adjourn was made by Rob Logan and seconded by Mark Stroud.