



**Minutes of the
EMERGENCY MEDICAL SERVICES BOARD
Wednesday, March 20, 2024 – Thursday, March 21, 2024
Iris Room at 665 Mainstream Drive, Nashville, Tennessee**

To view a recording of the March 20th meeting, please follow the link below:
<https://tdh.streamingvideo.tn.gov/Mediasite/Play/e78ee3e9127e489cb7d652d97debfef31d>

To view a recording of the March 21st meeting, please follow the link below:
<https://tdh.streamingvideo.tn.gov/Mediasite/Play/8f236cc5ec4d4e4c87799800b1651cbb1d>

Day 1 - Wednesday, March 20, 2024

CALL TO ORDER/ROLL CALL

- The meeting was called to order by Chairman Steve Hamby. The roll was called, finding all 13 members present and none absent, a quorum was declared.

<i>Board Member's Name</i>	<i>Present</i>	<i>Absent</i>	<i>Board Member's Name</i>	<i>Present</i>	<i>Absent</i>
Chairman Steve Hamby	X		Vice-Chairman Greg Miller	X	
Jeffrey Bagwell	X		Shannon Morphis	X	
Tim Bell	X		Joyce Noles	X	
David Blevins	X		Stacy Prater	X	
Jeanie Diden	X		Jason Tunstall	X	
Drew Hooker	X		Chris Wheat	X	
Dr. Jared McKinney	X		<i>13 Members Present, 0 Members Absent = Quorum</i>		

Also, present:

Brandon Ward, Director - Office of Emergency Medical Services
 Hansel Cook, Assistant EMS Director
 Tory Ferguson, Regulatory Board Administrative Assistant 3
 John Dabbs, EMS Consultant – Region 1
 Dwight Davis, EMS Consultant – Region 5
 Aaron Kinser, EMS Consultant At Large
 Russell D. Gupton EMS Consultant At Large
 Dr. Joe Holley, M.D. State Medical Director
 Ronda Webb-Stewart, Senior Associate Counsel – Office of General Counsel - EMS Board Advisory Attorney
 Tim Peters, Senior Associate Counsel – Office of General Counsel
 The Honorable Judge Steve Darnell, Administrative Law Judge, TN Secretary of State

APPROVAL OF MINUTES

- *A motion to approve the November 2, 2023 Board meeting minutes was duly made by David Blevins and properly seconded by Jason Tunstall. The motion passed unanimously.*
- *A motion to approve the December 6-7, 2023 board meeting minutes was duly made by David Blevins and properly seconded by Jason Tunstall. The motion passed unanimously.*
- *A motion to approve the February 26-27, 2024 Board meeting minutes was duly made by David Blevins and properly seconded by Jason Tunstall. The motion passed unanimously.*

SPECIAL RECOGNITION

- **Mr. Robert Byrd was honored for his 45 years of service in EMS.**

APPLICATION APPROVAL

- *Stewart Smith came before the Board to request his application for licensure be approved due to previous background history. A motion was duly made by Jeffrey Bagwell and properly seconded by Joyce Noles for approval. The motion passed unanimously.*
- Joseph Williams – not present
- Green County EMS requests upgrade to AEMT. *A motion was duly made by Greg Miller and properly seconded by Drew Hooker. The motion passed unanimously.*

CONTESTED CASE HEARING

Case #17.34-2311213A TDH V. Cynthia McDow, License #38472

- Ms. McDow represented by counsel Cameron Hoffmeyer. Judge Darnell asks board to introduce themselves and noted a quorum was present. He further provided the overview of the process for the hearing and related rules. No conflicts of interest were identified by the members.
- Mr. Tim Peters representing the TDH provided an opening statement, as well as Mr. Hoffmeyer for Ms. McDow. Mr. Peters then called Ms. McDow for testimony; at which time she was placed under oath and provided testimony to both the state and her defense. Documentation was provided to the members as related to her previous treatment and these were admitted into evidence. Ms. Teresa Phillips, Executive Director of TNPAP was called to testify as to the compliance of Ms. McDow with the program. Both sides provided a closing statement. Judge Darnell provided instructions to the Board.
- *A motion was duly made by David Blevins and properly seconded by Dr. Jared McKinney to accept the Findings of Fact as presented. The roll was called with all members voting in favor. The motion passed.*
- *A motion was duly made by Jeffrey Bagwell and properly seconded by Shannon Morphis to accept the Conclusions of Law as presented. The roll was called with all members voting in favor. The motion passed.*
- *A motion was duly made by Jason Tunstall and properly seconded by Stacy Prater to accept the order for Disciplinary action as written. The roll was called with all members voting in favor of the recommendation. The motion passed.*
- *A motion to approve a policy statement as written was duly made by David Blevins and properly seconded by Drew Hooker. The roll was called with all members voting in favor. The motion passed and the hearing was concluded.*

Break from 1020-1035

AGREED ORDER

- **Joseph Loftus, License #27777** –Proposed discipline of 3-year probation, EMS refresher at level of licensure, and 4 hours of ethics. Tim Bell recused himself from discussion and vote. *A motion for approval was duly made by Greg*

Miller and properly seconded by Stacy Prater. The roll was called, and with 12 members voting in favor and 1 member recusing, the motion passed.

CONSENT ORDER

- **Montrell Baldwin, License #217037** - Proposed discipline of TNPAP. Jason Tunstall recused from discussion and vote on this matter. *A motion to approve as presented was duly made by Drew Hooker and properly seconded by Dr. Jared McKinney. The roll was called, and with 12 members voting in favor and 1 member recusing, the motion passed.*

TNPAP REPORT

- Ms. Teresa Phillips of TNPAP provided a report of the period of July 1, 2023 – December 31, 2023.

AIR AMBULANCE REPORT

- Matt Owens, Co-Chair provided a brief report.
- Recommendation of Dr. Frank Tift to serve as physician medical director of air medical service as an addition to committee.
- Discussing additions to equipment list on aircraft
- Recommendation of Tyler Thompson to replace position previously held by John Smith.

AMBULANCE COMMITTEE

- Chairman Rick Valentine provided a summary of the last meeting, cited election of himself as a chair and co-chair of Jonathan Rodgers, and provided a brief overview of the composition of the committee.

CLINICAL ISSUES

- Dr. Joe Holley came to address the members. No quorum at the last meeting. He expresses concerns regarding potential meeting schedule conflicts. Members to work with office on potential solutions.

COMMITTEE ON COMMITTEES

- Chairman Greg Miller provided a brief report.
- A recommendation for appointments of Matt Owens as Co-Chair and Dr. Frank Tift and Tyler Thompson to replace John Smith on the Air Ambulance Committee. The Education Committee selected Kirk Harris as co-chair of the Education Committee. Drew Hooker was selected as Co-Chair of Committee on Committees. Phil Sanderson was selected as co-chair of the Leadership and Advancement Committee. Rick Valentine was selected for Chairman of the Ambulance Committee with Co-Chair of Jonathan Rodger. Clinical issues could not select a Co-Chair due to lack of a quorum. *Due to a recommendation from a standing committee for the approval of these changes, a second was provided by Jeffrey Bagwell. The motion was approved by a unanimous voice vote.*
- During discussion, Tim Bell requests a time to re-appoint/re-elect chair and vice chair at a specific interval. Ms. Webb-Stewart concurs.
- Recommendation of David Bryant for Northeast State as region 1 representative, Chris DeMott to represent East TN, Joseph Creecy for Middle TN, and Jay Burks for West TN as TCAT representatives. Randy White to be nominated as a consultant position but declined. *A motion duly made by committee and properly seconded by Drew Hooker. The motion was approved by a unanimous voice vote.*
- Creation of First Responder committee was discussed. It was tabled until the next COC meeting due to necessity of defining scope of group. Drew Hooker also reminded the group that those interested in a committee, they should make notice of interest to the chair of the committee with a vacancy.

EDUCATION COMMITTEE

- Mr. Jason Fox provided a brief report in absence of the chair and vice-chair.
- EMR to EMT path to be discussed in future.
- A proposed TN psychomotor process to fill void at sunset of National Registry Psychomotor exam on 7/1/2024 was drafted and provided to the Board by the committee. Drew Hooker asks for potential pediatric skills. David Blevins asks if this is temporary or if the intent would be to go away from psychomotor. The committee mentioned that the plan could go either way. *Motion by David Blevins and properly seconded by David Blevins to table the issue until*

tomorrow so that Ms. Webb-Stewart can research some additional information. The motion passed after a voice vote.

- The Education Committee requests board approval to review testing process options for Critical Care Paramedic testing. The current contract expires 6/30/2027 with Morris – McDaniel. *A motion was made by David Blevins and properly seconded by Chris Wheat to explore options for Critical Care Exam. All members voted in favor.*

LEADERSHIP AND ADVANCEMENT COMMITTEE

- Chairman Eric Clauss and Co-Chair Phil Sanderson provided an overview of the committee to the Board members and current projects.
- Board members Hooker and Prater requested potential addition of FTO and preceptors to the committee.
- Discussion regarding notification methods about opportunities around the state.

Lunch was taken from 1212-1300

OGC REPORT

- Ms. Ronda Webb-Stewart provided an update.
- Air ambulance and pay supplement rules sitting with the Attorney General’s office.
- 69 open cases in OGC
- Discussion of conflicts of interest and strategies to avoid them.
- April meeting will be cancelled.
- Discussion about setting agendas.
- Discussion of civil monetary penalties or fines.

NEW BUSINESS

- Mary Lee-Lemley came to the Board to discuss the necessity to improve neonatal care and treatment in the state with “maternal deserts” that exist in the state due to closures of OB centers around the state. She provided statistics related to OB services and treatment or lack of. She requested assistance with training requirements of NRP for providers, other education, and training for umbilical vein catheterization.
- *A motion duly made by David Blevins and properly seconded by Jeffrey Bagwell to send equipment changes to Clinical Issues. All members voted in favor and the motion passed.*
- *A motion was duly made by Tim Bell and was properly seconded by Drew Hooker that it be recommended that all Paramedics attend an NRP course. All members voted in favor.*

PUBLIC COMMENT

- Chief Tony Watson of Pigeon Forge Fire Department approached the Board about the Advanced Curriculum and his perceived issue that the course is too difficult. Ms. Webb-Stewart informed the Board that no action could be taken on this, and it could not be discussed due to not being properly sun shined. She directed him to send correspondence to the EMS office to be placed on the agenda. It was also noted that anytime there was a question related to how the Board or Committee operates, the EMS office or OGC should be contacted.

The Wednesday, March 20, 2024 meeting was adjourned at 1410.

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Day 2 - Thursday, March 21, 2024

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CALL TO ORDER/ROLL CALL

- The meeting was called to order by Chairman Steve Hamby at 0900. The roll was called, finding 12 members present and 1 member absent, a quorum was declared.

<i>Board Member's Name</i>	<i>Present</i>	<i>Absent</i>	<i>Board Member's Name</i>	<i>Present</i>	<i>Absent</i>
Chairman Steve Hamby	X		Vice-Chairman Greg Miller	X	
Jeffrey Bagwell		X	Shannon Morphis	X	
Tim Bell	X		Joyce Noles	X	
David Blevins	X		Stacy Prater	X	
Jeanie Diden	X		Jason Tunstall	X	
Drew Hooker	X		Chris Wheat	X	
Dr. Jared McKinney	X		<i>12 Members Present, 1 Members Absent = Quorum</i>		

Also, present:

Brandon Ward, Director - Office of Emergency Medical Services
Hansel Cook, Assistant EMS Director
Tory Ferguson, Regulatory Board Administrative Assistant 3
John Dabbs, EMS Consultant – Region 1
Dwight Davis, EMS Consultant – Region 5
Aaron Kinsler, EMS Consultant At Large
Russell D. Gupton, EMS Consultant At Large
Ronda Webb-Stewart, Senior Associate Counsel – Office of General Counsel
Tim Peters, Senior Associate Counsel – Office of General Counsel - EMS Board Advisory Attorney
The Honorable Judge Steve Darnell, Administrative Law Judge, TN Secretary of State
Court Reporter

CONTESTED CASE HEARING

Case #17.34-234446A TDH V. Cortney L. Bryson, License #36322

- Judge Darnell provided introductions and reviewed procedures for the hearing. Chairman Steve Hamby recused himself from discussion and vote on this matter and Vice Chair Greg Miller assumed the role of Chair.
- After search of the immediate area, it was determined that the respondent nor counsel for the respondent was present. Mr. Tim Peters stated that he wished to proceed in default. ***A motion was duly made by Drew Hooker and properly seconded by David Blevins to proceed in default. The roll was called finding 11 members in favor, Jeffrey Bagwell absent, and Chairman Hamby recused, the motion passed.***
- Mr. Peters provided opening statements and proof to the members for review. After review of the material and process instructions from Judge Darnell, ***a motion to accept the Findings of Fact as presented was duly made by David Blevins and properly seconded by Dr. Jared McKinney. The roll was called finding 11 members in favor, Jeffrey Bagwell absent, and Chairman Hamby recused, the motion passed.***
- ***A motion to accept the Conclusions of Law as proposed was duly made by Shannon Morphis and properly seconded by Chris Wheat. The roll was called finding 11 members in favor, Jeffrey Bagwell absent, and Chairman Hamby recused, the motion passed.***
- ***A motion to accept the proposed Disciplinary Action of revocation was duly made by Drew Hooker and properly seconded by Jason Tunstall. The roll was called finding 11 members in favor, Jeffrey Bagwell absent, and Chairman Hamby recused, the motion passed.***

- *A motion to adopt a Policy Statement as proposed was duly made by David Blevins and properly seconded by Jeanie Diden. The roll was called finding 11 members in favor, Jeffrey Bagwell absent, and Chairman Hamby recused, the motion passed.*
- This matter was concluded, and the contested case hearing ended.

PILOT PROGRAM REPORT

- Mr. Joseph Powell, Director of Crockett County EMS and EMS Supervisor Will McBride approached to the Board to report on the pilot program for the delivery of prehospital blood products. A brief overview of the patient population that had received blood products was provided by Mr. McBride and a request was made to allow the program to continue with full approval. After discussion and questions from the members, *a motion was duly made by Shannon Morphis and properly seconded by Chris Wheat to end the pilot study and provide full approval, an amendment was made to request quarterly reports from the service to Clinical Issues Committee if the program continues. The roll was called finding 12 members in favor, Jeffrey Bagwell absent, the motion passed.*

BUCKLE GUARD DISCUSSION

- Buckle Guard Safety Device - Counsel Tony Dalton and Steve Blackburn had initially asked to speak today but had scheduling conflicts. There was significant discussion regarding this issue. A 15-minute recess was taken to gather documents related to this from the ambulance service using these devices that were sent in response to the December meeting. Chairman Hamby reiterated minutes of the December meeting stating that they would like more information on the device. After a lengthy discussion, it was decided that a letter of response should be drafted to the ambulance service regarding the Board's concerns in this matter. Ms. Webb-Stewart mentioned she would like some direction on wording of the letter. Member Tim Bell stated he desired that there be a protocol for use and should be used within the manufacturer recommendations. Chairman Hamby concurred, and Mr. Miller stated that there are many brands of this device that function in numerous ways, and the Board should be cautious with naming a single device. *A motion was duly made by Tim Bell and properly seconded by David Blevins for Office and OGC to issue a response letter to Priority Ambulance describing the concerns of the Board. An amendment was offered that the device should be used as the device has been recommended by the Board. Mr. Bell withdrew his motion and requested the Office communicate with the service and explain the current stance.*

PSYCHOMOTOR EXAM

- A tabled issue from the 3/20 meeting regarding potential discoverable public records as related to a psychomotor exam approved by the Board. Ms. Webb-Stewart stated that the documents in the form of a template would be discoverable in a public records request. There was discussion related to mechanism for timetable in which documents should expire and or be replaced. Greg Miller suggested randomization and timing out of scenarios annually. *A motion was duly made by Drew Hooker and properly seconded by Greg Miller to approve the proposed practical exam scenario scheduled to start on 7/1/24, with the addition of a pediatric component in the AEMT and Paramedic testing process. An amendment was made to add pediatric assessment to EMT level. The roll was called finding 12 members in favor, Jeffrey Bagwell absent, the motion passed.*
- *A motion was duly made by David Blevins and properly seconded to authorize the Education Committee to study the necessity of the practical in the long term. After discussion, the roll was called, Chairman Steve Hamby voted no, Jeffrey Bagwell was absent, all other members voted yes. The motion passed.*

ADVERSE ACTION REDUCTION PROPOSAL

- David Blevins presented a plan for a task force to create a group to implement preemptive strategies to assist in preventing providers from situations which may cause them to incur disciplinary action. Ms. Webb Stewart stated that a Task Force could not be used but could be considered a workgroup. *A motion was duly made by Drew Hooker and properly seconded by Jeanie Diden to send request to Leadership Committee to form a workgroup to review ways to reduce incidents of adverse action. A voice vote was called. Shannon Morphis voted no, Jeffrey Bagwell was absent, all others voted in favor, the motion passed.*

A break was taken from 1145-1156.

NEW BUSINESS

- After a significant discussion and several amendments to the motion, *a motion was duly made by David Blevins and properly seconded by Shannon Morphis for all ground ambulance services administering blood products in the field to provide a detailed report to the Clinical Issues Committee twice per year beginning at the June meeting. Report to include a minimum of the following: Indication, time at bedside to administration, complications, time, and quality assurance.* This motion was withdrawn, and *a new motion was duly made by David Blevins that requires all ground agencies administering blood products provide a report to the Clinical Issues Committee for 2 years twice per year from the date the program. The motion passed. A motion was duly made by Greg Miller and properly seconded by Dr. Jared McKinney that the report includes a minimum of the following: Indication, time at bedside to administration, complications, time, and quality assurance for each administration.*

LICENSURE APPROVAL

- Director Ward provided documentation for EMT reciprocity applicant Joseph Williams, as he was unable to attend in person. The applicant was directed to the Board from the office due to background check findings. *A motion for approval was duly made by Stacy Prater and properly seconded by Tim Bell. The roll was called, Jeffrey Bagwell was absent. Jeanie Diden, Drew Hooker, Dr. Jared McKinney, Greg Miller, Joyce Noles, Chris Wheat, Chairman Steve Hamby voted NO. Tim Bell, David Blevins, Stacy Prater, Shannon Morphis, and Jason Tunstall voted YES. The motion FAILED.*

OTHER BUSINESS

- Tim Bell discussed committee meeting attendance and physical quorums. Requests potential solutions for alternate meeting solutions for committees. He mentioned each committee should have a charter or white paper outlining their tasks and duties. He state there should also be reelection of officers at an annual interval. Ms. Webb-Stewart spoke about notifications about vacancies, and such could also benefit from such. She stated she would work on a proposal. A document will be provided to the office for the next meeting agenda.
- *A motion was duly made by Stacy Prater and properly seconded by Blevins to allow the committee to send an email or written report could be sent to the office of EMS to be delivered during the Director's report to the Board, except for in a case that the office makes a request for them to appear due to the complexity of the report. Jeffrey Bagwell was absent, David Blevins voted no, all other members voted yes. The motion passed.*
- *A motion was made David Blevins and properly seconded by Tim Bell motion to place information on website with pathway that is necessary to follow to address the Board, Committee, etc. Jeffrey Bagwell was absent. All others voted in favor. The motion passed.*
- David Blevins brought up the proposed First Responder committee for discussion. Chairman of the Committee on Committees Greg Miller stated that there has been no information brought forth on this previously to necessitate its creation. It was tabled until June so that information can be submitted to the Committee on Committees.
- Ms. Ronda Webb-Stewart stated that there would be no April meeting. The next meeting would be in June.
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PUBLIC COMMENT

- None

The Thursday, March 21, 2024 meeting was adjourned at 1302.