

**Legislation and Planning (L&P) Committee Meeting
 Courtyard by Marriott, Richmond North (Glen Allen)
 Friday, May 9, 2014
 9:00 A.M.**

Members Present:	Members Absent:	Staff:	Others:
Chris Eudailey, Chair	Anita Ashby (excused)	Scott Winston	Gary Critzer
Michael Player	Mark Stroud (excused)	Gary Brown	Kent Weber
Ed Rhodes		Michael Berg	Gary Samuels
Rob Logan, Vice-Chair		Paul Sharpe	Sarah Stanton
Gary Dalton		Tim Perkins	Dreama Chandler
Art Lipscomb		S. Heather Phillips	Bruce Edwards
Eddie Ferguson			Cathy Fox
Byron Andrews			Sam Dahl
			Joshua W. Loyd, M.D.
			David May

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
OPENING	<p>Mr. Chris Eudailey called the meeting to order at 9 AM. The minutes from Friday, February 7, 2014 meeting were reviewed.</p>  <p>2014Feb7 LP Committee Meeting M</p>	<p>Motion made by Ed Rhodes and seconded by Art Lipscomb to approve the Feb. 7, 2014 meeting minutes. The Committee voted unanimously to approve the minutes.</p>
OEMS UPDATE	<p>Mr. Gary Brown informed the committee to refer to the quarterly OEMS report to the state EMS Advisory Board for updates on key activities. The report is posted on the OEMS Web site at: http://www.vdh.virginia.gov/OEMS/Files_Page/Advisory_board/ABQuarterlyReport0514.pdf</p> <p>Mr. Scott Winston briefed the committee on the Interstate Compact for EMS Personnel Licensure, otherwise known as <u>R</u>ecognition of <u>E</u>MS <u>P</u>ersonnel <u>L</u>icensure <u>C</u>omp<u>A</u>ct (REPLICA). A meeting is scheduled on June 10 in Chicago for state EMS directors and their respective legal counsel representatives for a focused walkthrough of the final compact draft. The seminar will also include</p>	

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	<p>a presentation on interstate compacts: What are they and how they work?, an overview on outreach and education of legislative branch members and governors in the states, insights and lessons learned from other compact administrations, and questions related to legal, technical and policy implementation.</p> <p>Mr. Winston briefed the committee on the recent Office of Attorney General(OAG) guidance regarding mobile integrated healthcare practice/community paramedicine programs (MIH/CP). Because the services envisioned to be provided by community paramedicine programs are aimed at prevention and are not provided during a medical emergency or to address a need for immediate medical care, they are not services encompassed within the statutory or regulatory definitions applicable to emergency medical services. The services proposed to be provided by community paramedicine programs appear not to fall within the scope of emergency medical services. In order for EMS agencies and personnel/providers to implement such programs; licensure as a home care organization is necessary under current law if the services to be provided will not be delivered in the context of an emergency. A change to the statutory and regulatory definitions governing emergency medical services as well as a deliberate decision on the part of VDH would be needed to permit EMS agencies and personnel/providers to provide services outside of an emergency or transport context under their current certification or licensure. Further information about MIH/CP is posted on the OEMS Web site at http://www.vdh.virginia.gov/OEMS/NewsFeatures/GuidanceDocument-MobileIntegratedHealthcare.pdf</p>	
STATE EMS PLAN UPDATE	<p>Mr. Tim Perkins advised the committee the state EMS Plan is on the agenda and will be presented to the Board of Health for adoption at their Thursday, June 5 meeting.</p> <p>If you have any questions about the state EMS Plan, please contact Mr. Tim Perkins, State EMS Planner at tim.perkins@vdh.virginia.gov or Mr. Scott Winston, Assistant Director at scott.winston@vdh.virginia.gov.</p>	
Regulatory Updates	<p>Mr. Michael Berg reported the Office of EMS will implement fingerprint based criminal background checks on July 1, 2014 for anyone who, on or after July 1, applies to be a volunteer with or employee of an EMS agency. Fingerprint cards have been distributed to all regional EMS Councils. EMS personnel or agencies will be responsible for the cost, if any, to place their fingerprints on the fingerprint cards. Information about this new process will be posted on the</p>	

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	<p>OEMS Web site by mid-June and distributed to all key EMS stakeholder groups.</p> <p>The Office of EMS intends to remove language in the EMS Regulations that requires EMS personnel to obtain the signature on the prehospital patient care report of the medical practitioner who assumes responsibility for the patient at the hospital whenever a drug is administered or an invasive procedure is performed. On September 24, 2013, amendments to the Board of Pharmacy regulations (12VAC110-20-500) removing language pertaining to the medical practitioner signature became effective. The Office of EMS initiated a fast track regulatory review of the existing EMS Regulations to make the corresponding change in the EMS Regulations. The regulatory review package has been approved by VDH administration and the Secretary of Health and Human Resources and has been forwarded to the Governor’s office for final approval.</p> <p>Mr. Berg reported a fast track regulatory packet has been submitted to VDH administration to change existing language in the EMS Regulations pertaining to financial assistance for EMS agencies. These changes are technical in nature and do not involve any substantive changes. The packet will be reviewed by the Board of Health at their June 5 meeting.</p> <p>OEMS is also working on a fast track regulatory packet to insert the term “affiliation” in 12VAC5-31-910 related to applications for certification and affiliation with an EMS agency can be denied if certain criminal or enforcement history exists.</p>	
<p>2014 Virginia General Assembly Session</p>	<p>HB581/SB355: The impetus for HB581 and SB355 was from the Division of Legislative Services (DLS) in response to confusion over the use of terms and definitions in the Code related to EMS when dealing with legislation introduced during the 2013 session of the VA General Assembly (HB1856). Currently, EMS agencies are referenced by multiple terms in the code; i.e., rescue squad, life saving crews, first aid crew, volunteer sea rescue, etc.</p> <p>HB 581 has been carried over to the Health, Welfare and Institutions Committee until the 2015 session of the General Assembly. SB 355 has been carried over until 2015 with a request by the state EMS Advisory Board to review and make recommended changes to the existing bill.</p> <p>The Chair of the state EMS Advisory Board assigned a workgroup to review and comment on these bills. It was stated, the EMS community will be in a better position to understand the proposed</p>	

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	<p>changes to the code if they have had an opportunity to participate in drafting the language changes.</p> <p>The workgroup has met twice since the last state EMS Advisory Board meeting (March 14 and April 18) and a third meeting is scheduled to be held on Friday, May 30. Changes discussed at the previous two meetings have been incorporated into the draft language and will be reviewed at the May 30 meeting. The committee discussed posting the minutes of these workgroup meetings on the OEMS Web site and outlining the guiding principles of the workgroup to make technical and not substantive changes to the Code language. Recommended changes to code language made by the workgroup relate to removing citations to Fire/EMS in Title 27 of the Code and moving all references related to EMS to Title 32 of the Health section of the Code, use of consistent terminology to identify the person in charge at the scene of an EMS event, and correct incorrect and interchangeable use of the terms permit and license.</p> <p>HB1010: The committee discussed HB1010 at length. HB1010 is a bill introduced by Delegate Kathy Bryon at the request of the Board of Supervisors in Bedford County. The bill as introduced provides that regulations of the Board of Health governing qualifications for certification of emergency medical services providers shall require no more than 40 hours of classroom instruction for certification of an emergency medical services provider as an emergency medical responder or emergency medical services first responder and no more than 80 hours of classroom instruction for certification of an emergency medical services provider as an emergency medical technician. This bill is carried over pursuant to Rule 22 of the House after it was subsequently defeated in subcommittee on a vote of 8 Yeas and 9 No's.</p> <p>There is no support for HB1010 by any EMS organization (regional EMS Councils, VAGEMSA, VAVRS, VFCA, EMS Educators, VPFF, etc.) Ed Rhodes and Art Lipscomb stated that HB1010 was discussed by the Fire and EMS Legislative Caucus.</p> <p>The committee understands the bill was an attempt by local government officials to “shake things up.” The committee does not agree with taking a legislative approach but rather supports coming to the state EMS Advisory Board to express their concerns. The committee was advised that local government representatives met with the Executive Committee of the state EMS Advisory Board at the 2013 state EMS Symposium and again on Thursday, May 8. It is the opinion of several of the</p>	<p>Scott Winston stated he would place the workgroup meeting minutes on the OEMS Web site along with a narrative describing the guiding principles used by the workgroup to update code language.</p>

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	<p>committee members that there is as much concern over the training required by firefighters as there is for EMS providers.</p> <p>All members of the committee agree it is a very complex subject and there are no immediate solutions/quick fixes, and probably no permanent solutions to the problem of recruitment and retention of EMS personnel. It was suggested that it would be beneficial to local government officials to offer educational sessions on EMS service delivery. Local government officials need a greater awareness about EMS and a forum to discuss common concerns and issues. In addition, it would be helpful to put together a list of resources local government officials could reference to provide suggestions and ideas about possible solutions and strategies to address their specific situation.</p> <p>JLARC Study on LODD</p> <p>Art Lipscomb reminded the committee members that JLARC is conducting a cost/benefits study on Line of Duty Death (LODD). A report will be presented to the JLARC in December 2014. Art indicated there will be an opportunity to provide public comment on LODD sometime this summer. Art will inform the committee when meetings to receive public comment are scheduled. Art referenced the on-line training available on the Dept. of Criminal Justice Services web site that local government officials are supposed to receive and information posted on the Virginia Dept. of Accounts web site at . http://www.dca.virginia.gov/Admin_Services/Line_of_Duty/Line_Of_Duty_Main.cfm</p>	
VIRGINIA FIRE AND EMS CAUCUS	The next Fire and EMS Legislative Caucus meeting will be held in Hampton, VA on August 14 in conjunction with the Virginia State Firefighters Association (VSFA) conference.	
UNFINISHED BUSINESS	There is no unfinished business to bring before the committee.	
NEW BUSINESS	There is no new business.	
PUBLIC COMMENT	There is no public comment.	
MEETING DATES FOR 2014	In 2014, the committee will meet on the following dates: May 9 , August 8 and Wednesday, November 5 in conjunction with the 35 th Annual State EMS Symposium held at the Norfolk Waterside Marriott.	

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	All meetings will be held in Glen Allen, VA and begin at 9 AM unless otherwise indicated.	
ADJOURNMENT	The meeting was adjourned at approximately 10:00 AM	Motion made by Art Lipscomb and seconded by Ed Rhodes to adjourn the meeting. The committee voted unanimously to adjourn the meeting.

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