

**Legislation and Planning Committee
Embassy Suites Hotel
Richmond, VA
May 3, 2024
8:30 a.m.**

Members Present:	Members Absent:	OEMS Staff:	Others:
Gary Samuels (Chair, VPF)	Ed Rhodes (At-Large) excused	Scott Winston	Jason Gravley (GMR)
Beth Adams (Vice Chair, NVEMS Council)	VHHA Membership-Vacant	Michael Berg	David Long (TEMS, Leg. & Planning, VEMA)
Jeff Meyer (VAGEMSA)	Byron Andrews (VSFA)	Ron Passmore	John Craig (SARS/VAVRS)
Steve Higgins (VAA)	Bryan Rush (VML) excused	Frank Gresh (Fitch & Assoc.)	Kim Craig (VAVRS)
Michael Player (VFCA)		Mohamed Abbamin	Corey Hurley (GMR)
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.	Gary Dalton motioned to accept proposed agenda for today's meeting. Steve Higgins seconded. Committee unanimously approved proposed agenda.
II. Review and Approval of Feb. 2, 2024 meeting minutes	OEMS received from County Court Reporters, Inc. and distributed the transcript of the Feb. 2, 2024 meeting of the Legislative and Planning Committee. The minutes from the Feb. 2, 2024 meeting were reviewed by the Legislative and Planning Committee members.	Beth Adams motioned to accept draft minutes from Feb. 2, 2024 meeting of the L&P Committee. Seconded by Michael Player. Committee unanimously approved Feb. 2, 2024 meeting minutes.
III. OEMS Update – (OEMS Staff)	Mr. Scott Winston announced the quarterly report to the state EMS Advisory Board was distributed yesterday evening and will be posted on the OEMS Website. Mr. Winston introduced Mr. Frank Gresh from Fitch and Associates. Mr. Fitch updated the committee on the status of Virginia EMS Visioning	

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	<p>Questionnaire (survey). The VDH has retained Fitch & Associates LLC (Fitch) to evaluate all aspects and functions of the Office of EMS (OEMS), determine opportunities for efficiencies, and promote options and recommendations to develop the future of the OEMS in the Commonwealth. Part of the work performed by Fitch include engaging stakeholders in conversations aimed at understanding the current environment at OEMS and the needs of the community.</p> <p>Earlier in the week, Fitch released a survey initially sent to the superusers of every licensed EMS agency in VA. According to Mr. Gresh, 946 emails were distributed with a link to the survey. Results from the survey will help Fitch build their final report to VDH which is scheduled to be released in draft form on Thursday, June 20. The distribution was subsequently expanded to include regional EMS councils, VAGEMSA, VAA, VFCA, VAVRS.</p> <p>Mr. Samuels asked how additional information about the Financials that were shared showing in a previous Fitch presentation could be obtained. Mr. Gresh reported the financial information came from the FY24 OEMS budget and the FY25 OEMS proposed budget. It would be up to VDH, OEMS to release this information.</p> <p>As of the time of the meeting, a total of 148 surveys have been received from 118 unique EMS agencies. Mr. Dalton asked about how widely distributed Fitch would like to see the survey. Mr. Dalton indicated there are 406 member agencies in VAVRS and it would be helpful to solicit comments from more than individuals holding a leadership role at the agency. A variety of perspectives from operations would be helpful. Mr. Gresh indicated multiple responses from the same EMS agency would be welcomed.</p> <p>Mr. Gresh reported that Fitch will be meeting with EMS agencies over the next few weeks. Visits are planned next week with EMS agencies in the areas of Charlottesville, Roanoke and Richmond.</p> <p>Mr. Berg reported a Fall 2024 RSAF grant cycle would be held. The grant period opens on August 1 and closes on September 16. FARC will meet in December to make the final awards which will be announced by the Commissioner on January 1, 2025.</p>	
<p>IV. State EMS Plan</p>	<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 ..\..\State EMS Plan\State EMS Plan update for 2023\FINAL DRAFT 2023-2025 State EMS Plan Draft.docx was approved by the state EMS Advisory Board meeting on November 18, 2022. The state EMS Plan was scheduled to be placed on the agenda for</p>	

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	<p>the September 14, 2023 Board of Health meeting, but was withdrawn due to scheduling conflicts and more pressing business of the Board.</p> <p>It has subsequently been decided that because so many changes have occurred since the Board approved the state EMS Plan in November 2022 that it would not be sent forward for approval by the BoH. An interim strategy paper has been developed until the future organizational structure and funding for the Office of EMS is determined. The Plan in its current form is not sustainable due to the current budget restrictions facing the Office of EMS.</p> <p>This high-level strategy paper ..\..\State EMS Plan\2024 OEMS Strategic Work Plan\DRAFT - OEMS Strategic Work Plan.docx will provide the framework to be used to redevelop the state EMS Plan once the future of the Office of EMS and the EMS system in Virginia is determined. The mission of VDH, Office of EMS is to “Support the essential functions of public health through a coordinated, people centered Emergency Medical Care system for the Commonwealth of Virginia. The vision is to “Support a comprehensive, efficient, and resilient Emergency Medical Care System within the Commonwealth of Virginia that is focused on the core public health mission.</p> <p>Committee members had a variety of comments related to the wording of the strategic guidance document. Some felt a more appropriate use of the term Emergency Medical Care System would be “Emergency Medical Services” delivery system. Jeff Meyer stated the strategy should ultimately address why we are here and place more emphasis on the delivery of patient care. It was explained that “people centered” includes the patient and care givers. Steve Higgins mentioned Community Paramedicine should be specifically mentioned in the interim guidance. Beth Adams stated there would be some benefit to more specifically address the EMS service.</p> <p>After some additional discussion, it was decided to recommend presenting the strategic guidance document, as written, to the state EMS Advisory Board as an action item. The full Board received a copy of the guidance document prior to the Board meeting and any changes made by the Legislative and Planning Committee would likely delay adoption of the document by the Board.</p> <p>Gary Dalton motioned, and Beth Adams seconded to send the strategic guidance document, as written, to the full Board following this meeting.</p>	<p>Gary Dalton motioned to accept the strategic guidance document and present it to the full Board today. Beth Adams seconded the motion. The committee unanimously adopted the motion.</p>
<p>V. EMS Regulations Update CH 32 EMS Regulations</p>	<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 not</p>	

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<p>CH 66 DDNR Regulations</p> <p>BoP Emergency Regulations</p>	<p>edited by the EMS community and the public. Chapter 32 was approved by the state EMS Advisory Board at their May 5, 2023 meeting. The EMS Regulations are tentatively scheduled to be presented to the Board of Health at a meeting later this year. Town Hall documents are being prepared, and the full text of the regulations in the Regulatory Information System (RIS) have been sent to the OAG.</p> <p>Once the draft EMS Regulations are approved by the BoH, the regulations will officially enter Stage Two of the regulatory process and begin the Executive Branch review. Upon review by the Executive Branch agencies (Office of Attorney General, Department of Planning and Budget, Secretary of Health and Human Resources, Governor, and Office of Regulatory Management), the draft regulations will be published in the Virginia Register of Regulations and the Virginia Regulatory Town Hall, and a public comment period will be open for 30 days. Fifteen days after the close of the public comment period, the regulations will become effective.</p> <p>Periodic review of Chapter 66 (12VAC5-66) of the DDNR Regulations have been delayed. Chapter 66 was on the agenda for the June 2023 Board of Health meeting. The DDNR regulations were pulled the day before the Board meeting because it did not have an informal approval from the Office of the Attorney General (OAG). The DDNR are now on the agenda for the BoH meeting in Norfolk, VA on June 13, 2024.</p> <p>Michael Player provided an update on Board of Pharmacy (BoP) meeting held on Thursday, May 2 at the Perimeter Center in Richmond, VA related to regulations pertaining to medication storage and kits. Over 75 EMS stakeholders watched as the Board, discussed EMS comments and reviewed the draft EMS amendments for EMS Related Regulations line-by-line for over 4 hours before passing them unanimously as Emergency Regulations. In addition, the Board approved initiating a Notice of Intent for Regulatory Action (NOIRA) in order to promulgate permanent regulations.</p> <p>The Board reminded all in attendance that the Emergency Regulations must undergo an Executive Branch review process involving the Office of the Attorney General, Department of Planning and Budget, and the Governor’s Office, which may take approximately 10 weeks to complete. Emergency regulations are temporary and will remain in effect for 18 months and must be replaced with permanent regulations. Additional public comment opportunities on the adoption of the permanent regulations will be held in the future should consideration of additional amendments be necessary.</p> <p>The BoP also repealed their previous Guidance Document 110-41, Virginia Board of Pharmacy Emergency Medical Services Drug Kits, as some of the guidance is now inconsistent with language adopted by the board at their May 2nd meeting. Board staff indicated they will develop a policy document soon to assist with educating EMS stakeholders on the pending emergency regulations.</p>	

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	<p>Some of the changes in the approved BoP Emergency Regulations:</p> <ul style="list-style-type: none"> • Allows EMS agencies within a jurisdiction to be served by a single EMS Agency’s CSR/DEA license. • Allow EMS agencies within a region to be served by the Regional EMS Council under a single CSR license. • Allows for continuation of Hospital 1:1 exchange of Schedule VI medications assuming compliance with federal law and regulation • Allows anyone with Virginia EMS certification at any level authorized to administer medications to have access to medications under a supervising authority for the purposes of medication supply/resupply management. • Allows medications and controlled substances to be transported in vehicles owned and operated by EMS agencies, Regional EMS Councils or jurisdictions for the purpose of medical supply/resupply management. • Removed the requirement for alarm systems for the temporary storage of medication kits at a registered or designated EMS agency location when the vehicle they are stored on must be removed from service for repair or maintenance and only when Schedule VI drugs are stored in the building. • Only requires medication kits containing Schedule II-V medications to be sealed. • Conforms BoP regulations to the expected minimum regulations required by FDA and DEA for EMS. • Other changes reconciling differences in language and clarifying meanings. <p>These new regulations also provide the Regional EMS Councils with additional options to support their EMS agencies beyond just assisting them with obtaining their Controlled Substance Registration (CSR) certifications and DEA licenses. An option will exist for Regional EMS Councils to provide EMS agencies within their region with medications to restock their kits, or even restock the kits for them. Further, the fact that the Regional EMS Councils are 501 (c) 3 organizations, allows them to accept funds to support the medication kit systems that are not available to local governments for the same purpose.</p> <p>Mr. Player stated it was good for the EMS community to watch and hear the discussions by the BoP about the pending changes related to the medication kit exchange program.</p>	
VI. 2024 Legislative Bills	HB 1259, SB 594. EMS personnel; career fatigue and wellness program.	

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	<p>Directs the Department of Health to convene a work group to study the viability of establishing or contracting for a professional program for emergency medical services personnel, both professional and volunteer, that addresses career fatigue and wellness, including the costs of such program and recommendations for funding.</p> <ul style="list-style-type: none"> • 01/10/24 House: Referred to Committee on Rules • 01/25/24 House: Assigned Rules sub: Studies Subcommittee • 01/29/24 House: Subcommittee recommends continuing to 2025 by voice vote • 02/01/24 House: Continued to 2025 in Rules by voice vote <hr/> <p>Scott Winston reported that the Medical Society of VA (MSV) recently reached out to him (Clark Barrineau) about continuing discussion to add EMS providers to Virginia's SafeHaven program (https://safehavenhealth.org/) Although HB 1259 and SB 594 were both continued to 2025 by their respective committees of origin, work can continue to explore opportunities and develop strategies to address career fatigue and create wellness programs to assist EMS and fire personnel.</p>	
VII. Unfinished Business	<p>There is no unfinished business.</p> <p>Note. At the August 4, 2023 meeting of the Legislative and Planning Committee, a work group of subject matter experts was formed to help the Medical Direction Committee and their nomenclature workgroups. Jeff Meyer, David Long, James Reynolds, Ed Rhodes, and Beth Adams offered to assist the Medical Direction Committee with the work of their groups looking to clarify the role of EMS Physicians, Physician Assistants, Nurse Practitioners and their involvement with EMS agencies and its impact on the EMS Regulations.</p> <p>Debbie Akers, Accreditation, Certification and Education Division Manager at OEMS will be reaching out to these folks to set up some meeting times to meet in the second quarter of 2024.</p>	
IX. New Business	<p>There is no new business.</p>	

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X. Public Comment	There was no public comment.	
XI. Next Meeting	The next meeting will be on Friday, August 2, 2024, at 8:30 AM at the Embassy Suites Hotel in Richmond, VA.	
XII. Adjourn	A motion was made by Jeff Meyer and seconded by Beth Adams and Gary Dalton to adjourn the meeting. The committee approved. Chair Gary Samuels adjourned the meeting at 9:20 am.	Chair Gary Samuels adjourned the meeting at 9:20 am.