



Kent Appelhans, Chair  
Mark Marchetta, Sr., Vice Chair

Dr. Carol Cunningham, State Medical Director

## STATE BOARD OF EMERGENCY MEDICAL, FIRE, AND TRANSPORTATION SERVICES

### DIVISION OF EMERGENCY MEDICAL SERVICES OHIO DEPARTMENT OF PUBLIC SAFETY 1970 West Broad Street, Columbus, Ohio

*Virtual Meeting via Microsoft Teams®*

#### FINAL MEETING MINUTES June 16, 2021

**Board Meeting Date and Location:** Wednesday, June 16, 2021, Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio. The meeting was held via Microsoft Teams® videoconferencing.

**Board Members Present:** Thomas Allenstein, Kent Appelhans, David DeVore, Geoff Dutton, Patrick Ferguson, Dr. Richard George, Ruda Jenkins, Susan Kearns, Mark Marchetta, Dr. Amy Raubenolt, Mark Resanovich, George Snyder, Kevin Uhl, John Weimer, and Dudley Wright.

**Board Members Absent:** Stacey Martin and Dr. Hamilton Schwartz

**DPS and EMS Staff Members Present:** James Burke, Johanna Burgess, Beverly Cooper, Dr. Carol Cunningham, Joel Demory, Dave Fiffick, Deputy Director Aaron Jennings, Valerie Koker, Eric Mays, Ellen Owens, Executive Director Rob Wagoner, and Michael Wise

**Assistant Attorney General:** Brian Honen

**Public Present:** Johnathan Fyffe

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#### **EMFTS Board Meeting**

##### **Welcome and Introduction**

The meeting began at 10:05 a.m.

Mr. Appelhans welcomed everyone.

**Roll Call**

Mr. Thomas Allenstein	Present	Ms. Stacey Martin	Absent
Mr. Kent Appelhans (Chair)	Present	Dr. Amy Raubenolt	Present
Mr. David DeVore	Present	Mr. Mark Resanovich	Present
Mr. Geoff Dutton	Present	Dr. Hamilton Schwartz	Absent
Mr. Patrick Ferguson	Present	Mr. George B. Snyder	Present
Dr. Richard George	Present	Mr. Kevin Uhl	Present
Ms. Ruda Jenkins	Present	Mr. John Weimer	Present
Ms. Susan Kearns	Present	Mr. Dudley Wright	Present
Mr. Mark Marchetta (V.Chair)	Present		

**Open Forum**

Mr. Appelhans inquired if there were any guests who would like to address the Board. No guests were present to address the Board.

**Consent Agenda**

Mr. Appelhans requested a motion to approve the Consent Agenda items that were distributed prior to the meeting including the EMFTS Board minutes of April 21, 2021, the Certificates of Accreditation, the Certificates of Approval, April and May 90-day Extensions and the April and May EMS certifications.

***ACTION: Motion to approve the Consent Agenda items that were distributed prior to the meeting including EMFTS Board minutes of April 21, 2021, the Certificates of Accreditation, the Certificates of Approval, April and May 90-day extensions and the April and May EMS certifications.***

Mr. Allenstein– First. Mr. Marchetta – Second. None opposed. None abstained. **Motion approved.**

Mr. Appelhans introduced himself as the Chair of the State Board of Emergency Medical, Fire, and Transportation Services. The proceedings were called to order at 10:08 a.m. on June 16, 2021.

**Roll Call**

Mr. Thomas Allenstein	Present	Ms. Stacey Martin	Absent
Mr. Kent Appelhans (Chair)	Present	Dr. Amy Raubenolt	Present
Mr. David DeVore	Present	Mr. Mark Resanovich	Present
Mr. Geoff Dutton	Present	Dr. Hamilton Schwartz	Absent
Mr. Patrick Ferguson	Present	Mr. George B. Snyder	Present
Dr. Richard George	Present	Mr. Kevin Uhl	Present
Ms. Ruda Jenkins	Present	Mr. John Weimer	Present
Ms. Susan Kearns	Present	Mr. Dudley Wright	Present
Mr. Mark Marchetta (V.Chair)	Present		

It was noted for the record that a majority of the members of the Board were present.

The Board reviewed the following case(s):

## REPORT AND RECOMMENDATIONS

- EMS Case No. 2019-664-BE100, Johnathon S. Fyffe, Certificate No. 180638

Mr. Appelhans recognized Assistant Attorney General Brian Honen for the purpose of providing a brief synopsis of the case.

Mr. Fyffe indicated on his EMT application that he had no criminal convictions. The Division found prior convictions for Obstructing Official Business, Impersonating a Police Officer, Disorderly Conduct, and Theft. The Board issued a Notice of Opportunity for Hearing to take action on his certificate on the basis of his misrepresentation on his application and for having a conviction to a crime of moral turpitude. The matter went to hearing on March 25, 2021, where his failure to be truthful on his application and for having a conviction was presented to a Hearing Officer. The underlying facts of the Obstructing Official Business conviction is where he impersonated a park ranger wearing what appeared to be a bullet proof vest, a straw Ohio Highway Patrol hat, weapons, and walkie talkie. He stopped multiple people and when he was stopped by the police he gave the identifying information of another individual. The underlying facts of the impersonating a police officer was while wearing an Ohio Highway Patrol shirt, told a female employee he was an officer and threatened to break a tail light of her car and pull her over when she wouldn't give him her number. The underlying facts of the Disorderly Conduct case is where a physical fight ensued with a roommate over electric usage. The underlying facts of the theft case was where the respondent stole a pair of shoes from Kohls for his own personal gain. This was found by the Hearing Officer to be a crime of moral turpitude. The Hearing Officer recommends that the Respondent's EMT certificate be suspended for 6 months but that the 5 months of that suspension be stayed with the following conditions during the one-month suspension: Respondent is to provide a Fit-for-Duty Psychological Evaluation by a licensed mental health professional that indicates that the Respondent is mentally and emotionally stable and that he is free from any impairment that would render him unable to practice as an EMT with reasonable skill and safety and that he is free from any psychological condition or impairment that poses a significant risk to his health and safety or to the health and safety of others; and that (B) Respondent is to complete an updated BCI&I background check. Upon satisfactory completion of the Fit-for-Duty Psychological Evaluation and the up-to-date BCI&I background check and completion of the one-month suspension. (2) Respondent should be placed on probation for three (3) years and that during the probationary period Respondent is to notify the Ohio Department of Public Safety, Division of EMS of any arrests within ten (10) days of the arrest and during the probationary period the Respondent is to fully disclose the convictions on his record to any EMT related employers; and (3) Respondent to provide an updated BCI&I background check at the time of his renewal in three (3) years of his EMT certificate, along with whatever additional terms of probation and reporting requirements of that probationary period as are imposed by the Board.

Mr. Appelhans inquired if Mr. Fyffe or his attorney were present. Mr. Fyffe had two minutes to speak to the EMFTS Board. Mr. Fyffe thanked the Board for time to speak before the Board. He stated that the facts presented paint a dark picture. He stated that he was young when this incident happened and he regrets what he did when he was younger. He asked the Board for leniency. He thought he only had to disclose misdemeanors on the application. He understands there are ramifications for his actions.

AG Honen stated that the Hearing Officer took into consideration the age at the time of the incident. The report and recommendation are in accordance to all the facts.

## GOLDMANS

These proceedings were held before the Board pursuant to Goldman v. State Medical Board of Ohio where the respondents did not properly request a hearing in the cases. The individuals named did not have the ability to present written or oral testimony; however, they may be present to hear the proceedings and outcome.

All Board members received the sworn affidavits and accompanying exhibits for the Goldman proceedings from the EMS investigators. The affidavits contained the evidence and testimony upon which was deliberated.

There were eight adjudications. The proceedings were in the matters of:

- EMS Case No. 2019-082-BE100, William M. Graham, Certificate No. 13618
- EMS Case No. 2020-002-BE100, Kenneth D. Bench, Certificate No. 104315
- EMS Case No. 2020-003-BE100, George F. Barnett, Certificate No. 124897
- EMS Case No. 2020-154-E100, Jason K. Snider, ID No. 221155
- EMS Case No. 2020-305-E100, Michael C. Stevens, ID No. 227804
- EMS Case No. 2020-326-BE100, David W. Smith, Certificate No. 20417
- EMS Case No. 2020-541-BE100, Christopher M. Osborne, Certificate No. 116768
- EMS Case No. 2020-545-BE100, John D. Wright, Certificate No. 28814

Mr. Appelhans requested a motion to admit the sworn affidavits and the accompanying exhibits in the aforementioned cases into evidence.

***ACTION: Motion to admit the sworn affidavits and accompanying exhibits in the aforementioned cases into evidence.*** Mr. Marchetta – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

There was no further evidence to come before the Board and the proceedings closed at 10:19 a.m.

***ACTION: Motion to recess the meeting for the purpose of entering into quasi-judicial deliberations.*** Mr. Snyder – First. Mr. Dutton – Second. None opposed. None abstained. Motion approved.

## REPORT AND RECOMMENDATION

***ACTION: In the matter of EMS Case Number 2019-664-BE100, Johnathon S. Fyffe, Certificate Number 180638, I move that the Board issue an adjudication order approving the findings of fact and conclusions of law, and the recommendation of the hearing examiner to suspend Mr. Fyffe's certificate to practice for 6 months, with five months of the suspension being stayed subject to the following conditions: (1) During the one-month suspension period Mr. Fyffe is to provide a Fit-for-Duty Psychological Evaluation by a licensed mental health professional who indicates that he is mentally and emotionally stable and free from any impairment that renders him unable to practice, and (2) provide an updated BCI&I background check. Following the suspension, Mr. Fyffe shall be on probation for 3 years. During the probationary period, Mr. Fyffe shall notify the Division of EMS of any arrests within 10 days of the arrest and disclose all convictions on record to EMS related employers. At his next certification renewal, Mr. Fyffe shall provide an updated BCI&I background check.*** Mr. Dutton – First. Mr. Ferguson – Second. Ms. Jenkins and Mr. Snyder - opposed. Mr. Allenstein and Mr. Wright- abstained. **Motion approved.**

**GOLDMAN MOTIONS**

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**ACTION:** *In the matter of EMS Case Number 2019-082-BE100, William M. Graham, Certificate Number 13618, I move that the Board issue an adjudication order finding that Mr. Graham's ability to practice is impaired, and that he failed to report his convictions to the Board, and that Mr. Graham's certification be indefinitely suspended pending a chemical dependency examination, by a practitioner approved in advance by the Division of EMS, showing that he is fit for duty.*

Mr. Snyder – First. Mr. Marchetta – Second. None opposed. Mr. Allenstein and Mr. Wright - abstained. **Motion approved.**

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**ACTION:** *In the matter of EMS Case Number 2020-002-BE100, Kenneth D. Bench, Certificate Number 104315, I move that the Board issue an adjudication order finding that Mr. Bench has been convicted of two counts of felony theft, submitted false information to the Board, and failed to report his convictions and that Mr. Bench's certification be permanently revoked.* Mr. Snyder – First. Mr. Marchetta – Second. None opposed. Mr. Allenstein and Mr. Wright - abstained. **Motion approved.**

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**ACTION:** *In the matter of EMS Case Number 2020-003-BE100, George F. Barnett, Certificate Number 124897, I move that the Board issue an adjudication order finding that Mr. Barnett has been convicted of two counts of Theft, felonies of the fourth degree, and two counts of Theft, felonies of the fifth degree, and that Mr. Barnett's certification be revoked.*

Mr. Snyder – First. Mr. Marchetta - Second. None opposed. Mr. Allenstein and Mr. Wright - abstained. **Motion approved.**

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**ACTION:** *In the matter of EMS Case Number 2020-154-E100, Jason K. Snider, EMS Applicant ID 221155, I move that the Board issue an adjudication order finding that Mr. Snider has been convicted of Possession of Drugs, a felony of the fifth degree, and Grand Theft, a felony of the fourth degree, and that Mr. Snider's application be denied.* Mr. Snyder – First. Mr. Marchetta – Second. None opposed. Mr. Allenstein and Mr. Wright - abstained. **Motion approved.**

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**ACTION:** *In the matter of EMS Case Number 2020-305-E100, Michael C. Stevens, EMS Applicant ID 227804, I move that the Board issue an adjudication order finding that Mr. Stevens has been convicted of two counts of Attempt to Commit Theft of a Credit Card, and that Mr. Stevens' application be denied.* Mr. Snyder – First. Mr. Marchetta – Second. None opposed. Mr. Allenstein and Mr. Wright - abstained. **Motion approved.**

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**ACTION:** *In the matter of EMS Case Number 2020-326-BE100, David W. Smith, Certificate Number 20417, I move that the Board issue an adjudication order finding that Mr. Smith has been convicted of Theft in Office, a felony of the third degree, and Conflict of Interest, a misdemeanor of the first degree, and that Mr. Smith's certification be revoked.* Mr. Snyder – First. Mr. Marchetta – Second. None opposed. Mr. Allenstein and Mr. Wright - abstained. **Motion approved.**

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***ACTION:*** *In the matter of EMS Case Number 2020-541-BE100, Christopher M. Osborne, Certificate Number 116768, I move that the Board issue an adjudication order finding that Mr. Osborne has been convicted of two counts of Gross Sexual Imposition, both felonies of the third degree, and that Mr. Osborne's certification be permanently revoked.* Mr. Snyder – First. Mr. Marchetta – Second. None opposed. Mr. Allenstein and Mr. Wright - abstained. **Motion approved.**

***ACTION:*** *In the matter of EMS Case Number 2020-545-BE100, John D. Wright, Certificate Number 28814, I move that the Board issue an adjudication order finding that Mr. Wright has pled guilty to Theft by Control, Theft by Deception, and Receiving Stolen Property, all felonies of the fifth degree, and that Mr. Wright's certification be revoked.*

Mr. Snyder – First. Ms. Jenkins – Second. None opposed. Mr. Allenstein, Mr. Marchetta and Mr. Wright - abstained. **Motion approved.**

**\*\* Out of Order of the Agenda – New Business**

**Blood Supply Shortage**

Dr. Richard George stated that there is a blood supply shortage. There are multi-factor reasons and believe it is due to COVID-19 with donations down. Some of the vendors have said that they have over supplied; yet they cannot keep up with the blood supply demands. Dr. George stated that there was a letter that went out stating that they were down to a half-day supply of O negative blood. In efforts in trying to raise awareness of the issue, this was communicated to the EMA. Conservation is prudent; however, there is a point where you do not have a sufficient supply and patient's lives are at stake. This is a national issue. The Ohio Hospital Association held a conference call and they are delaying elective surgeries. There is a problem with supply and the demands cannot be met. Dr. George wanted to bring this to the Board's attention.

A discussion ensued regarding the blood supply shortage. Mr. Resanovich inquired, with the COVID-19 pandemic and donations, if the person had contracted the coronavirus are they being denied as donors or have they identified a waiting period post recovery of the coronavirus. Dr. George stated that his resource has stated that they accept a donor's blood 14 days status post resolution of COVID-19 symptoms.

Mr. Allenstein stated that the Central Ohio Trauma System was distributing the news of the blood shortage as an awareness to their membership. He suggested that the Division of EMS send a notice out via the listserv as a plea for blood donations.

Executive Director Wagoner thanked Dr. George for bringing this to the EMFTS Board and to the Trauma Committee. He stated that an appropriate message will be disseminated to EMS providers and EMS agencies.

Several Board members asked if there was a way through the Ohio Department of Public Safety (ODPS) media relations to distribute some type of public service announcement. Executive Director Wagoner will bring the message to the Director's office and the public information officer.

EMFTS Board members were urged to talk to the hospitals and their public information officers to get this message to the general public.

The EMFTS Board did not go into executive session.

**EMS and Medical Transportation Investigations**

***ACTION: Motion to accept the consent agreement for the following Medical Transportation case(s).*** Mr. Snyder – First. Mr. Marchetta – Second. Mr. Allenstein and Wright – Abstained. None opposed. **Motion approved.**

2019-018-E700

***ACTION: Motion to close the following Medical Transportation case(s).***  
Mr. Snyder – First. Mr. Marchetta – Second. Mr. Allenstein and Wright – Abstained. None opposed. **Motion approved.**

2018-102-E400  
2018-228-E500  
2021-081-E700

***ACTION: Motion to issue a Notice of Opportunity for the following Medical Transportation case(s).***  
Mr. Snyder – First. Mr. Marchetta – Second. Mr. Allenstein and Wright – Abstained. None opposed. **Motion approved.**

2021-096-E700  
2021-141-E700

***ACTION: Motion to accept the following Consent Agreements.*** Mr. Snyder – First. Mr. Marchetta – Second. Mr. Allenstein, Ms. Jenkins and Mr. Wright – Abstained. None opposed. **Motion approved.**

2018-323-E300	2020-243-E100
2019-734-E300	2021-008-BE100
2020-014-E300	2021-113-E100
2020-022-E300	2021-142-BE100
2020-044-E300	

***ACTION: Motion to close the following cases. The following cases have been recommended to be closed due to lack of jurisdiction, referral to local medical director, deferral to department discipline, certifications have expired, or non-violations of ORC and/or OAC.*** Mr. Snyder – First. Mr. Uhl – Second. Mr. Allenstein, Mr. Marchetta and Mr. Wright - Abstained. None opposed. **Motion approved.**

2020-299-E100	2021-030-E500
2020-350-BE500	2021-097-BE500
2020-518-E500	2021-127-E500
2020-538-E500	

***ACTION: Motion to close the following cases; individuals have met the stipulations of their Consent Agreements.*** Mr. Snyder – First. Mr. Marchetta – Second. Mr. Allenstein and Mr. Wright – Abstained. None opposed. **Motion approved.**

2018-50-E300	2018-589-E300
2018-144-E300	2018-708-E300
2018-403-E300	2018-724-E300

***ACTION: Motion to close the following cases. Individuals/Entities were audited at their respective certification level and opted to surrender their certificate to practice or certificate to teach. Re-open if re-applies:***

Mr. Snyder – First. Mr. Marchetta – Second. Mr. Allenstein and Mr. Wright – Abstained. None opposed.

**Motion approved.**

2019-732-E300

2019-738-E300

***ACTION: Motion to close the following case. The following individual entered into a consent agreement with the Board. They have not met the requirements of the consent agreement, and their respective certificate to practice has expired. Re-open if re-applies:***

Mr. Snyder – First. Mr. Marchetta – Second. Mr. Allenstein and Mr. Wright – Abstained. None opposed.

**Motion approved.**

2018-692-E300

***ACTION: Motion to issue Notices of Opportunity for Hearings for the following cases.***

Mr. Snyder – First. Mr. Marchetta – Second. Mr. Allenstein and Mr. Wright – Abstained. None opposed.

**Motion approved.**

2019-239-E100

2019-719-E300

2019-736-E300

2020-008-E300

2020-009-E300

2020-012-E300

2020-013-E300

2021-018-BE100

2021-119-BE300

***ACTION: Motion to close the following cases due to one of the following reasons: inadvertently marked “yes” to conviction question, misdemeanor convictions which the Board has previously deemed “not involving moral turpitude,” continuing education cases which now meet the requirements, non-patient care issues, and grandfathering issues of certification/conviction.***

Mr. Snyder – First. Mr. Marchetta – Second. Mr. Allenstein and Mr. Wright – Abstained. None opposed.

**Motion approved.**

2021-025-BE100

2021-043-BE100 \*WARNING LETTER

2021-102-BE100 \*WARNING LETTER

2021-103-E100 \*WARNING LETTER

2021-107-E100 \*WARNING LETTER

2021-116-BE100\*WARNING LETTER

2021-120-E100

2021-132-BE100

2021-149-BE100

2021-165-BE100

2021-173-E700

2021-186-BE100

2021-188-E100

2021-192-E500

2021-194-BE500

2021-195-BE500

2021-201-BE500

2021-202-BE500

**Chair’s Report, Kent Appelhans**

Mr. Appelhans reported that there is hope that the August Board meeting will be in-person. There are still four seats vacant on the Board; Seat 13, Seat 14, Seat 17, and Seat 20.

**State Medical Director, Dr. Carol Cunningham**

Dr. Cunningham reported that she has two new physicians for appointment to the Regional Physicians Advisory Board (RPAB).

- Dr. John Bruun – Region 3
- Dr. Natalie Ferretti – Region 4

***ACTION: Motion to appoint Dr. John Bruun to Region 3 and Dr. Natalie Ferretti to Region 4 of the Regional Physicians Advisory Board membership.*** Mr. Marchetta – First. Dr. Raubenolt – Second. None opposed. None abstained. Motion approved.

The next RBAB Chair meeting will be held September 8, 2021 at 1:00 p.m. The Annual All-Member RPAB and RPAB chair meetings will be held on November 4, 2021 at 10:00 a.m.

Dr. Cunningham reported that there was a joint position paper from the national EMS medical director organizations that was shared with her in pre-publication format. There is an American Psychiatric Association’s proposal for mandatory review of all ketamine administrations by EMS and all emergency medical departments. Due to this proposed initiative, the national EMS medical director organization who have endorsed the joint position paper urgently recommended that the EMS community replace the “excited delirium” terminology with “delirium with agitated behavior” to better reflect and enhance the fact that EMS is responding to a medical condition, i.e., delirium, rather than to control behavioral problem. In the State of Ohio Adult and Pediatric EMS Guidelines and Procedures Manual, Dr. Cunningham is requesting the approval to edit “excited delirium” to “delirium with agitated behavior” whenever this language is currently written. EMS should only be dispatched for a medical emergency. Dr. Cunningham asked for a motion to make those amendments.

***ACTION: Motion to amend the language in the State of Ohio Adult and Pediatric EMS Guidelines and Procedures Manual from “excited delirium” to “delirium with agitated behavior”.*** Dr. Raubenolt – First. Mr. Marchetta – Second. None opposed. None abstained. Motion approved.

The Pfizer®/BioNTech® COVID-19 vaccination by Ohio EMS Providers training module has been updated to reflect the new CDC-recommended storage requirements. The updated module is posted on the EMS website.

The operations for the federal-supported COVID-19 mass vaccination site at the Wolstein Center in Cleveland were extended through June 7, 2021. Multiple agencies supported the Wolstein Center. Attention was garnered from the White House. It was the first site in the nation for FEMA to utilize the stationary patient movement model first proposed by Dr. Dan Baker of the Ohio EMA. Nearly 260,000 doses of vaccines were administered. They exceeded the target of 35% by achieving approximately 50% of doses administered to the underserved population. A documentary of the site is being produced by the U.S. Department of Defense.

Dr. Cunningham was selected to speak at the Sepsis Alliance conference on June 22-23, 2021. She will also be presenting at the Ohio Association of EMS on June 24, 2021.

**EMS Staff Legal Counsel, Michael Wise**

Mr. Wise reminded the Board members that they would need to identify and abstain from any affiliations for the grant approvals later in the meeting.

As a reminder, advanced EMTs and paramedics are still permitted to administer the COVID-19 vaccines.

Senate Bill 310 allowed COVID testing for EMS certificate holders. That provision expired on May 1<sup>st</sup>, and as such, this waiver is no longer valid. House Bill 151 provided an exemption to allow EMS providers to function in all areas of the hospital and is still in effect until July 1, 2021.

Mr. Wise requested a motion for an administrative rule.

**ACTION: Motion that the Board approve filing rule Chapter 4765-1-03 (incorporated by reference) of the Ohio Administrative Code with the Joint Committee on Agency Rule Review.** Mr. Marchetta – First. Mr. Allenstein – Second. None opposed. None abstained. **Motion approved.**

**Assistant Attorney General, Brian Honen**

Mr. Honen reported that John Holycross vs. EMFTS Board, in Franklin County Common Pleas Case number 21CV-1426/1428 has been filed. There were two cases consolidated into one case. The appellees brief was filed June 11, 2021 and the appellant brief is due June 24, 2021.

**Legislative Report, Ben Kimmel**

Mr. Kimmel reported that the budget bill HB 110, now has an amended HB 110. It has been amended twice by both the House and the Senate. He expects the bill to be debated but nothing affecting the Division of EMS. It will be signed by June 30<sup>th</sup> in order for it to be in effect on July 1, 2021.

Many of the bills are moving to include Senate Bill 21 that was passed unanimously by the House and passed in the Senate. It will go to the Governor's desk for his signature.

**Executive Director and Staff Reports, Robert Wagoner**

Mr. Wagoner reported that pending unforeseen circumstances, the August 18, 2021 EMFTS Board meeting will be face-to face at the Ohio Department of Public Safety (ODPS). Committees will resume face-to-face meetings in July. The CDC guidance is in effect that non-vaccinated personnel will need to wear a mask and practice social distancing. Mr. Allenstein asked if there would be an option for virtual or video conferencing. Executive Director Wagoner stated that there is not an option unless the law changes.

The Division of EMS (DEMS) staff have received the ODPS Return to Office (RTO) plan commencing on July 6, 2021. In addition, the DEMS developed and submitted an RTO plan that was approved by ODPS Human Resources, which targets full implementation by the Division of EMS staff in October.

The DEMS staffing update is as follows:

- Four of the six current vacant positions are in process
  - AP2 – Certifications: candidate is in the background process

- PA2 – Grants: candidate is in the background process
- AP2 – Medical Transportation; candidate is in the background process
- Human Resources Program Consultant; second round of interviews underway

The DEMS phone system review will begin shortly to optimize call answering logic and leverage technology where possible.

The DEMS staff has come together as a team in making over 4,000 reminder phone calls to those whose certifications expired on March 9, 2020 to April 1, 2021 but due to HB 404 was extended until July 1, 2021. They have received many emails and a letter 90 days prior to the expiration date.

The website review and optimization project – Aaron Jennings

Deputy Director Jennings stated that the website project is underway. He is working with IT on how the EMS website is utilized by the general public. Some of the metrics are measured through the number of clicks from year-to-date 2021. The number one most utilized area is the certifications section that received 94,572 clicks which is about 11% of overall clicks. The second one is the “slider” that scrolls through and has different information which was 6.9% of overall access. Medical Transportation received 5.76% or 50,000 clicks. The data center information is fourth in overall access. The documents that are accessed include the EMS continuing education requirements, fire continuing education requirements, scope of practice and the State of Ohio EMS Guidelines and Procedure Manual. The DEMS is working on getting more metrics to look at the overall picture of how the EMS website is utilized. The goal is to present the information the way the public needs it and to help the Division’s internal team as information is shared with the public to best utilize the technology.

On May 6<sup>th</sup>, State Fire Marshal Reardon, Ben Kimmel and Executive Director Wagoner met with Representatives Baldrige and Cross to discuss recruitment, retention, and training of Ohio Volunteer Firefighters. A number of legislators had expressed interest to Marshal Reardon in helping to attract more volunteer firefighters to the fire service. The DEMS education and certification data was instrumental in helping to guide the discussion.

The State Emergency Operations Center temp and requests to DEMS have dramatically slowed, with the exception of After Action Reports.

Four EMFTS Board seats remain vacant; Seat 13, 14, 17 and 20.

The annual ethics law training options are available to complete by December 31, 2021. Executive Director Wagoner directed the Board members to contact Ms. Koker if they need more information.

Senate Bill 21 – EMS and Stroke Patient Protocols

It has not yet been signed; however, it will have an impact on the Division of EMS. Measures currently in the draft include:

- EMFTS Board to develop guidelines consultatively for assessment, treatment and transport.
- Directs EMS agencies to base its protocols on the EMFTS Board guidelines
- Requires the EMFTS Board to make all agency protocols available to the public
- Requires EMS agencies to provide stroke assessment and treatment training for all EMS personnel.

**GRANTS, Johanna Burgess**

The 2021-2022 Ohio EMS Grant applications have been reviewed and finalized. The list of the FY2021-2022 Ohio EMS Priority One – Training and Equipment Grants were provided to the EMFTS Board members. Ms. Burgess is requesting a motion to approve.

***ACTION: Motion that the Board approve the FY 2021-2022 Ohio EMS Priority One – Training and Equipment Grant recommendation list.*** Mr. Allenstein – First. Ms. Jenkins – Second. None opposed. Dr. Raubenolt (Akron, Lodi and Westfield), Mr. Snyder (Hawland, Johnston, Orangeville and Brookfield), Mr. Marchetta (Hopedale and Deersville), Mr. Weimer (Kettering Health) and Mr. Wright (Monroe Township) - abstained. **Motion approved.**

Ms. Burgess requested a motion to approve the contingent agencies list for the priority one grants. Once they are compliant they will be removed from the contingent list.

***ACTION: Motion that the Board approve the FY 2021-2022 Ohio EMS Priority One – Training and Equipment Grant contingent list.*** Mr. Allenstein – First. Mr. Snyder – Second. None opposed. Mr. Marchetta (Deersville) - abstained. **Motion approved.**

Ms. Burgess requested a motion to approve the FY 2021-2022 Priority 2-5 Research Grant Recommendations.

***ACTION: Motion that the Board approve the FY 2021-2022 Ohio Priority 2-5 Research Grant recommendations.*** Mr. Allenstein – First. Mr. Dutton – Second. None opposed. None - abstained. **Motion approved.**

Ms. Burgess requested a motion to approve the FY 2021-2022 Ohio EMS Supplemental Grant Recommendations list.

***ACTION: Motion that the Board approve the FY 2021-2022 Ohio EMS Supplemental Grant recommendations list.*** Mr. Allenstein – First. Mr. Dutton – Second. None opposed. None - abstained. **Motion approved.**

### **EMS Exemption Requests, Jodi Parker**

Ms. Parker stated that there is a request for a voluntary surrender. Certification number 100539 has requested to voluntarily surrender their certifications because they do not wish to maintain their certifications. There are no investigations or audits to be considered.

***ACTION: Motion that the Board approve the request from 100539, for a voluntary surrender of their certification as an emergency medical technician.***  
Mr. Snyder – First. Ms. Jenkins – Second. None opposed. None abstained. **Motion approved.**

### **Military Exemption**

Ms. Parker stated that there is a military exemption, 2021-6-3. There has not been any previous exemptions and the certification cycle was 5/19/2018 to 5/19/2021.

***ACTION: Motion that the Board approve the request from 2021-6-3 for a military exemption.***  
Mr. Dutton – First. Mr. Allenstein – Second. None opposed. None abstained. **Motion approved.**

**Unusual Circumstances**

Ms. Parker stated that there is an exemption request for 2021-6-2, an EMS certification. There was a previous exemption granted due to military service. The certificate holder is still in the military with overseas deployment and has completed his continuing education with the exception of the teaching hours.

***ACTION: Motion that the Board approve the exemption request for certificate holder 2021-6-2.***  
Mr. Dutton – First. Mr. Allenstein – Second. None opposed. None abstained. **Motion approved.**

**Education, James Burke**

Mr. Burke reported that the Education Staff continues to work with schools across the state for EMS and fire. Even during the pandemic, the DEMS was able to stay on track with site visits, renewals, and adding of course types. Staff is working with IT staff to insert all burn buildings across the state in their class and will be able to generate a report as needed. The report will give a real time look at how many burn buildings there are and where they are located.

**Medical Transportation, Dave Fiffick**

Mr. Fiffick presented the list of medical transportation renewal applications with expiration dates of April 2021, May 2021 and June 2021. Staff is requesting a motion and approval pending a satisfactory inspection.

***ACTION: Motion to approve the medical transportation renewal applications with expiration dates of April 2021, May 2021 and June 2021; pending a satisfactory inspection.***  
Mr. Dutton – First. Mr. Marchetta – Second. None opposed. Mr. Allenstein (CEMS of Ohio) - abstained. **Motion approved.**

Mr. Fiffick presented the list of new or pending medical transportation applications. There are 4 ambulances and 14 ambulette services. Staff is requesting a motion and approval pending a satisfactory inspection.

***ACTION: Motion to approve the new medical transportation applications for new ambulette services and ambulance services; pending a satisfactory inspection.*** Mr. Dutton – First. Mr. Marchetta- Second. None opposed. None abstained. **Motion approved.**

Mr. Fiffick stated that he is looking for an inspector in the Cuyahoga County area. Two people were hired and one had to resign for health reasons. Please contact Mr. Fiffick if there is someone who might be interested in the position.

**BOARD COMMITTEE REPORTS**

**Trauma Committee, Diane Simon**

Ms. Simon was not in attendance; however, she submitted a report to Executive Director Wagoner.

Executive Director Wagoner reported that there was not a quorum for the May 12th meeting.

The Trauma rules must be reviewed and filed with CSI on July 15, 2022 and JCARR on November 1, 2022. The five-year review includes 4765-4, Reporting Delivery of Emergency Medical Services and Trauma Care and 4765-14, Trauma Triage.

Two separate workgroups were formed within the Trauma Committee following the IEM reports of December 2019 on the current state of trauma education and certification held by EMS providers, nurses, and physicians in Ohio. The workgroup's goals are to review the IEM report to identify gaps and barriers to trauma education and to help develop strategies that strengthen trauma education and the statewide trauma system of care. The two workgroups are the Rural Trauma Workgroup with Diane Simon as the chair and the Universal Trauma Workgroup with Michael Beltran, MD as the chair.

The Performance Improvement Committee met on June 4, 2021 and reviewed the first draft of the 2020 Trauma Annual Report.

### **Education Committee, George Snyder**

Mr. Snyder reported that the committee met on June 15, 2021 and there was quorum.

The committee is working on the revision of the EMR and EMT testing manuals. Chief Burke and Ms. Miller has done a substantial amount of work on these manuals.

The new skill sheets that will be used for the practical examination were reviewed. Once the manual is completed it will be brought forth to the EMFTS Board for approval. Due to not being able to have virtual meetings after July 1, 2021, a meeting has been scheduled for June 23, 2021 to finish reviewing the EMR and EMT testing manuals. It is expected to be completed and presented to the EMFTS Board in August.

Chief Burke reported that quality continuing education is being discussed heavily within the HR Ad-hoc committee. The quality continuing education with the law enforcement workgroup. We are active members for the First Responder Wellness committee. We also get updates from OPATA of applicable courses that could be for fire and ems officials. We are working with different agencies.

Chief Burke, Ms. Miller and Mr. Snyder has a meeting with the Ohio Department of Education in regards to the public safety instructor I and II. There will be discussions regarding issues that are occurring when it comes to instructors working at career and technical schools. The Ohio Department of Public Safety, Division of EMS, issues certification for EMS instructors; however, it seems that there are even further requirements.

### **EMS-Children Committee, Dr. Schwartz**

Dr. Schwartz was not in attendance; however, Mr. Jennings will present the report.

Deputy Director Jennings reported that the EMS-Children Committee met on June 15, 2021 and they had quorum.

### **EMSC Performance Measures**

The Ohio PECC Learning Collaborative State Team has sent 41 pediatric training bundles to agencies that applied, with another 11 that are scheduled to be shipped in the next two weeks. A third period for

applications will be opened near the end of June. One hundred and sixty agencies have registered a PECC on the secure website hosted by the EMS for Children Innovation and Improvement Center (EIIC).

The EMS for Children Survey of Ohio EMS agencies ended on March 19<sup>th</sup>, with 20.2% of agencies responding. Almost 48.6% of agencies surveyed indicated that they have named a Pediatric Emergency Care Coordinator for their agency, and 23.4% of agencies met the standard for skill assessment frequency and methods for the EMSC Performance Measure. National results show 35.7% of agencies with a PECC, and 24.6% of agencies meeting the skill assessment standard.

The National Pediatric Readiness Project began surveying hospitals about their pediatric readiness in the emergency department on May 1 and will finish on July 31<sup>st</sup>. All Ohio hospitals with an emergency department open 24/7 are to be included in the survey. The National EMS for Children Data Analysis and Resource Center (NEDARC) will be hosting the survey and will contact the hospitals initially. Ohio currently has a 16.8% response rate.

On Thursday, July 8<sup>th</sup>, at 12 noon, Ohio EMS for Children and the ASPR Eastern Great Lakes Pediatric Consortium for Disaster Response will host the second of three webinars on pediatric behavioral health for EMS providers. Drs. Carolyn Ievers-Landis, PhD and Kimberly Burkhart, PhD will be presenting on "Pediatric Psychosocial Aspects of the COVID-19 Pandemic for the EMS Professional." Dr. Ievers-Landis is a licensed clinical psychologist in the Division of Developmental and Behavioral Pediatrics and Psychology, University Hospitals Rainbow Babies & Children's Hospital. Dr. Burkhart is a clinical psychologist in the Division of Developmental-Behavioral Pediatrics & Psychology. Nationwide Children's Hospital is providing continuing education credit for attending the live webinars and is also making them available for CE after the initial airing.

#### Other Activities

Joe Stack and Dr. Schwartz are working with the Ohio Department of Health to update the Emergency Guidelines for Schools document, with a final draft document expected to be available for review in the near future.

#### EMS System Development, Kent Appelhans

Mr. Appelhans stated that there was a meeting on June 15, 2021; however there was not a quorum. There was not a report available.

#### Homeland Security Subcommittee, Mark Resanovich

Mr. Resanovich reported that the subcommittee has not had a meeting.

#### EMS Rural Subcommittee, Kent Appelhans

Mr. Appelhans stated that the subcommittee met on June 15, 2021 and there was a quorum. He reported that the chair, Eric Burns, led the virtual meeting.

Mr. Appelhans requested a motion on behalf of chair, Eric Burns to appoint Cody Shetler to the Rural Committee.

***ACTION: Motion to approve the appointment of Mr. Cody Shetler to the EMS Rural Committee.***

Mr. Allenstein – First. Mr. Resanovich – Second. None opposed. None abstained. **Motion approved.**

The subcommittee had submitted goals for discussion that it felt it could achieve over the next five years, which were:

- A. Recruitment and retention of rural providers
- B. Training for rural providers
- C. Funding of rural EMS
- D. Community Paramedicine
- E. Medical Directors
- F. Inactive RPABs
- G. Professionalism (appearance, attitude, station, etc.)

Goal items A, B and C were merged into one major goal: recruitment, retention, training and funding

for Rural EMS. The committee will look into grant funding (private, profit, non-profit, literacy, etc.), seek legislators to champion Rural EMS and get EMS labeled by the state as “essential” analogous to the fire sector, and to improve education.

The committee discussed EMS education and pass rates. One major issue is reading and comprehension skills. Using a standardized pretest, e.g. Work Keys, may be helpful to determine where each student has challenges.

Goal items D, E and F were loosely merged as RPAB, Medical Directors, and Community Paramedicine. The committee discussed concern that not all RPAB regions were meeting quarterly. There is a need to work with stakeholders and get RPABs up and running. Dr. Tom Charlton volunteered to make himself available for a virtual meeting to discuss the RPAB issues.

Professionalism, was discussed. It was the general consensus of the committee that this was not an actual “goal” for the committee but it was definitely an issue that could be addressed at the education training level. After discussion, a Workgroup will be created with committee members, Tammy Wires and Mike Simon, plus any other non-committee members they may seek, will work on developing guidelines and Best Practices for addressing professionalism in Rural EMS.

### **Medical Oversight Committee, Geoff Dutton**

Mr. Dutton reported that the Medical Oversight Committee met June 15, 2021 and there was a quorum. He stated that there were a number of issues discussed. One topic is the discussion of reviving the Ohio EMS Medical Director’s Conference. If not able to have the conference in November then it could possibly be held in the spring of 2022. Mr. Dutton requested that members submit topics and/or speakers for the conference.

As part of diversity and inclusion, a survey was sent to the committee members. There are many members who have been on the committee for many years. The members bring so much experience and expertise in different areas. There was a lot of discussion regarding this issue. Mr. Dutton stated that there is some discussion as to strategies to improve the diversity on the committees. A discussion ensued regarding ways to improve diversity. It was suggested to encourage additional people to the committees to volunteer. Dr. Cunningham suggested that one of the best recruitment tools is to bring a person to a committee meeting so they can see first-hand exposure. She stated that ultimately, the goal for the recruitment of committee members is to appoint people who are actively engaged and willing to serve. It was suggested to use the list-serv to recruit members to the committees. It was also suggested that the committee application be revised.

### **Medical Transportation Committee, Tom Allenstein**

Mr. Allenstein reported that the committee met on June 15, 2021 and there was not a quorum.

The committee had discussions regarding the ambulance rules that need to be completed and brought forward to the Board in the fall.

The committee had discussions regarding membership to the committee.

Mr. Allenstein stated that there were two people who have left the industry; therefore, they are resigning from the Medical Transportation Committee.

***ACTION: Motion to approve the resignations of Linda Hines and Rob Martin from the Medical Transportation Committee.*** Mr. Allenstein – First. Mr. Resanovich – Second. None opposed. None abstained. **Motion approved.**

### **Critical Care Subcommittee, Kent Appelhans**

Mr. Allenstein reported that the committee met on June 15, 2021 and there was a quorum.

There were discussions regarding the number of members decreasing over the last year. The committee discussed expanding the committee attributes.

The committee reviewed the mobile intensive care unit (MoICU) rules and discussed the stroke unit exceptions, the difficulties in applying the MoICU rules to the stroke unit and the differences between the two entities.

The committee discussed the need for medical directors for MoICU program stroke units. Specific units will have different guidelines.

A year or so ago the Board approved an endorsement for critical care in 2019 before the COVID-19 pandemic began.

Mr. Appelhans requested a motion to accept the resignations from Linda Hines and Rob Martin, to remove Tristan Coomer, Ryan Sullivan from the committee and add Sean Powers to the committee.

***ACTION: Motion to approve the resignations of Linda Hines and Rob Martin, the removal of Tristan Coomer and Ryan Sullivan and the addition of Sean Powers to the Critical Care Subcommittee.*** Mr. Allenstein – First. Mr. Resanovich – Second. None opposed. None abstained. **Motion approved.**

Mr. Allenstein requested that the Medical Oversight Committee (MOC) have discussions regarding neonatal and stroke units. The current guideline reads that they have to be an emergency physician. He inquired about the potential to expand the ability for the specialized transport teams to have a physician whose expertise is not solely based in emergency medicine. Mr. Dutton stated that the Medical Oversight Committee could review this issue. Mr. Fiffick is drafting information for MOC to review.

**Alternate Transportation Subcommittee, Mark Resanovich**

Mr. Resanovich reported that the committee had a meeting on June 15, 2021 and there was a quorum.

Mr. Resanovich thanked Mr. Fiffick and his staff for putting together the draft rule changes that are needed for the non-emergency basic transportation vehicle. The subcommittee put the equipment list together and will be submitted to the Medical Transportation Committee. Hopefully by August the rules can go before the EMFTS Board for approval. The vehicle will not have lights and sirens because it will not be used for emergency transports. The rules look at the crew configuration, the qualifications for the driver, the equipment list, and policies. They will be licensed as such by the Division of EMS and overseen by Medical Transportation.

**Scope of Practice Ad-Hoc Committee, Kevin Uhl**

Mr. Uhl reported that the committee met March 23, 2021 and had a quorum.

The progress has been slow but making progress. The National EMS Scope of Practice Model has been amended. Therefore, the matrix/spreadsheet will need to be updated to reflect these changes.

Mr. Uhl made a motion to accept the resignation of Dr. Glen Tinkoff.

***ACTION: Motion to approve the resignation of Dr. Glen Tinkoff from the Scope of Practice Ad-hoc Committee.*** Mr. Uhl – First. Mr. Allenstein – Second. None opposed. None abstained. **Motion approved.**

**Human Resources Ad-Hoc Committee, Mark Resanovich**

Mr. Resanovich reported that the committee is working on the continuing education. They would like to add an option to the recertification pathway that addresses the issue of quantity versus quality of continuing education completed. It would still maintain the other forms of testing in lieu of and maintain their National Registry Card with current 86 hours with various required sub-titles. The goal is to increase the quality of continuing education. The committee is moving forward with that concept.

The June meeting will be cancelled.

**EMS Star of Life Awards**

Ms. Koker, coordinator for the EMS Star of Life Awards, reported that there have not been any changes. Ms. Koker contacted the Ohio Department of Transportation regarding the auditorium where the awards ceremony is held. They are not accepting any reservations at this time.

**Old Business ~ none**

**New Business**

Mr. Wright stated that the representation from the Attorney General's office is high quality; however, there is a lack of willingness to pursue cases of significant moral turpitude as identified by the EMFTS Board. A

recent case where a certificate holder masturbated in a public place witnessed by multiple people including a police officer. This is just an example of moral turpitude. He stated that the Attorney General's office is designated by law as the person to represent the board in these cases. He believes that if the Board has an egregious case such as this they should represent the Board and remove this person from the ranks of a certificate holder in the State of Ohio.

A discussion ensued regarding these matters. Others believed this is highly inappropriate and should be dealt with by the Board. In the interest of protecting the public, Mr. Wright stated that he does not want these type of persons going into others homes.

It was stated that the issue has not been resolved. The previous Attorney General refused to pursue cases that the Board wanted to pursue. Mr. Wise stated that there have been three cases since he has been working with the Board over the last six years that was not held to moral turpitude. The Board has to issue a Notice of Opportunity for Hearing. On three occasions the Attorney General's office has refused to bring these cases forward. Moral turpitude is not well defined in law; however, basically you are looking for something beyond normal with criminal intent. This is only for misdemeanors. It really depends on the facts of the case and there have been professional disagreements. For example, if a person has five OVI's then that person is not concerned with the law and their actions can be considered as moral turpitude. The law says that one OVI is not moral turpitude. The subject of the case Mr. Wright was referring to was a sex case. The person was convicted of attempted public indecency. Whenever you have these cases that are plead down from the original charges; then it works against the Board in a way that we need to show the "shocking" facts. The law is up for interpretation. The nature in this case is that the law is not clear. The Attorney General is not specifically responsible to the Board in that they must do what the Board says or represent them in that way. The law does say that the Attorney General's office is the one to represent the Board. There is a professional disagreement. It is fair to say that the Board would like the Attorney General's office to reconsider this case and see what the evidence shows.

It was suggested that Executive Director Wagoner take this issue to the Director's office to see if there is an avenue for the EMFTS Board to engage and work together with the Attorney General's office to navigate a solution or a path forward.

**ACTION ITEM:** Executive Director Wagoner take this issue to the Director's office to see if there is a way we could work together to engage the attorney general's office to navigate a solution or a path forward.

### **Adjournment**

The meeting adjourned at 1:14 PM. Mr. Allenstein – First. Mr. Ferguson – Second. None opposed. None abstained. Motion approved.

**NEXT MEETING:** The next EMFTS Board meeting will be held Wednesday, August 18, 2021, at 10:00 AM at the Ohio Department of Public Safety, 1970 W. Broad Street, Columbus, Ohio.