



Monroe-Livingston REMAC Minutes
October 16, 2023 at 5pm
Public Safety Training Facility Room 103

Roll Call Attendance – Ben Sensenbach

Agenda Review – Erik Rueckmann, MD

- Additions to the agenda
- Minutes Review & Approval – nothing to approve.

State Actions – Ben Sensenbach

- Brian Torres
 - Suspended for one year effective 7/17/23. The suspension is stayed.
 - Placed on three years probation effective 7/17/23.
 - Required to comply with the agency performance improvement plan and supply reports prior to August 2023, 2024 and 2025.
 - Assessed a civil penalty of \$2,000.
 - For violations of 10 NYCRR Part 800.16(a)(1), (2), (3) and (9).
 - "...has failed to comply with the requirements of Section 800.15 of this Part..."
 - "...has been negligent in the performance of his/her EMS duties and practice, as negligence is defined in Section 800.3 of this Part..."
 - "...has been incompetent in the performance of his/her EMS duties and practice, as incompetence is defined in Section 800.3 of this Part..."
 - "...has falsified a patient record and/or misrepresented and/or concealed pertinent information during a patient care investigation, including, but not limited to making deliberate omissions of material fact..."
- Jevonte Osterhout
 - Surrendered effective 8/7/23.
 - For violations of 10 NYCRR Part 800.16(a)(5).
 - "...has been convicted of one or more criminal offenses, as that term is defined in § 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..."
- Brian Fernandez
 - Censured effective 7/15/23. Assessed a civil penalty of \$1,000. The penalty is stayed providing no further violations for three years.

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- For violations of 10 NYCRR Part 800.16(a)(2).
 - "...Has been negligent in the performance of his/her EMS duties and practice, as negligence is defined in Section 800.3 of this Part..."
- Vincent Visceglia
 - Revoked effective 5/4/23.
 - For violations of 10 NYCRR Part 800.16(a)(6).
 - "...has been found guilty, in any jurisdiction, of any non-criminal offense or statutory and/or regulatory violation, as those terms are defined in Section 800.3 of this Part, relating to patient safety and/or has had any professional license and/or certification suspended and/or revoked in any jurisdiction, unless the Department determines such certificate holder would not involve an unreasonable risk to property or the safety or welfare of a specific individual or the general public..."
- Robert Ortiz Jr.
 - Surrendered effective 6/1/23.
 - For violations of 10 NYCRR Part 800.16(a)(8).
 - "...has responded to a call, provided patient care, or driven an ambulance or other emergency medical response vehicle while under the influence of alcohol or any other drug or substance which has affected the certificate holder's physical coordination or intellectual functions..."
- Shawn Woods
 - Suspended for one year effective 6/1/23. The suspension is stayed.
 - Placed on probation for three years effective 6/1/23.
 - Assessed a civil penalty of \$2,000.
 - For violations of 10 NYCRR Part 800.15 (a)(1) and (2), 800.16 (a)(1) and (2)(b), 800.16 (a)(11) and (c).
 - "...State-approved training curricula and State-approved training standards, in accordance with section 800.20 of this Part..."
 - "...State-approved protocols developed by State and/or Regional Medical Advisory Committees pursuant to sections 3002-a and 3004-a of the Public Health Law..."
 - "...has failed to comply with the requirements of Section 800.15 of this Part..."
 - "...has been negligent in the performance of his/her EMS duties and practice, as negligence is defined in Section 800.3 of this Part..."
 - "...has abandoned a patient, as patient abandonment is defined in Section 800.3 if this Part..."
- Francisco Garcia
 - Revoked effective 6/7/23
 - For violations of 10 NYCRR Part 800.16 (a)(5).
 - "...has been convicted of one or more criminal offenses, as that term is defined in § 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 ...”

- Danielle Winters
 - Suspended for one year effective 4/25/23
 - For violations of 10 NYCRR Part 800.3 (am), 800.3 (al), 800.3 (ao), 800.15 (a) and 800.15 (b)(1)
 - “...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...”
 - “...Incompetence means a lack of, or loss of, skill or knowledge to practice the profession, and/or practicing with negligence, as negligence is defined in this part, on one or more occasions while treating a patient...”
 - “...Patient Abandonment means a certificate holder’s willful termination of patient contact prior to delivering the patient for medical evaluation and/or treatment, or securing a proper refusal of medical attention in accordance with applicable protocol. Patient abandonment may be effected through means including, but not limited to, leaving a patient unattended after establishing patient contact, leaving a patient to the care of an EMT certified at a lower level when the certificate holder knew or should have known that the patient required a higher level of care, and/or encouraging the patient and/or bystanders to reject transport to a hospital by ambulance unless it occurs within an organized multi patient/agency response...”
 - “...comply with prehospital practice standards, applicable for the geographic region of the State in which the individual is practicing...”
 - “...when a certificate holder is acting as part of an organized pre-hospital emergency medical service, the certificate holder responsible for patient care shall accurately complete a pre-hospital care report in a department-approved format for each patient with whom the certificate holder makes patient contact, and shall provide a copy to the hospital receiving the patient and/or to the department’s authorized agent for use in the State’s quality assurance program...”
- College Point Community Ambulance Corps, Inc
 - Surrendered operating certificate effective 6/7/23.
 - For violations of PHL 3012(1)(f)
 - “...had discontinued operations for a period in excess of one month...”



- Kyle Kiehn
 - Issued a formal reprimand.
 - Placed on three years probation effective 5/3/23.
 - Assessed a civil penalty of \$2,000. \$1,500 is stayed pending no further violations during probation.
 - For violations of 10 NYCRR Part 800.16(a)(13).
 - "...has held him/herself out as being certified at a higher level than actually certified, or has exceeded his/her authorized scope of practice, as that term is defined in Section 800.3 of this Part..."

New Business – Jeremy Cushman, MD

- Care Bundles
 - General Illness & Dizziness
 - Geriatric Fall
 - Cerebrovascular Accident
 - No feedback received these are brought forward for action. Dr. Dorsett motion to approve care bundles. Seconded by Dr. Vernetti. All in favor, no opposed, no abstentions, motion passes.

Old Business – Jeremy Cushman, MD

- ALS Preceptor Policy
 - Updated for clarification. Motion to approve by Dr. Lemay, seconded by Dr. Vernetti. All in favor, no opposed, no abstentions, motion passes.

Program Agency Report – Ben Sensenbach

- Concerns have been brought forward about Hospital Hub – (product BEMS supports for hospitals to receive PCR's). Based on the number of agencies we have that don't use ImageTrend, we are working on an alternative way to transfer data as text fields are not transferred.
- Council secretary Jim Cassin is working to create a PCR Tag, so we will be soliciting participation from your agencies.

Regional Medical Director Report – Jeremy Cushman, MD

- Data & Informatics at BEMS is an area of focus
- Continue to work on various initiatives, no action items for this group
- Regarding the Strike – when this occurred last time, there were no increase in drop times. There was no changes within numbers of either hospital regarding EMS transports. Yes, it's unfortunate that they have not come to an agreement, but that should not effect the destination.

Associate Regional Medical Director for Patient Safety– Aaron Farney, MD



- No action items
- Brainstorming a better way to reach out to the regional providers, perhaps a column in the newsletter, etc.

Associate Regional Medical Director for Education & Quality – Maia Dorsett, MD, PhD

- Handtevy is being rolled out to the last ALS agency in the region. If your agency has a few BLS providers that are interested in being added to this – reach out to Dr. Dorsett, we don't have enough for everyone, but can add some.
- Data review
- MOLST Training will be available through Prodigy

Council (MLREMS) – Sam Tinelli

- No Report

State Council Meetings –Mark Philippy / Jeremy Cushman, MD

- Collaborative Protocol Updates
 - Lots of changes. At least one that is being introduced at December SEMAC that is a palliative care/hospice protocol. We are close to having a state-wide formulary (likely December). There will be some additions that are optional medications, as well as standing order alternative medications.
 - Link for suggestions: <https://j.mp/2Qh9atV>

Regional Trauma Advisory Committee –Adam Oplinger

- No Report, next meeting is November 8th at 1130 with a hybrid option.

Individual Hospital Reports

Rochester Regional

RGH – Connie Verneti, MD

- Potential for another nursing strike, would be authorized for 5 days and start October 23rd. There was no disruption in operations for the last strike.
- Recent decon drill involving AMR and RFD – went excellent.
- Please have EMS folks call ahead if there are decon questions

Unity/St. Mary's – Tony Katsetos, DO

- Continue to struggle with transfers out of the ED
- Prenotification of bariatric patients would be appreciated (size restrictions for folks that don't fit in



the CT scanner). The issue is not so much the weight but the width. Action item: return to respective institutions and find out what the parameters of your scanners are and return to the group.

UR Medicine

SMH/Strong West – Erik Rueckmann, MD

- Strong has been listening to the EMS feedback. They've ordered signage for Law Enforcement signage for parking and widened the ambulance parking.

Highland – Erik Rueckmann, MD

- No Report

Noyes – Aaron Farney, MD

- As of October 1st, there is a 24/7 physician coverage. We do not have GI coverage at this time.

Motion to adjourn by Dr. Verneti, seconded by Dr. Dorsett.

Next Meeting is December 18, 2023 at 5pm at the PSTF 1190 Scottsville Road, Rochester, NY.

Meeting Link: <https://youtu.be/Q3jbmfQhg-o>