


**Legislative and Planning (L&P) Committee Meeting
 Richmond Marriott Short Pump
 Friday, May 4, 2018
 9:00 A.M.**

Members Present:	Members Absent:	OEMS Staff:	Others:
Chris Parker, Chair	VHHA Representative	Scott Winston	Frank Kinnier
Ed Rhodes	VAGEMSA Representative	Gary Brown	Jon Henshel
Byron Andrews		Tim Perkins	Lisa Baber
Gary Samuels		Cam Crittenden	Michael Berg
Michael Player		George Lindbeck, MD	Greg Woods
Rob Logan, Vice Chair		Warren Short	
Steve Higgins		Ron Passmore	
Gary Dalton			

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
WELCOME AND INTRODUCTIONS	Chair Chris Parker called the meeting to order at 9:00 AM. A request was made for a moment of silence for Mr. Wayne Butler who passed away recently. The minutes from Friday, February 2, 2018 meeting were unanimously approved after review by the committee.	Motion made by Rob Logan and seconded by Ed Rhodes to approve the February 2, 2018 meeting minutes. The Committee voted unanimously to approve the minutes.
OEMS UPDATE	Mr. Scott Winston informed the committee members the OEMS quarterly report to the state EMS Advisory Board is posted on the OEMS website. The report may be viewed at http://www.vdh.virginia.gov/content/uploads/sites/23/2018/04/Quarterly-Report-to-the-State-EMS-Advisory-Board-for-May-4-2018-Complete-with-Appendix.pdf Mr. Scott Winston provided the committee members with an Office of EMS personnel update. Mr. Keith Roberts is the new Human Resources Analyst. Mr. Billy Fritz is the new BLS Training Specialist and began work on Monday, March 12. Mr. Tim Perkins has been selected as the new Community Health and Technical Resources (CHaTR) Manager. The EMS Planner position vacated by Mr. Perkins will be placed in recruitment. Mr. Ron Passmore is the new	

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	<p>Regulation and Compliance Manager and he began work on April 25. Winnie Pennington, Planner for Emergency Operations will be retiring June 1, 2018. Mr. Chuck Faison, Training and Development Coordinator has resigned to take a job with Dominion Energy. Sunny Lessner, Management Lead Analyst has resigned. Mr. Dwight Crews, Analyst-Statistician has resigned to take a position with FEMA in Gaithersburg, MD.</p> <p>Mr. Winston briefed the committee on the plans to relocate OEMS staff assigned to work at 1001 Technology Park Drive to office space next to existing space occupied by OEMS at 1041 Technology Park Drive. Build out, remodeling and the move will occur later this year.</p>	
<p>STATE EMS PLAN</p>	<p>Mr. Tim Perkins reported the state EMS Advisory Board approved the state EMS Plan at their November 9, 2016 Board meeting. The Board of Health at their March 16, 2017 meeting unanimously approved the plan. The plan will next be presented to the Board of Health in 2020. Mr. Perkins reported each committee of the state EMS Advisory Board will be requested to provide input and suggested revisions to the state plan in the coming year.</p> <p>Biannual updates reporting progress in meeting the objectives of the state plan will be provided to the state EMS Advisory Board and annual updates to the Board of Health.</p> <p>Mr. Perkins reminded the committee about the EMS Agenda 2050 project sponsored by NHTSA Office of EMS, EMSC Program at HRSA, Office of the Assistant Secretary for Preparedness and Response (ASPR) at the Department of Health and Human Services (DHHS), and the Department of Homeland Security Office of Health Affairs. For more than a year, the EMS Agenda 2050 Technical Expert Panel has solicited input from the EMS community and the public to create a vision for the future of EMS. Now, they have developed and released the first draft of the EMS Agenda 2050 document for public comment open through May 31st.</p> <p>This is your final opportunity to be heard and provide feedback before the final version of EMS Agenda 2050 is unveiled. Submit your comments by submitting a Word Doc version via email to <u>EMSAgenda2050@redhorsecorp.com</u>. In August 2018, the final EMS Agenda 20150 document will be released. A national Implementation Forum will be held in</p>	<p style="text-align: center;">  2016StatePlanFinalDraft.docx </p>

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	<p>Washington, DC in September 2018.</p> <p>Mr. Perkins briefed the committee about the new Community Health and Technical Resources (CHaTR) Division within the Office of EMS. The Division will be responsible for fostering connections and collaboration between EMS agencies, local health districts, VDH Office of Health Equity (OHE), organizations, health professional, jurisdictions, etc. to advance population-based initiatives that will improve health outcomes in Virginia’s localities. The position will also help EMS agencies develop resiliency and be more sustainable by implementing new service lines focusing on mobile integrated healthcare/community paramedicine programs, post-hospital follow-up, chronic disease management, and use of alternative transportation, referral to community health or social resources and preventative healthcare services to improve outcomes in patient well-being. The division will continue to provide technical assistance and resources to EMS agencies, local governments, etc., perform EMS assessments, participate in Fire and EMS studies with the Virginia Department of Fire Programs/Virginia Fire Service Council, manage Regional EMS Council contracts and maintain the state EMS Plan.</p>	
<p>REGULATORY UPDATE</p>	<p><u>Chapter 31: Virginia Emergency Medical Services Regulations to be repealed</u></p> <p>OEMS is required to conduct a periodic review of the EMS Regulations (12VAC5-31) every four (4) years. The Rules and Regulations committee has initiated a periodic review of the Virginia EMS Regulations (12VAC5-31).</p> <p>A Notice of Intended Regulatory Action (NOIRA) was approved by the Commissioner on behalf of the Board of Health. The public comment period for the NOIRA was held May 15 – June 14, 2017. OEMS did not receive any public comments related to the NOIRA.</p> <p>OEMS staff are working with key EMS stakeholder groups to review suggested revisions to sections of the current EMS Regulations (12VAC5-31). Once completed, these recommended changes will be sent to the Rules and Regulations Committee of the state EMS Advisory Board for review and then submitted as a regulatory review packet. A work session of the Rules and Regulations Committee was held on October 25 in Waynesboro, VA. A second work session was held on April 3 in Charlottesville. A work session of the Rules and Regulations Committee</p>	

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	is scheduled to meet on June 19 in Charlottesville to continue work on the proposed EMS Regulations (12VAC5-32).	
2018 VIRGINIA GENERAL ASSEMBLY	<p>The committee discussed HB 777, dealing with Air Medical Services – Concern over the high cost of Air Medical Transportation. The bill, if passed, will require an EMS provider to obtain written consent prior to initiating air medical transport services. It also requires the development of a separate consent form for EMS personnel that the patient must receive and sign before they can be transported by air medical services. The Bill asks for development of statewide EMS Air Medical Dispatch Transport protocols. A group of individuals met with the primary patron (Margaret Ransone) on Thursday, Feb. 1 at the General Assembly Building. HB777 was left in the House, Welfare and Institutions (HWI) committee and if action is taken by the committee the measure could come back up for the 2019 session of the General Assembly.</p> <p>SB663 & HB778 are identical bills and were approved by the Governor on March 30, 2018 and March 9, 2018 respectively. Section 32.1-127 of the Health Code related to the inspection of medical facilities was amended and requires when going thru their licensure inspection to demonstrate a policy is in place to inform the patient of the consequences of air medical transport. Each hospital must provide written or electronic notice to the patient or his authorized representative that should they go by air there is the potential the air medical provider that arrives to transport them may not be within their health care provider insurance network, resulting in a large out of pocket expense. This would be required prior to the patient is transferred.</p> <p>Language from SB663 and HB778</p> <p><i>Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health</i></p>	

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	<p><i>insurance plan.</i></p> <p>2. That the provisions of the first enactment of this act shall become effective on March 1, 2019.</p> <p>3. That the Office of Emergency Medical Services shall, as soon as possible and no later than January 1, 2019, develop a mechanism by which to disclose to the patient, prior to services provided by an out of network air transport provider, a good faith estimate of the range of typical charges for out of network air transport services provided in that geographic area.</p> <p>The Governor approved SB703, introduced by Senator Frank Ruff on March 5, 2018. The Track Safety Director at Virginia International Raceway (VIR) located in Halifax and Pittsylvania County requested the bill. VIR is reportedly struggling to provide EMS staff for large events. Event organizers are required to notify OEMS 10 days prior to the event, the names of individuals in order to verify these individuals hold valid credentials and have no disciplinary actions against them. Discrepancies exist between NC and VA certification levels. NC is not a REPLICIA state. The Bill does recognize that REPLICIA exists and the provisions in REPLICIA must be followed. Limited to states that border Virginia.</p>	
UNFINISHED BUSINESS	No unfinished business.	
NEW BUSINESS	<p>The VAGEMSA seat on the L&P Committee formerly held by Rob Lawrence is now vacant. Rob has accepted a job with Paramedics Plus in Alameda, CA as their new Chief Operating Officer. The VHHA representative on the EMS Advisory Board, Charlotte Tyson who agreed to serve on this committee is no longer on the state EMS Advisory Board. She has been replaced by Dr. Jake O'Shay, M.D. (CMO for CJW Medical Center).</p> <p>Mr. Winston agreed to contact VAGEMSA and VHHA and request representation from their respective organizations on the Legislative and Planning Committee.</p> <p>Ron Passmore briefed the committee on a policy that is under development at OEMS to create a pathway for EMS providers with an impairment (alcohol, drug, dependency/addiction) to return to practice. The Virginia Office of Emergency Medical Services (OEMS) recognizes the need to establish guidelines for the reinstatement of EMS certification following enforcement action because of a chemical-dependence impairment.</p>	<p>Mr. Winston will contact VAGEMSA and VHHA to request representation from their respective organizations on the L&P Committee.</p>

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	<p>This guideline exists to provide a consistent process for OEMS staff to utilize when considering a request for reinstatement of EMS certification; to ensure balanced accountability and patient safety; to encourage EMS providers to report the issues and seek treatment; and provide an opportunity for competent EMS providers to regain their EMS certification under certain conditions.</p> <p>We must change the culture within EMS to encourage self-reporting by the provider without fear of disciplinary action or losing their job.</p>	
PUBLIC COMMENT	There is no public comment.	
NEXT MEETING DATE	Remaining meeting dates for 2018 are Friday, August 3, and November 7 at the Norfolk Marriott Waterside. All meetings are held at 9 AM except the meeting held in November which begins at 10 AM.	
ADJOURNMENT	The meeting adjourned at 10:00 AM.	Motion made to adjourn the meeting by Gary Samuels, second by Ed Rhodes.