

**Legislation and Planning Committee  
Embassy Suites Hotel  
Richmond, VA  
February 7, 2020  
9:00a.m.**

<b>Members Present:</b>	<b>Members Absent:</b>	<b>OEMS Staff:</b>	<b>Others:</b>
<b>Gary Samuels (Chair)</b>	<b>Rich Orndorff, Jr. - excused</b>	<b>Scott Winston</b>	<b>Jon Henschel</b>
<b>Rob Logan (Vice Chair)</b>	<b>Jeff Meyer - excused</b>	<b>Chris Vernovai</b>	<b>Dreama Chandler</b>
<b>Jake O'Shea, MD</b>		<b>Gary Brown</b>	<b>Matt Lawler</b>
<b>Gary Dalton</b>		<b>Daniel Linkins</b>	<b>Beth Adams</b>
<b>Ed Rhodes</b>		<b>George Lindbeck, MD</b>	<b>Robert Trimmer</b>
<b>Byron Andrews</b>			<b>Michael D. Berg</b>
<b>Steve Higgins</b>			
<b>Michael Player</b>			

<b>Topic/Subject</b>	<b>Discussion</b>	<b>Recommendations, Action/Follow-up; Responsible Person</b>
<b>I. WELCOME AND INTRODUCTIONS</b>	Chair Gary Samuels called the meeting to order at 9:00 AM.	
<b>II. Review and Approval of October 16, 2019 Minutes</b>	Motion to approve minutes made by Mr. Ed Rhodes and seconded by Mr. Steve Higgins. The committee unanimously approved the minutes from October 16, 2019 meeting after review.	<b>October 16, 2019 meeting minutes approved by the committee.</b>
<b>III. OEMS Update – Quarterly Report to EMS Advisory Board (OEMS Staff)</b>	<p>Mr. Scott Winston reported the quarterly OEMS report to the state EMS Advisory Board is posted on the OEMS Web site at <a href="http://www.vdh.virginia.gov/content/uploads/sites/23/2020/01/Feb-2020-Quarterly-Report-with-Appendices.pdf">http://www.vdh.virginia.gov/content/uploads/sites/23/2020/01/Feb-2020-Quarterly-Report-with-Appendices.pdf</a></p> <p>General assembly session has kept many OEMS staff busy developing work products and attending committee and sub-committee meetings.</p> <p>Gary Brown reminded everyone about Call for Presentations for the 2020 EMS Symposium. Please contact Ms. Debbie Akers if you have topics or instructors of interest. Portal will be open until February 10. After that time, special permission must be granted to access the portal.</p> <p>Gary Brown updated the committee about a structural and organizational change at VDH. A new Shared Business Services (SBS) unit has been created. Administrative, procurement, fiscal, HR, grants, etc. will be handled by pooled resources managed by the SBS. OEMs to lose potentially 7</p>	

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	positions to shared services. May slow down processes at first. All travel and hotel reservations will have to go through SBS. There is a Polycom today to notify staff, which employees will move to the James Madison building. Complete renovation of certain floors of the Madison Building are planned.	
<b>IV. State EMS Plan</b>	The final draft of the state EMS Plan was approved by the full state EMS Advisory Board on Wednesday, Nov. 6, 2019. The plan will be presented to the Board of Health for their review and approval at their March 26, 2020 meeting in Richmond.	
<b>V. Regulatory Update</b>	<p>Adoption of Chapter 32 of the EMS Regulations has been held for MIH workgroup to complete white paper and to conform definitions related to REPLICA. It will likely take 12 – 18 months for this process to conclude. There will be ample time for written and public comment on the proposed regulations.</p> <p><b>Fingerprint Background Check.</b> On January 1, 2020, OEMS began utilizing FieldPrint to perform finger print-based background checks. This method is more efficient because fingerprint cards will no longer be used, except in certain extenuating circumstances. Clear images of prints are not always captured on the card and individuals had to be reprinted. FieldPrint has locations across the state and uses Livescan terminals that capture an electronic image of the print that is sent directly to the Virginia State Police (VSP) Central Criminal Records Exchange and then on to the FBI. The overall time to process background checks will be reduced.</p>	
<b>VI. Legislative Actions in the 2020 Session of the Virginia General Assembly</b>	<p><b>SB-301</b> came from Patrick County, Pioneer hospital closed. Legislation passed last year to help get facility opened, but locating an entity to purchase the hospital was unsuccessful. Hospitals complained to Senator William Stanley, Jr. that patients were transported to the ED that did not require their services. Bill requires the Board of Health to develop regulations for when emergency medical services agencies in medically underserved areas as defined by the Board may transport patients to 24-hour urgent care facilities or appropriate medical care facilities other than hospitals. The regulations shall include provisions for what constitutes a medically underserved area, cases appropriate for transferring a patient to a medical facility other than a hospital, and other information deemed relevant by the Board. Gary Brown - recommended amendments but they were not accepted. OEMS does not define underserved areas. Regulation does not prevent this currently. Dr. O’Shea asked if there was a requirement on the part of the medical facility to treat the patient. The issue is payment and whether EMTALA applies-duty to treat. Many health care providers are entering the urgent care business. There are no known 24-hour urgent care facilities.</p> <p>- <b>SB-386</b> –EMS Data Sharing Agreement. Assigned to HWI</p> <p>- <b>HB-1332</b> – Telehealth Plan. Changes were made. References statewide EMS plan. Scott said that the original plan required the EMS plan to create a statewide Telehealth plan. DMAS involved. Funding plan requirement removed. Amendment requires Board of Health to develop a plan to work</p>	

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	<p>across organizations. New substitute to be reviewed today. It appears that they did not remove all components. Still requiring payment by Medicaid. May be difficult to regulate such a rapidly changing field. Ed Rhodes says this is moving quickly.</p> <p>- <b>HB 661</b> - Exposure requires workgroup, sent to appropriations, must be read again. Part of 664 sets foundation. Addresses drawing blood from deceased patients in exposure cases. Needed to be allowed to draw blood and to be able to test it. Dr. Lindbeck says there are only two labs in the U.S. that can test decedent blood.</p> <p>- <b>HB 664 -Exposure to a decedent's body fluids; testing.</b> Provides that, in cases in which any law-enforcement officer, salaried or volunteer firefighter, or salaried or volunteer EMS provider is directly exposed to body fluids of a deceased person in a manner that may, according to the then current guidelines of the Centers for Disease Control and Prevention, transmit human immunodeficiency virus or hepatitis B or C viruses, the next of kin of the deceased person shall be deemed to have consented to testing of the decedent's blood for infection with human immunodeficiency virus or hepatitis B or C viruses and release of such test results to the person who was exposed. Under current law, whenever a law-enforcement officer, salaried or volunteer firefighter, or salaried or volunteer EMS provider is directly exposed to body fluids of a deceased person in a manner that may, according to the then current guidelines of the Centers for Disease Control and Prevention, transmit human immunodeficiency virus or hepatitis B or C viruses, consent for testing and release of the results must be obtained from the next of kin of the deceased person before testing may be initiated.</p> <p>- <b>HB 727</b> – PSAP dispatchers; telecommunicator cardiopulmonary resuscitation; Emergency Medical Dispatch education program. Removed reference to specific credentials issued by International Academies of Emergency Dispatch (IAED) - changed to "nationally recognized" training program. There is a companion bill in the Senate bill. (SB702)</p> <p>- <b>Multiple workers comp bills-</b> VA Beach bill pulled. Others likely to be pulled today.</p> <p>- Gary Samuels- HB 82, HB 327 <b>Right to work and collective bargaining bills.</b> - Fire Chiefs seeking origins and impacts. Collective bargaining removed teachers. Florida has right to work and collective bargaining.</p> <p><b>Budget Amendments-</b> Ed Rhodes says these have already been reviewed. Gary Brown states that all budget amendments affecting EMS are listed in the quarterly report.</p> <p>Driver's license reinstatement fee being removed in most cases. This funded Trauma centers. 2 bills are identical transferring \$12M to compensate for lost revenue. 1 bill only transfers \$11 M.</p>	

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	<ul style="list-style-type: none"> <li>- A budget amendment bill applies funds to support background checks for non-certified providers. Scott says if they are employed by or affiliated with an EMS agency, they must have a background check. Contractors would not be required to have a background check.</li> <li>- Poison Control fund increases to \$29M</li> <li>- Delegate Price submitted budget amendment to purchase 500 AED's and place devices in facilities hosting greater than 50 people.</li> </ul>	
<b>VI. Unfinished Business</b>	None.	
<b>VII. New Business</b>	None.	
<b>VIII. Public Comment</b>	Chair Gary Samuels asked if there was any public comment, and there was none.	
<b>XI. Adjourn</b>	Chair Gary Samuels made a motion to adjourn at 10:05 am. The committee approved.	<b>Chair Gary Samuels made a motion to adjourn at 10:05 am. The committee approved the motion.</b>