

Legislation and Planning Committee Meeting (L&P)
1001 Technology Park Drive
Friday, August 12, 2011
9:00 A.M.

Members Present:	Members Absent:	Staff:	Others:
Gary Dalton, Chair	Robin Foster, MD (excused)	Scott Winston	Gary Samuels
Michael Player	Byron Andrews	Gary Brown	Bruce Edwards
Kent Weber		Michael Berg	Chris Eudaily
Rob Logan, Vice-Chair		Tim Perkins	Karen Wagner
Matt Tatum			Dreama Chandler
Ed Rhodes			Valeta Daniels
Art Lipscomb			Mike Harmon

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
Opening	Mr. Gary Dalton called the meeting to order at 9 AM. The minutes from Friday, February 11, 2011 were reviewed. The minutes were approved as written.	Motion to approve the minutes from the February 11, 2011 meeting made by Ed Rhodes. Seconded by Michael Player. The Committee voted unanimously to approve the minutes.
OEMS Update	<p>Mr. Scott Winston reported that Mr. Tom Nevetral, OEMS ALS Training Specialist has resigned to accept a position with Chesterfield County FD. OEMS has initiated the recruit process for this position and will interview 6 – 8 candidates.</p> <p>Mr. Winston reported the vacant Biostatistician position in the Div. of Trauma and Critical Care formerly held by Ms. Sheerina Gibson has been filled by Ms. Carol Pugh. The Performance Improvement Coordinator (PIC) position formerly held by Nevena Skoro will not be filled at this time.</p> <p>Mr. Peter Brown has been hired by OEMS as the new EMS Certification Examination Supervisor. The Division of Educational Development will assume the responsibility of certification examination administration from Regulation and Compliance once positions</p>	

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<p>State EMS Plan Update</p>	<p>are filled for National Registry (NR) test representatives and Consolidated Test Site (CTS) examiners.</p> <p>The OEMS IT Business Analyst position has finally been approved and filled. Ms. Nikki Tolliver is working with OEMS Program Managers to facilitate and coordinate the integration of all program applications.</p> <p>Mr. Winston reported approximately 55% of certified EMS personnel in Virginia have accessed and established an account on the OEMS Portal. OEMS staff is working to implement additional features for EMS agencies through the portal that should be available by the end of 2011.</p> <p>The OEMS Web site has recently undergone significant redesign. The redesign was prompted by a VDH initiative and results from an OEMS Customer Satisfaction Survey.</p> <p>Online registration for the 2011 state EMS Symposium is now open. Individuals can register to attend Symposium between August 1 and Sept. 30. Mr. Winston advised the Committee a “Call for Presentations” for the 2012 EMS Symposium is now on-line. Anyone interested in presenting a lecture topic at the 2012 Symposium is encouraged to register. All inquiries will be reviewed by the EMS Symposium Program Committee. The second annual EMS Career Fair will be held in conjunction with EMS Symposium on Thursday, November 10 from 5 PM until 7 PM at the Marriott Norfolk Waterside.</p> <p>The Governor has made a number of appointments and reappointments to the state EMS Advisory Board. A complete listing of new appointees can be found on the OEMS Web site. A new Board member orientation was held at OEMS on Thursday evening, August 11. Approximately 10 new Board members attended along with Mr. Gary Brown, Scott Winston, Warren Short and Michael Berg.</p> <p>The final draft of the plan was approved by the state EMS Advisory Board at their meeting August 13. OEMS presented the final approved Plan to the Board of Health (BoH) at their</p>	

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<p>EMS Regulations</p>	<p>meeting on October 15. The BoH took no action on the request by OEMS to approve the state Plan and requested further information.</p> <p>These changes include adding information to the state EMS Plan on the Mission and Vision of the Office of EMS, a brief overview of the EMS system in Virginia, as well as identification of objectives for each strategic initiative, responsible parties, anticipated cost, and division of responsibility. OEMS submitted the revised plan to the Commissioner in late December 2010. The Plan was distributed by the Commissioner to the BoH members for comment. Absent further comments by the BoH, the Commissioner approved the state EMS Plan on behalf of the Board. The Commissioners approval of the state Plan was ratified by the full BoH at their March 11, 2011 meeting.</p> <p>Mr. Michael Berg reported the Durable Do Not Resuscitate (DDNR) Regulations have been approved, effective July 20, 2011.</p> <p>Mr. Berg reported that the EMS Regulations have been in the office of the Secretary of Health and Human Resources for 148 days. OEMS is aware a number of key stakeholders and groups are initiating contact with the Governor’s Office, Secretary, and their legislators to determine what can be done to move these regulations along. OEMS has unofficially heard that there may be some action on the EMS Regulations within the next week or so.</p> <p>The passage of HB 1675 has resulted in a change in how OEMS processes Variances and Exemptions to the EMS Regulations. A Final Exempt action has been submitted by OEMS and once approved; OEMS will update the administrative process and forms utilized to process requests.</p>	
<p>EMS Related Legislation:</p>	<p>Gary Brown reported OEMS has submitted a proposal for consideration to be included in the 2012 VDH Legislative packet. The proposal involves a Bill to amend and reenact § 32.1-111.5 of the <i>Code of Virginia</i>, relating to certification and recertification of EMS providers. The proposal would remove the requirements for recertification testing or a test waiver by the OMD of the EMS agency the provider is affiliated. Recertification would be completed based on continuing education only. The proposal also includes adopting the</p>	

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	<p>National Registry EMS Certification (Emergency Medical Responder (EMR), EMT, Advanced EMT (AEMT), Intermediate and Paramedic) examinations for all initial certification attempts in Virginia as well as covering the NR testing fees for all initial attempts at the EMR (\$65) and EMT (\$70) certification levels.</p> <p>OEMS has submitted a position paper and decision memo to Drs. Levine and Remley for their review and approval. Because of a timing issue, the original decision memo has been submitted prior to a vote by the state EMS Advisory Board on August 12.</p> <p>The Committee expressed interest in the proposal and details of implementing the NR in Virginia. OEMS staff reported NR examinations are computer based and will be administered at Pearson Vue Test sites. OEMS has negotiated with NR to increase the number of approved testing sites in Virginia. OEMS has advised NR that it is important that test sites exist within a 30 mile radius of providers, similar to the concept established by Virginia's Community College System. Mr. Chris Eudaily requested and was provided a copy of a map showing projected Pearson Vue test centers that will offer EMS certification examinations.</p> <p>The projected cost to implement NR testing in Virginia was reported to be between \$350 and \$420K based on 5,000 to 6,000 initial examinations per year at the EMR and EMT level.</p> <p>A question was asked about the cost to implement NR testing and how it would affect EMT Training Fund contracts. It was reported, with the exception of one time, when EMS Funds were swept by VDH Administration to help balance the state budget deficit, there has always been monies remaining in this fund at the end of the fiscal year. Any budget surpluses in EMS Training Funds revert to the Rescue Squad Assistance Fund (RSAF) to be used for training, equipment and supplies by non-profit EMS organizations.</p> <p>Mr. Bruce Edward asked if OEMS has looked into e-learning options for initial EMS certification courses. Mr. Winston reported the topic has been discussed briefly by OEMS staff but no definitive plans have been developed at this time.</p>	

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	<p>Mr. Rob Logan expressed concern about paying the testing fees for individuals that never affiliate with a licensed EMS agency. His concern is once you start paying these fees, you will never be able to stop paying for these tests. Mr. Edwards acknowledged Mr. Logan concerns, however, indicated it is good public health policy to provide the training, even if the individual does not affiliate with a licensed EMS agency. An informed and educated public can only result in better patient outcomes.</p>	
<p>VOLUNTEER RESCUE SQUAD ASSISTANCE WORK GROUP (VRSAWG)</p>	<p>Mr. Bruce Edwards reported to the Committee a new initiative from the Virginia Association of Volunteer Rescue Squads (VAVRS). The initiative, called the Volunteer Rescue Squad Assistance Work Group (VRSAWG) is an effort to help ailing and potentially failing rescue squads. In the last thirty (30) months, three (3) volunteer rescue squads have closed their doors. A diverse group of individuals meet for a two day retreat in Richmond on Friday, July 29 and Saturday, July 30. During this retreat, the group developed a vision and mission statement, objectives, strategies, action steps and identified owners and accountability partners for six area objectives (Leadership performance, recruitment and retention, public information, financial practices, training, and local government partnerships.) The goal is by the end of 2012, to screen at least 50% of volunteer rescue squads, assess and assist at least ten (10) using a tailored program to address each squads area(s) of weakness. VRSAWG plans to model behaviors to accomplish the objectives by using new and existing programs like (Standards of Excellence, EMS Officer Standards, Keeping the Best! EMS Workforce Retention, Virginia Fire Services Workforce Solutions, Billing for Service, Leadership and Management Manuals, EMS Leadership Challenge, etc.)</p> <p>It was reported approximately 330 rescue squads are members of VAVRS. According to OEMS records, there are 460 EMS agencies classified as volunteer. There are a total of 681 licensed EMS agencies in Virginia.</p> <p>It was suggested VRSAWG should review the studies conducted by OEMS on EMS agencies that serve six of the seven Critical Area Hospitals (CAH) in Virginia as well as the Fire/EMS studies conducted by the Virginia Fire Services Council.</p>	
<p>VIRGINIA RETIREMENT SYSTEM</p>	<p>Mr. Art Lipscomb reported that it is likely state and local employees will be required to contribute an additional 2% of their salary into the Virginia Retirement System. This will</p>	

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(VRS)	be in addition to the 5% contribution that went into effect on July 1, 2011. Public Safety employees may be required to contribute 3% because they are eligible for LEO benefits.	
LINE OF DUTY ACT (LODA)	<p>Art Lipscomb and Ed Rhodes provided an update to the Committee on LODA. There are a number of localities that indicate they will elect not to cover volunteers that are members of organizations that provide fire/EMS services within their jurisdictional boundaries. Lynchburg, Staunton, New Kent County are a few localities that have indicated they will not cover volunteers. There are a number of jurisdictions that do not have an ordinance or resolution recognizing volunteer fire/EMS organizations as an integral part of their public safety program. The existence of an ordinance or resolution is one of the eligibility requirements that must be met in order to cover a LODA claim.</p> <p>Important points to address in order to receive benefits from a LODA claim include: existence of a resolution from local governing body that recognizes the organization as an integral part of their public safety program, current roster of members on file with the local clerk of courts (updated at least annually), and always generate a call report documenting all responses.</p> <p>It was reported there has been some discussion to amend and reenact §46.2-694 to provide funding to cover Line of Duty Death (LODD) claims, as well as remove funding to Virginia State Police (VSP) MedFlight and redirect the funds for EMS training.</p>	
UNFINISHED BUSINESS	<p>The Committee re-opened the discussion about the make-up of the Legislative and Planning committee.</p> <p>Gary Dalton reported he requested Mr. Ronnie Black, the current President of the Virginia State FireFighter’s Association (VSFF), to nominate an individual to represent their organization on the Committee. Mr. Dalton advised President Black the Committee was extremely satisfied with Mr. Byron Andrews and encouraged VSFF to reappoint Mr. Andrews. To date, Mr. Black has not responded to Mr. Dalton’s request for a nomination.</p> <p>The Committee revisited the discussion of adding a hospital system representative on the Committee.</p>	

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	<p>The following organizations have representation on the Committee as approved by the Executive Committee of the state EMS Advisory Board:</p> <ol style="list-style-type: none"> 1) Chair must come from state EMS Advisory Board and will represent the organization that appointed them to the Board. 2) VAVRS 3) VAGEMSA 4) VFCA 5) VPF 6) VSFA 7) Regional EMS Council Executive Directors Group 8) VHHA 9) Member at Large 10) Member at Large 	
NEW BUSINESS	<p>Michael Player asked about the replacement of ToughBooks purchased with RSAF funds. A number of corporations will no longer maintain service contracts on products that exceed the life cycle of the equipment, as determined by the manufacturer. Mr. Player cited an example in his jurisdiction (York County) involving Stryker stretchers.</p> <p>Ed Rhodes reported representatives from the Virginia Retirement System (VRS) and Department of Accounts (DOA) will be present at the VAVRS Convention in Virginia Beach on Friday, Sept. 23 at 11 AM to discuss the Line of Duty Act (LODA).</p>	
Meeting dates for 2011	<p>The following meeting dates were agreed upon: Wednesday, Nov. 9 in Norfolk, VA or a date that coincides with the Virginia Fire Services Council Legislative Summit (typically held in October time frame).</p> <p>All meetings will begin at 9 AM unless otherwise indicated.</p>	
Adjournment	The meeting was adjourned at approximately 11 AM	