



## Monroe-Livingston REMAC Minutes

April 18, 2022 5pm

<https://urmc.zoom.us/j/219219351>

### Roll Call Attendance – Ben Sensenbach

### Agenda Review – Erik Rueckmann, MD

- Additions to the agenda - none

### New Business - Jeremy Cushman, MD

- Discussion: There is a move across the State to update agitated patient protocols and remove the term “excited delirium” given ongoing events and non-EM/EMS medical statements. The collaborative protocol group is currently working to modify what is currently known as the excited delirium protocol, parallel to that is an effort by the EMS for Children’s Committee to provide guidance for agitated children guidance. No action for this body, more to come as things move forward. Hopeful that this will go before SEMAC in July.
- Discussion: STAT MedEvac Staffing Plan
  - This was originally communicated to the Program Agency and brought to Council at our last meeting, although we didn’t quite understand the gravity of what was being asked of Council. It was felt that we should bring that ask to this body as well. The ask is that STAT MedEvac wants to operate in New York State without having a certified paramedic in their aircraft. Mr. Czapranski brought up a critical and key component of this – question of whether we have the authority as the REMAC to do this. STAT MedEvac referenced a section of article 30 that discusses that regional Council’s can make staffing adjustments for volunteer ambulances for short periods of time. We are unsure if this applies to STAT MedEvac.
  - We need to be mindful of some language – what is a volunteer ambulance service? It is defined in article 30 that encompasses any not for profit ambulance service. We are unsure of what their status is.
  - It is a bit muddy as to whether we have jurisdiction or authority to take any action. How does the REMAC feel about this staffing model?
    - Is this Nurse/Physician? Could also be Nurse/Nurse.
    - Details were not well established in their training. There were a lot of nurse certifications they needed to hold, but there is a concern as there aren’t a lot of nurses around. If they begin using travelers, etc – we would need more details on how they are being trained for scene calls as that is an entirely different skill set.
    - STAT MedEvac has been operating this way in Pennsylvania as well as other HEMS agencies. Is this more of a semantic issue than a clinical one?
    - While this is working in Pennsylvania, we also should consider the politics. Nursing has tried to block us at every turn when it came to Community Paramedicine, and now this is yet another example of where nursing is trying to replace a previously defined Paramedic

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role who are already under represented, under employed, under paid and over regulated. There are significant regulatory changes that will have to happen should this go through.

- Mr. Philippy – what are you looking for specifically from the REMAC? We don't have any jurisdiction over this. Ultimately, some advice from our physician leaders to tell us what are the concerns if there are any and what is your support or lack of support for this. Ed Mager – the clinical aspect is quality, but the regulations are not currently in place. Recommendation to Council is to defer to the State and have the Division of Legal Affairs review.
- Dr. Cushman declares bias – having a hard time differentiating the operational concerns with some of the clinical ones based upon their training and scope of practice understanding that there is no PHRN equivalent in the State of New York.
- The PHRN as well as the Prehospital Physician and Prehospital Physician Extender certifications that exist in the State of Pennsylvania are those that exist within the State of Pennsylvania. If that is a credential that is verified and vetted by the State of Pennsylvania, we would accept that clinical credential to operate as long as those individuals can provide the same scope of practice that a Paramedic/Nurse configuration can in the State of New York. Specifically related to controlled substances, such that a flight crew just happens to have two nurses on it, can still do everything that the Nurse/NYS Certified Paramedic has the ability to do.
- Who would verify that those actions would take place? Who is the oversight? We do not regulate Paramedics in the State of New York, it's the certificate issuer.
- Motion that the Monroe-Livingston REMAC supports the staffing proposal provided the regulatory framework within the State of New York will not preclude any lowering of the care provided by an alternative staffing model that may not include a paramedic. Motion by Jeremy Cushman. Seconded by Maia Dorsett. Discussion – Mark, does this sufficiently address the clinical guidance that the Council was looking for? Yes. All in favor? No abstentions, no objections. Motion passes.

#### **Medical Director Report – Jeremy Cushman, MD**

- Engaging Alternative Care Systems by EMS Policy
  - We would like to create a document with guidance on how we can address, review and provide timely review to changes in how we deliver service that is vetted by both the Council and the REMAC. Happy to take any questions or comments from this group.
  - Mark Philippy – something that came out of the ET3 team – concern about the age definition (>65 years) as this is the target group of the medicare recipients.

#### **State Actions – Ben Sensenbach**

- City of Long Beach Fire Department
  - Assessed a civil penalty of \$2,000



- For violations of 10 NYCRR Part 80.136(k)(2) and 800.23(f)
  - Agents and certified and authorized members of the ALS Agency are responsible for the proper safeguarding and handling of controlled substances, needles and syringes.
  - If controlled substances, drugs or needles are carried, there shall be a securely locked cabinet in which these items are stored when not in use.
- Kevin Coronel
  - Certification voluntarily surrendered effective 3/9/22.
  - For violations of 10 NYCRR Part 800.16(a)(5)
    - "...has been convicted of one or more criminal offences, as that term is defined in part 800.3(ak) of this Part, unless, in accordance with Article 23-A of the Corrections Law, the department determines, that (i) there is not a direct relationship between one or more of the criminal offenses and the duties required of this certificate or (ii) allowing the certificate holder to retain his/her certificate would not involve an unreasonable risk to property or the safety or welfare of a specific individual or the general public. In determining these questions, the agency will look at the eight factors listed under New York State Correctional Law Section 753..."
- William Gaillard
  - Issued a formal reprimand.
  - Placed on probation effective 3/17/22 until his current certification expires at the end of 2022.
  - Assessed a civil penalty of \$500.
  - For violations of 10 NYCRR Part 800.3(am)
    - "...Negligence means a failure to perform, on one or more EMS calls, as an ordinary, reasonable, similarly situated certificate holder certified at the same level would, based upon the standard of care in the region, as delineated in controlling protocols, curricula, and policies, and as demonstrated by an ordinary, reasonable certificate holder's general standards of practice..."
- Andrew Wiese
  - Certification summarily suspended effective 4/5/22 until a final order is issued.
  - For violations of 10 NYCRR Part 800.16(b)
    - "...Notwithstanding subdivision (a), the Commissioner may summarily suspend any certification issued pursuant to this Part 800 or Article 30 of the Public Health Law in accordance with the summary action provisions of Public Health Law Section 16 and State Administrative Procedure Act Section 401..."

#### **Program Agency Report – Benjamin Sensenbach**

- CARES Registry still in process. More to come as the process is identified.
- Program Agency along with the SEMSCo Chair Mr. Philippy have been working to ensure we have contracts to continue working. It sounds like they will be issuing one year contract renewals



to get us through until they can have time to look into the possible merging of Program Agencies.

#### **Patient Safety Subcommittee – Aaron Farney, MD**

- A few active cases. One involves an RSI provider regarding a current case. Will bring that to the Committee for recommendations.
- Looking for new membership – if you're interested, please contact Dr. Farney or Ben Sensenbach.

#### **Council (MLREMS) – Mark Philippy**

- I am assured that all of the appropriate paperwork has been sent for signatures and approvals, so hopefully we will have payments headed our way soon.

#### **State Council Meetings –Mark Philippy / Jeremy Cushman, MD**

- Pediatric Virual Pandemic Protocol.
- Updated the Adult Virual Pandemic Protocol removing COVID-19.
- Approving suboxone to the medication formulary pending the opioid treatment protocol pilot project.
- iGel project that is starting out in the Hudson Valley area. The ability of the Program Agency to support any project like that is extraordinarily limited, so we haven't jumped in on that.
- Assigning various Part F sections for the State Council to review of the Governor's budget. Two surveys (Course Sponsor to find out cost of training EMTs and Paramedics as well as the Workforce Survey) will be coming out shortly. Please make sure that the agencies you work with fill out these surveys. They are critical in forming our sustainability in New York State.
- Health Commissioner for the State of New York that met with Dr. Doynow and Mark was open to looking at a job description for a State EMS Medical Director.

#### **Regional Trauma Advisory Committee –Bob Breese**

- RTAC has not met since the last REMAC meeting.

### **Individual Hospital Reports**

#### **Rochester Regional**

##### **RGH – Connie Verneti, MD**

- Seeing an uptick in volume, which is causing an uptick in boarding. This will likely trickle down to EMS. No easy solution, but appreciate feedback and we will try and address issues as they come.



- Planning for a Rochester Regional sponsored EMS Day on September 8<sup>th</sup>.

#### **Unity/St. Mary's – Tony Katsetos, DO**

- Medical Control and calls for Unity – makes sure to document who you speak to for internal QA process.

#### **UR Medicine**

##### **SMH/Strong West/Highland – Erik Rueckmann, MD**

- There will be some EMS week celebrations, keep your emails open.

##### **Noyes – Aaron Farney, MD**

- Went live with eRecord on 3/5/22.

#### **Old Business**

- Medication formulary will be distributed to this body for final action at our next meeting.
- Mr. Bove has resigned his non-voting seat on the REMAC. He served with us for 23 years and is enjoying his retirement.

**Motion to adjourn by Dr. Cushman, seconded by Bob Breese.**

**Next Meeting is June 27, 2022 (moved to 4<sup>th</sup> Monday in observance of the holiday) at 5pm**

**Meeting Video Link: <https://youtu.be/12V1Nry5uZA>**