



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

Dr. Carol Cunningham, State Medical Director

MEDICAL OVERSIGHT COMMITTEE

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

MEETING MINUTES

August 17, 2021

Committee Meeting Date and Location: Tuesday, August 17, 2021, The Charles Shipley Building located at 1970 W. Broad Street Columbus, Ohio 43223 in Conference Room 1101 from 09:30 a.m. – 11:00 a.m.

Committee Members Present: Geoffrey Dutton, Chair, Mark Resanovich, Vice-Chair, Dr. Thomas Charlton, Dr. Eric Cortez, Dr. Deanna Dahl-Grove, Mark Marchetta, Dr. Amy Raubenolt, Jason Waltmire, Allen Young

Committee Members Absent: Martin Fuller, Daniel Heuchert, Rob Martin, Scott McCloud, Tami Wires, Dr. Paul Zeeb

DPS and EMS Staff Members Present: Dr. Carol Cunningham, State Medical Director, Robert Wagoner, Executive Director, Ellen Owens, EMS Liaison, Jodie Parker and Telina Fields, EMS Support Staff

Public Present: N/A

Welcome and Introduction

The meeting was called to order at 9:30 a.m. Mr. Dutton welcomed everyone. He discussed mask wearing due to majority of the group presenting masked. He stated that if it makes everyone more comfortable, he can mask. Mr. Wagoner reviewed the State of Ohio policy which is that fully vaccinated persons are not required to wear a mask. However, he urged all to be aware over the next three weeks as the Delta variant is moving from south to north within our nation. Ms. Fields introduced herself and the group welcomed her.

Approval of Minutes

The minutes of the June 15, 2021 meeting were reviewed.

ACTION: *Motion to approve the 06/15/2021 Minutes.* Dr. Charlton – First. Dr. Cortez – Second.
None opposed. None abstained. Motion approved.

Removal of Rob Martin

Mr. Martin is now the Director of Public Safety for Findlay, Ohio. Mr. Dutton stated he will take the issue to the Board to have him removed. Mr. Wagoner expressed its best for him to resign rather than have him removed from the Committee. Mr. Dutton will reach out to him to have him verify that he is no longer able to participate.

New Business

The Governor's State of Emergency

Dr. Raubenolt addressed HB151 which permits all EMS providers to perform emergency medical services in any setting. She asked about #9 and who can give medical direction and supervision. She proceeded to say there is no deadline and questioned if advanced practice providers will be allowed to be Medical Directors. Mr. Wagoner answered stating the same language has been picked up in HB110 after HB151 sunset. In HB110, EMS providers can practice in any setting as long as they are working under the direct supervision of a physician, a physician's assistant designated by the physician or an APRN designated by the physician through October 1, 2022. The language is a part of the state budget bill which is HB110. Dr. Cunningham stated we cannot do anything about pending bills. Dr. Charlton asked if rules still apply that specify who a qualified physician is given the language in HB110. Dr. Cunningham answered by saying the language comes from OAC 4765.36. Ms. Owens stated it references only physicians who are licensed in the state of Ohio. It does not allow EMS providers to exceed their scope of practice. A discussion began, led by Mr. Wagoner, on the reasons why EMS providers are performing duties outside of their scope of practice which included the recent pandemic and the loss of providers. Dr. Charlton expressed that he has received many calls regarding staffing and staffing levels at EMS facilities. Ms. Owens responded that the changes in legislation has reduced the requirements of staffing for EMS and are having a detrimental effect. Mr. Marchetta questioned the negative impact of the new legislation and asked what the committee needs to explore the data. Dr. Raubenolt expressed her concern about advanced practice providers providing direction to EMS providers. She went on to say, there are people who do not know the EMS scope of practice who are hiring medics in their hospitals while having expectations that exceed their scope of practice. Mr. Marchetta followed by saying advanced practice providers still do not meet medical director qualifications as promulgated in regulation which he would like to address at a later time. Dr. Cunningham commented about the legalities and the liability protection for EMS providers while working in a hospital. She made note of the memo to EMS addressing this issue that can be found on the website. While working in a hospital setting, EMS providers cannot present themselves as EMS providers. Dr. Cunningham noted psychomotor skill of collecting body fluids from the nasal passages, as well as ultrasound-guided peripheral IV access was addressed prior to the pandemic but halted by the Education Committee. Dr. Charlton stated another committee is having an ongoing discussion about what can be done to decouple educational requirements from the scope of practice, in hopes of mirroring what is done in physician residency programs. Mr. Resanovich revisited EMS classifications in the hospital setting and the scope of practice attached aligned to the non-EMS agency employment model. He stated that the medical services provided will depend upon what the hospital decides in regards to job description, scope of practice and work. This led to a discussion on the individual practitioner liability versus the hospital's liabilities. Dr. Charlton noted that, ultimately the goal is to serve the patient rather than solely focusing upon the paramedics or EMS. Dr. Cortez then asked for clarification on when an individual is functioning as an EMS provider versus a non-EMS provider in a hospital setting. Mr. Resanovich

stated it is the job qualifications which typically includes an Ohio EMS certification, and the job duties they are performing.

Action Item: The committee will revisit HB151 six months before it sunsets.

Medical Directors of Specialty EMS Teams

Mr. Dutton provided an email written by Mr. Thomas Allenstein and Ms. Julie Rose which addresses primary medical direction by specialty physicians. Dr. Charlton expressed that he vehemently opposes subspecialists holding the medical director positions. He expressed an EMS physician is still needed in an agency's care and medical direction should be a qualified position. Dr. Cunningham suggested that the mobile integrated healthcare model should be mirrored where the EMS medical director partners with the primary care physician to develop the protocols for EMS providers. Mr. Dutton stated Dr. Zeeb was not able to attend the meeting but made similar points to Dr. Charlton regarding medical director qualifications. Mr. Dutton noted that the group is collectively in disagreement with a statement made by Ms. Rose in the email. He also noted that a waiver can be granted by the EMFTS Board for someone who potentially wants to be a medical director who is not an EMS physician on a case-by-case basis. Mr. Waltmire stated that the discussion began with neonatal teams at Nationwide Children's Hospital and the mobile stroke unit. Dr. Cunningham expressed that it is appropriate to have subspecialty doctors as co-medical directors and have their input because it is the best thing for the patient. Mr. Marchetta suggested that Mr. Allenstein attend the next MOC meeting to eliminate any misinterpretation of the email. Dr. Charlton addressed his concerns with having a medical director and a co-medical director and what would be expected to address needs of patient and staff. Dr. Cunningham had previously suggested and continues to support the creation of an EMS Medical Director certification for physicians who meet the qualifications cited in Ohio Administrative Code 4765-3-05 made available to those who are interested. This would create a data bank of qualified EMS medical directors for the Division of EMS records as well as a resource list for EMS agencies who unexpectedly lose their medical director and need a replacement. Mr. Marchetta noted that adding the medical director's name to the Ohio EMS grant applications and performing an audit of the physician's qualification has created a partial list; however the number of applications have decreased. Mr. Wagoner partially contributes the decrease of grant applications is due to CARES funds. He stated that he is also concerned about over- regulating the medical director requirements. He advised that the group needs to share the sentiments with Dave Fiffick for discussion with the Transportation Committee. Mr. Wagoner proposed that a requirement should be made for specialty care transport agency medical direction to include oversight by a qualified medical director. Dr. Charlton stated it should be up to the Board to decide if the person is qualified to be a medical director. Mr. Resanovich will discuss with the Transportation Committee. Mr. Dutton inquired about the summary points that should be addressed at the Board meeting and the committee members provided input. Topics discussed included: there is no value in subspecialty; other avenues outside of board-eligibility or board certification in emergency medicine to become medical directors already exist for agencies involved in transport; there also needs to be cooperation for those agencies involved with specialty care; medical direction must include a qualified medical director. Dr. Cunningham added that specialty teams are not defined nor addressed in the rules right now.

Action Item: Mr. Resanovich will discuss points with the Transportation Committee. Mr. Dutton will bring this up for discussion at the Board meeting.

Old Business

Update on Medical Conference

Dr. Zeeb is not in attendance and he has done a lot of the groundwork. He did not give any updates on ACEP. Mr. Wagoner confirmed the ODOT Conference Room is not being scheduled so a November conference is not feasible. Dr. Charlton suggested the group reevaluate and do something around spring, possibly around the EMS Star of Life presentation.

Action Item: Medical Conference will be placed on the agenda for the next meeting.

MOC Member Survey

Mr. Dutton expressed that the member survey was discussed last meeting and will need to be addressed at the next meeting now that Rob Martin is leaving the committee.

Mr. Dutton inquired if the MOC should recruit a new member to fill Rob Martin's seat. He reported that there are several applications for the appointment to the MOC. Mr. Resanovich expressed the committee should not get involved in deciding who fills the seat and cautioned that the MOC's involvement in the selection process may constitute an Ohio ethics violation. The decision process is reserved for the Chair and the EMFTS Board.

Action Item: Member survey and open seat will be discussed at the next meeting.

Identifying Goals/Issues

Mr. Dutton reminded the group to email him with any concerns or questions between now and the next meeting.

Adjourn

ACTION: Motion to adjourn at 11:02 a.m. Dr. Cortez – First. Dr. Dutton– Second. None opposed. None abstained. Motion approved.

Next meeting:

October 19, 2021