

**Legislation and Planning Committee
Embassy Suites Hotel
Richmond, VA
February 3, 2023
8:30 a.m.**

Members Present:	Members Absent:	OEMS Staff:	Others:
Gary Samuels (Chair)	Byron Andrews (VSFA)	Scott Winston	Stephen Simon
Beth Adams (Vice Chair)		Chris Vernovia	David Long (Leg. & Planning, VEMA)
Steve Higgins (VAA)		Gary Brown	
Jake O'Shea (VHHA)		Dr. George Lindbeck	
Ed Rhodes (At-Large)		Daniel Linkins	
Jeff Meyer (VAGEMSA)		Michael Berg	
Bryan Rush (VML)		Ron Passmore	
Michael Player (VFCA)		Lara Traylor	
Gary Dalton (VAVRS)			

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.	Ed Rhodes motioned to accept proposed agenda for today's meeting. Beth Adams seconded. Committee unanimously approved proposed agenda.
II. Review and Approval of November 18, 2022 meeting minutes	OEMS received from County Court Reporters, Inc. and distributed the transcript of the November 18, 2022 meeting of the Legislative and Planning Committee. On page 12, comments attributed to the RSAF program reportedly made by Mr. Michael Player were actually made by Michael Berg. The minutes from the November 18, 2022 meeting were reviewed by the Legislative and Planning Committee members.	Beth Adams motioned to accept draft minutes from November 18, 2022 meeting of the L&P Committee. Seconded by Ed Rhodes. Committee unanimously approved November 18 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 provided the committee members an update on the following topics:	

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
	<p>Four hybrid regional EMS offices located in Staunton (CSEMS), Lynchburg (BREMS), Fredericksburg (REMS), and Bristol (SWVEMS). Facilities, staffing, work plans, updated MOU contracts. Administrative Guidelines are being developed.</p> <p>Mr. Michael Berg mentioned the EMS Advisory Board will be requested to approve a plan agreed to by the Executive Committee to fill vacancies and length of membership terms on the Financial Assistance Review Committee (FARC).</p> <p>Mr. Daniel Linkins, Regional Office Director from Central Shenandoah EMS reminded everyone that the Shenandoah EMS Expo is March 9th through 11th in Weyers Cave at the Blue Ridge Community College. Mr. Tom Dick will provide several lectures and keynote address. Mr. Dick is a paramedic, caregiver, and advocate for patients and EMS providers, has over 40 years of experience in EMS.</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 at the November 18, 2022 meeting.</p> <p>The state EMS Plan will be placed on the agenda for the March 23, 2023 Board of Health meeting.</p>	
V. EMS Regulations	<p>Final 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 not edited by the EMS community and general public. Chapter 32 will be an action item at the May 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 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>Mr. Passmore reported several group meetings with representatives of the Board of Pharmacy and stakeholders, localities, and regional EMS Councils have been held to discuss the Controlled Substance Registration (CSR) certificate process. The Board of Pharmacy continue to provide answers to questions that come up about this process.</p>	
VI. 2023 Legislative Agenda	<p>EMS as an Essential Service. HB 1472 (Fowler) and SB 1246 (Obenshain). These bills have been amended to conform in language and have passed out of their respective chambers. Now the bills will</p>	

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
	<p>cross over. 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. Refer to the transcript of the committee meeting for additional information related to VACO and their opposition to using the term “shall ensure” essential emergency medical services in the bill language because of perceived liability if a local volunteer rescue squad suddenly closed down.</p> <p>The committee discussed bills HB 1447 (Orrock) and SB 1426 (Sutterlein) that has been requested by VHHA to amend 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>Dr. Lindbeck indicated he thought the background on these bills was kind of interesting. There is increasing interest in using EMS providers in medical facilities because of critical staffing shortages in the hospital, and Emergency Departments in particular. Over the years there has been a certain amount of tension in some areas between administration and paramedics. Someone got to a legislator to put language in code that clarifies that EMS personnel are authorized to function in health care settings.</p> <p>Dr. O’Shea stated that on the hospital side, paramedics and other EMS providers are already putting in hours in the hospital and this legislation clarifies that these individuals can perform at the top of their scope of practice. The hospital wants paramedics in the ambulances too, so there is no way we are seeking to try to pull people away from their day jobs with EMS agencies.</p> <p>These bills have been amended from using the term “paramedic” to “persons who hold a valid emergency medical services provider certification issued by the Board of Health.”</p> <p>HB 1904 and SB 926 (Favola) are bills creating an Emergency Department Care Management (EDCM) Grant Program and Fund. These bills were recommended by the Joint Commission on Health Care and a study conducted in 2021 on the overutilization of Emergency Departments. OEMS provided data for the study. During discussions it was noted that OEMS manages a RSAF grant fund and it was decided that the e-Gift program could be adapted to manage the EDCM grant and fund program.</p>	

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
	<p>HB 1449 is a bill to permit 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. The bill, as introduced, has been amended to direct SHHR in collaboration with the state EMS Advisory Board to “consider adopting” a policy on the administration of patient prescribed medications when the patient is unable to consent due to a medical emergency.</p>	
VII. Unfinished Business	There is no unfinished business.	
VIII. New Business	There is no new business	
IX. Public Comment	Chair Gary Samuels asked if there was any public comment, and there was none.	
X. Next Meeting	The next meeting will be on Friday, May 5, 2023 at 8:30 AM at the Embassy Suites Hotel in Richmond, VA. This meeting will be followed by meetings on August 4, and November 17 tentatively.	
XI. Adjourn	A motion was made by Mr. Rhodes and seconded to adjourn the meeting. The committee approved. Chair Gary Samuels adjourned the meeting at 9:05 am.	Chair Gary Samuels adjourned the meeting at 9:05 am.