



**STATE BOARD OF EMERGENCY MEDICAL, FIRE, AND TRANSPORTATION SERVICES
DIVISION OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY**

**MEETING MINUTES
May 22, 2019**

~FINAL~

Board Meeting Date and Location: Wednesday, May 22, 2019, at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 1106, Columbus, Ohio 43223.

Board Members Present: Thomas Allenstein, Kent Appelhans, Karen Beavers, David DeVore, Geoff Dutton, Patrick Ferguson, Dr. Richard George, Deanna Harris, Ruda Jenkins, Mark Resanovich, Julie Rose, Dr. Hamilton Schwartz, , Dr. Thomas Tallman, Kevin Uhl, Jason Walsh, and Dudley Wright II

Board Members Absent: Herb de la Porte, Aaron Jennings, Susan Kearns, George Snyder, and Dr. Glen Tinkoff

DPS and EMS Staff Members Present: Jean Booze, James Burke, Beverly Cooper, Dr. Carol Cunningham, Joel Demory, Doug Edwards, Dave Fiffick, Melvin House, Ellen Owens, Kris Patalita, Bryan Reardon, Joseph Stack, Robert Wagoner, Patrick Williams, and Michael Wise

Assistant Attorney General: Lidia Mowad

Public Present: Ruben Garza and Matthew J. Welch

EMFTS Board Meeting

Welcome and Introduction

The meeting began at 10:04 a.m.

Roll Call

Mr. Thomas Allenstein	Present	Ms. Susan Kearns	Absent
Mr. Kent Appelhans (V.Chair)	Present	Mr. Mark Resanovich	Present
Ms. Karen Beavers	Present	Ms. Julie Rose	Present
Mr. Herb de la Porte	Absent	Dr. Hamilton Schwartz	Present
Mr. David DeVore	Present	Mr. George B. Snyder	Absent
Mr. Geoff Dutton	Present	Dr. Thomas Tallman	Present
Mr. Patrick Ferguson	Present	Dr. Glen Tinkoff	Absent
Dr. Richard George	Absent	Mr. Kevin Uhl	Present
Ms. Deanna Harris	Present	Mr. Jason Walsh	Present
Ms. Ruda Jenkins	Present	Mr. Dudley Wright II (Chair)	Present
Mr. Aaron Jennings	Absent		

Open Forum

Mr. Wright inquired if there were any guests who would like to address the Board. There was none.

Dr. George entered the meeting room shortly after roll call.

Consent Agenda

Mr. Wright requested a motion to approve the Consent Agenda items that were distributed prior to the meeting including the Certificates of Accreditation, with the removal of Vanguard Sentinel Career & Technology Center, which had been approved at a prior meeting.

ACTION: Motion to approve the Consent Agenda items that were distributed prior to the meeting including Certificates of Accreditation, with the removal of Vanguard Sentinel Career & Technology Center. Mr. Allenstein – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

Summary Suspensions

Mr. Wright introduced himself as the Chair of the State Board of Emergency Medical, Fire, and Transportation Services. The proceedings were called to order at 10:06 a.m. on May 22, 2019 at the Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio 43223.

Roll Call

Mr. Thomas Allenstein	Present	Ms. Susan Kearns	Absent
Mr. Kent Appelhans (V.Chair)	Present	Mr. Mark Resanovich	Present
Ms. Karen Beavers	Present	Ms. Julie Rose	Present
Mr. Herb de la Porte	Absent	Dr. Hamilton Schwartz	Present
Mr. David DeVore	Present	Mr. George B. Snyder	Absent
Mr. Geoff Dutton	Present	Dr. Thomas Tallman	Present
Mr. Patrick Ferguson	Present	Dr. Glen Tinkoff	Absent
Dr. Richard George	Present	Mr. Kevin Uhl	Present
Ms. Deanna Harris	Present	Mr. Jason Walsh	Present
Ms. Ruda Jenkins	Present	Mr. Dudley Wright II (Chair)	Present
Mr. Aaron Jennings	Absent		

It was noted for the record that a majority of the members of the Board were present. The Board deliberated on two reports and recommendations:

Reports and Recommendations

- ***EMS Case No. 2018-263-BE100, Matthew J. Welch, Certificate No. 103287***
- ***EMS Case No. 2018-482-BE100, Gregory E. Echelberry, Certificate No. 148896***

Mr. Wright recognized Assistant Attorney General (AAG) Lidia Mowad for the purpose of providing brief synopses of the cases and recommendations for disciplinary action.

EMS Reports and Recommendations

- **EMS Case No. 2018-263-BE100, Matthew J. Welch, Certificate No. 103287**
Mr. Welch was certified and practicing as an emergency medical technician (EMT). The Division proposed to revoke all of his certificates due to Mr. Welch pleading guilty to and being convicted of Grand Theft, a fourth degree felony. The conviction stemmed from Mr. Welch stealing more than \$17,000 from the local school district's athletics booster organization where he served as the treasurer. Mr. Welch requested a hearing for the action on his certificates and that hearing took place on February 22, 2019. All of the exhibits from that hearing have been provided to the Board for review. The Hearing Officer recommended revocation of Mr. Welch's EMT certificate.
- **EMS Case No. 2018-482-BE100, Gregory E. Echelberry, Certificate No. 148896**
Mr. Echelberry was certified as a paramedic and had actively serving as a paramedic in Massillon, Ohio. The Division proposed to summarily suspend his certificates due to Mr. Echelberry entering a guilty plea to Attempted Unlawful Sexual Conduct with a Minor, a fourth degree felony and his status as a Tier II Sex Offender and Child Offender. Mr. Echelberry requested a hearing, which occurred on February 8, 2019. All of the exhibits from that hearing have been provided to the Board for review. The Hearing Officer recommended that the summary suspension be confirmed.

Mr. Wright inquired if Mr. Welch or his attorney were present. Mr. Welch was present and was allotted two minutes to address the Board. Mr. Welch addressed the Board regarding his case and explained that he had made some poor decisions a year ago that adversely effected his job, marriage, and family. Mr. Welch advised that after pleading guilty, he realized that he needed to make changes in his life. He has voluntarily entered into counseling to make himself a better person. He is working to repair relationships with his wife and children. He stated he understands the mistakes he has made. He further advised that he serves in a small community with a volunteer department and has served for 20 years. He believes he can still be a benefit to the community. Mr. Welch said that he is aware that many departments are hurting for volunteers. He received a letter of recommendation from his fire department's chief who has said he would have no problems keeping him on as a member of the Archbold Fire Department.

Mr. Wright inquired if Mr. Echelberry or his attorney were present. No one came forward.

Ms. Mowad was given an opportunity to respond to Mr. Welch's statement. Ms. Mowad responded by listing a number of the conditions of Mr. Welch's conviction and sentencing to underscore the seriousness of his conviction. Ms. Mowad also stated that Mr. Welch has not yet earned back the trust of his community, so she asked the Board to strongly consider the actions that led to his conviction and to affirm the hearing examiner's recommendation.

EMS Goldmans

These proceedings will be 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 outcomes.

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 three adjudications. The proceedings were in the matters of:

- **EMS Case No. 2016-568-E300, Timothy J. Ewing, Certificate No. 103069**
- **EMS Case No. 2016-693-E300, Zane T. Love, Certificate No. 152387**
- **EMS Case No. 2017-396-E100, Timothy P. Ritchey, Certificate No. 69040**

Mr. Wright recognized Assistant Attorney General Lidia Mowad for the purpose of providing brief synopses of the cases and the recommendations for disciplinary action.

EMS Goldman Synopses

- **EMS Case No. 2016-568-E300, Timothy J. Ewing, Certificate No. 103069**
Mr. Ewing is a certified emergency medical technician. Mr. Ewing submitted an EMT certification renewal application attesting to the fact that he had completed all continuing education (CE) requirements. Upon an audit of that application, it was determined that Mr. Ewing had not completed any CE hours. On June 20, 2018, Mr. Ewing entered into a consent agreement with the Board. As a condition of the consent agreement, Mr. Ewing agreed to pay a \$250.00 fine within 90 days of the agreement and show proof of the completion of 40 hours of CE within 120 days of the effective date. The Division repeatedly tried to contact Mr. Ewing which ultimately resulted in an email from Mr. Ewing stating he could not pay the fine and was working on his CE credits. The Division granted an extension but still received no payment or proof of CE. Further attempts were made to resolve the matter but the Division received no additional responses from Mr. Ewing. On January 15, 2019, the Division issued a Notice of Opportunity for Hearing to Mr. Ewing for failure to comply with the consent agreement (certified received January 22, 2019). Mr. Ewing did not request a hearing. Because of the foregoing, the Division recommends revocation.
- **EMS Case No. 2016-693-E300, Zane T. Love, Certificate No. 152387**
Mr. Love is a certified emergency medical technician (EMT). On October 19, 2016, Mr. Love submitted an EMT certification renewal application attesting to the fact that he had completed all education requirements for renewal. The Division received a complaint that Mr. Love had not completed any continuing education (CE). Investigative Services requested proof of Mr. Love's CE. This request was made via certified mail which was returned unclaimed. Investigative Services attempted to contact Mr. Love on numerous occasions but received no response. On January 15, 2019, the Board issued a Notice of Opportunity for Hearing for failure to completely and accurately document CE hours and failure to complete CE hours. Mr. Love did not request a hearing. Because of the foregoing, the Division recommends revocation.
- **EMS Case No. 2017-396-E100, Timothy P. Ritchey, Certificate No. 69040**
Mr. Ritchey was previously certified as an advanced emergency medical technician (AEMT) expiring on October 2, 2011. Mr. Ritchey submitted a reinstatement application for an EMT certification on July 20, 2017. Mr. Ritchey reported a 2010 misdemeanor conviction for Domestic Violence upon reinstatement. Investigative Services opened an investigation and found numerous other convictions, including a March 2011 conviction in Perrysburg Municipal Court for Domestic Violence, a first degree misdemeanor, a violation of ORC 2919.25(A); two September 2011 convictions in Perrysburg Municipal Court for Violation of Temporary Protection Order, both first degree misdemeanors, violations of ORC 2919.27(A)(1); a January 2011 conviction in Bowling Green Municipal Court for Falsification, a first degree misdemeanor, a violation of ORC 2921.13(A)(1). Upon reinstatement, Mr. Ritchey initially disclosed no convictions but subsequently submitted a declaration of criminal history for the 2010 Domestic Violence conviction. On November 22, 2017, a Notice of Opportunity for Hearing was sent to Mr. Ritchey for failure to disclose on

reinstatement, failure to previously disclose while certified, and convictions involving moral turpitude (certified received December 1, 2017). Mr. Ritchey did not request a hearing. Because of the foregoing, the Division recommends that the Board deny reinstatement.

Having heard AAG Mowad's synopses and recommended disciplinary actions for these cases, Mr. Wright 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. Uhl – First. Dr. Schwartz – Second. None opposed. None abstained. Motion approved.

There being no further evidence to come before the Board, the proceedings closed at 10:23 a.m.

Mr. Wright requested a motion to recess the meeting for the purpose of entering into quasi-judicial deliberations on the following matters pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B). The Board will reconvene following deliberations.

ACTION: Motion to adjourn and go into private session for the purpose of quasi-judicial deliberation on these matters pursuant to ORC Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B). Dr. Schwartz– First. Ms. Beavers – Second. None abstained. None opposed. Motion approved.

The meeting resumed at 10:51 a.m.

EMS Reports and Recommendations Motions

ACTION: In the matter of EMS Case Number 2018-263-BE100, Matthew J. Welch, Certificate Number 103287, I move that the Board issue an adjudication order approving the findings of fact, conclusions of law, and the recommendation of the hearing examiner to revoke Mr. Welch's certification. Ms. Harris – First. Ms. Beavers – Second. There was no discussion. Mr. Wright asked for a show of hands for this vote, with 11 in the affirmative needed to pass. There were 10 votes for, 4 votes against, and Mr. Allenstein abstained. The motion failed.

An alternate motion was made.

ACTION: In the matter of EMS Case Number 2018-263-BE100, Matthew J. Welch, Certificate Number 103287, I move that the Board issue an adjudication order approving the findings of fact, conclusions of law, and modify the recommendation of the hearing examiner to suspend Mr. Welch's certification for 360 days. Payment of the court-ordered restitution within the 360 days will result in lifting that suspension once proper documentation is presented to the Board. Mr. Welch will also need to have a BCI background check once payment has been made for the court-ordered restitution and he will be placed on probation for three (3) years. The reason for this modification is that there were no previous convictions for Mr. Welch, the letter of support from his fire chief, that he has established gainful employment, and that he is in compliance with the court order. Mr. Resanovich – First. Mr. Ferguson – Second. There was some discussion regarding what happens to Mr. Welch's certification if the period of suspension passes and Mr. Welch has failed to pay the court-ordered restitution. It was advised that his certificate would be revoked at that time. Dr. Schwartz commented that part of the reason for having the restitution specification was so Mr. Welch can regain the public's trust and demonstrate that to the Board. Mr. Wise inquired if the suspension was an indefinite suspension of at least 360 days, and then the suspension would be lifted after 360 days if he pays back all of the court-ordered restitution. Mr. Resanovich clarified by saying that the suspension is lifted after Mr. Welch complies with the court order. There was some additional discussion regarding the terms. Mr. Resanovich made a friendly amendment to the previous motion to change the suspension

from 360 days to “**an indefinite suspension that can be lifted upon payment of the court-ordered restitution, but the suspension will continue until he reapplies to the Board.**” Mr. Ferguson okayed the change. Mr. Wright asked for a show of hands for this vote as well, with 11 in the affirmative needed to pass. There were 11 votes for, 3 votes against, and Mr. Allenstein – abstained. Motion approved.

ACTION: *In the matter of EMS Case Number 2018-482-BE100, Gregory E. Echelberry, Certificate Number 148896, I move that the Board issue an adjudication order approving the findings of fact, conclusions of law, and the recommendation of the hearing examiner to uphold the summary suspension of Mr. Echelberry’s certification; and modify the recommendation to include permanent revocation. The reason for the modification is that Mr. Echelberry is a registered sex offender who was convicted of attempted unlawful sexual conduct with a minor, making his criminal history incompatible with the provision of EMS care.* Ms. Harris – First. Mr. Uhl – Second. There was no discussion. Mr. Wright asked for a show of hands for this vote, with 11 in the affirmative needed to pass. There were 14 votes for, 0 votes against, and Mr. Allenstein – abstained. Motion approved.

EMS Goldman Motions

ACTION: *In the matter of EMS Case Number 2016-568-E300, Timothy J. Ewing, Certificate Number 103069, I move that the Board issue an adjudication order finding that Mr. Ewing failed to comply with the terms of a consent agreement as indicated in the Notice of Opportunity for Hearing and that Mr. Ewing’s certification be revoked.* Ms. Harris – First. Dr. Schwartz – Second. None opposed. Mr. Allenstein – abstained. Motion approved.

ACTION: *In the matter of EMS Case Number 2016-693-E300, Zane T. Love, Certificate Number 152387, I move that the Board issue an adjudication order finding that Mr. Love failed to comply with continuing education requirements as indicated in the Notice of Opportunity for Hearing and that Mr. Love’s certification be revoked.* Ms. Harris – First. Ms. Beavers – Second. None opposed. Mr. Allenstein – abstained. Motion approved.

ACTION: *In the matter of EMS Case Number 2017-396-E100, Timothy P. Ritchey, Certificate Number 69040, I move that the Board issue an adjudication order finding that Mr. Ritchey has been convicted of Domestic Violence and two instances of Violation of a Temporary Protection Order and that Mr. Ritchey’s application for reinstatement be denied.* Ms. Harris – First. Ms. Jenkins – Second. None opposed. Mr. Allenstein – abstained. Motion approved.

EMS Investigations

Mr. Wright requested a motion to adjourn and enter into executive session for the purpose of discussing proposed disciplinary action against certificate holders pursuant to Ohio Revised Code Section 121.22(G)(1) or pursuant to 121.22(G)(5) that involve matters required to be kept confidential under Ohio Revised Code Section 149.43(A)(2) or 4765.102(B). The Board will reconvene following this session.

ACTION: *Motion to adjourn and enter executive session for the purpose of discussing proposed disciplinary action against certificate holders pursuant to O.R.C. Section 121.22(G)(1) or pursuant to 121.22(G)(5) that involve matters required to be kept confidential under O.R.C. Sections 149.43(A)(2) or 4765.102(B).* Mr. Uhl – First. Mr. Ferguson – Second. Roll Call. Motion approved.

Roll Call

Mr. Thomas Allenstein	Present	Ms. Susan Kearns	Absent
Mr. Kent Appelhans (V.Chair)	Present	Mr. Mark Resanovich	Present
Ms. Karen Beavers	Present	Ms. Julie Rose	Present
Mr. Herb de la Porte	Absent	Dr. Hamilton Schwartz	Present
Mr. David DeVore	Present	Mr. George B. Snyder	Absent
Mr. Geoff Dutton	Present	Dr. Thomas Tallman	Present
Mr. Patrick Ferguson	Present	Dr. Glen Tinkoff	Absent
Dr. Richard George	Present	Mr. Kevin Uhl	Present
Ms. Deanna Harris	Present	Mr. Jason Walsh	Present
Ms. Ruda Jenkins	Present	Mr. Dudley Wright II (Chair)	Present
Mr. Aaron Jennings	Absent		

The meeting resumed at 11:09 a.m.

ACTION: Motion to Accept the Consent Agreement for the following case:

Ms. Harris – First. Mr. Uhl – Second. Mr. Allenstein – Abstained. None opposed. Motion approved.

2018-499-BE100

Reports

EMFTS Board Chair’s Report, Dudley Wright II

Mr. Wright wanted to remind the group about the Star of Life Awards ceremony on today’s date at the Ohio Department of Transportation auditorium next door. Mr. Wright wished to thank those involved in the planning and execution of the event.

Mr. Wright inquired as to whether any members present at today’s meeting are not able to make it to the June Board meeting due to conflicts. There were only two (2) members who indicated they would not be able to attend.

State EMS Medical Director Report, Dr. Cunningham

Dr. Carol Cunningham addressed the Board and stated that at the last meeting, the Board approved the addition of Dr. Matthew Roehrs to the Regional Physician Advisory Board (RPAB) in Region 1. Dr. Roehrs fits the criteria to represent Region 1 or 2 and he has requested to be changed to Region 2. Dr. Cunningham requested a motion to facilitate this change.

ACTION: Motion to approve moving Dr. Matthew Roehrs from Region 1 to Region 2 on the Regional Physicians Advisory Board (RPAB). Dr. George – First. Dr. Schwartz – Second. None opposed. None abstained. Motion approved.

Assistant Attorney General, Lidia Mowad

Ms. Mowad advised that there is still no news from Adams County regarding Mr. Hackworth’s appeal. Everything has been filed and she is awaiting a court decision. She also advised that she has just filed a motion to dismiss in the James Coyle case because the petitioner did not follow appellate procedures. She is also awaiting a court decision regarding that motion.

Executive Director and Staff Reports, Melvin House

Executive Director House directed the Board members' attention to a letter addressed to the Commission on Accreditation for Prehospital Continuing Education (CAPCE). He advised that the education committee requested this letter be drafted. He asked the Board to review the letter and he stated that the discussion for the same will be deferred to the June meeting for Board approval to send the letter to CAPCE.

Executive Director House also advised that there was a conference call that was conducted with the Board of Pharmacy in which issues that the Board had brought up were discussed. Executive Director House will present the answers at the June Board meeting.

Old Business

Scope of Practice, Executive Director House

Executive Director House focused the Board members' attention to another handout. This handout exhibited the administrative rule information pertaining to scope of practice changes the Board will be reviewing at the June meeting. Executive Director House stated that although the Board has approved the revisions, EMS providers cannot perform the procedures until the rules are changed. There has been a significant push by the stakeholders to get these revisions approved. In order to keep the process moving, Executive Director House proposed getting approval from the Board at the June meeting to draft the rules that would permit these changes. The longer the process is postponed, the longer it will take for the previously approved changes to be implemented. Although a vote is not needed today, Executive Director House asked the Board members to review 4765-17-04 for the location revisions regarding the ultrasound-guided peripheral venous access with respect to the training and other issues that need to be resolved prior to the June Board meeting. It will be important for the committees, whether it be EMS for Children, Medical Oversight, Education or some combination of these, to convene prior to the Board meeting to discuss these issues and come to a resolution. This group will need to decide exactly how the venous access is going to be implemented. The business analysis requires that costs be identified as well as whether there need to be any changes made to the education requirements.

Committee Reports

Mr. Wright mentioned that there were no committees reporting today, but he stated that if any committees have members who would like to join the Scope of Practice Ad Hoc Committee to get with Mr. Uhl who is chairing the committee. The Scope of Practice Ad Hoc Committee is in its infancy and needs key individuals to become involved. This committee will be meeting at 8:30 a.m. before the next Board meeting on June 19th. Once the key members have been established, the group will decide on a permanent meeting time. All interested parties are welcome to attend the June 19th meeting to share their scheduling preferences.

New Business

Mr. Resanovich stated that he just found out that a personal donor has been providing the coffee and snacks for the Board meetings for many years now. He advised that at the next meeting he plans to collect donations to help defray these costs.

The meeting adjourned at 11:20 am. Mr. Allenstein – First. Mr. Ferguson – Second.

NEXT MEETING: The next EMFTS Board meeting will be held Wednesday, June 19, 2019 at 10:00 am at the Ohio Department of Public Safety, Conference Room 1106, 1970 West Broad Street, Columbus, Ohio 43223.