

EMS System Oversight Committee Meeting
June 11, 2009
EOC Conference Room

Members/Liaisons Present: Faye Barefoot, Kathy Dutton, Duane Holder. Jimmy Garris, Kyle Willis, Chuck Owens, Jack Cote, David Lusk

Staff Present: Noel Lee, Scott Elliott, Helen Bryant, Janis Gallagher

Absent: Juan March, MD, Melonie Bryan, Ted Delbridge MD

Open: Chairman David Lusk called the meeting to order.

Approval of Agenda: Jimmy Garris made the motion to approve the agenda. Duane Holder seconded the motion. Vote was unanimous. Motion passed.

Comments to the EMS Oversight Committee:

Mike Burton, Chief, Greenville Fire Rescue signed up to speak.

Chief Burton reported that he is representing the men and women of Fire and Rescue for the City of Greenville. He reported that he is here to address the document, "Fitness for Duty" that was sent out with the agenda and minutes for the EMS Oversight Committee. He reported that he has concerns as to what the intended purpose is since there is no policy accompanying the agreement. There is no dispute, there is a legitimate need for a system that is free of alcohol and drug impairment. However, this approach is not the right one. It is the wrong solution to a problem that he acknowledges and one that needs to be addressed. There are significant issues with the document. There are questions to case law and constitutional rights regarding search without reasonable cause.

In the statement "can't work under the influence of drugs", is this referring to illegal drugs or prescribed drugs? When will the tests will be conducted, on or off duty? The most significant concern has to do with searches with or without cause, and every item and/or vehicle is subject to search. I believe this is not what anyone envisions but this is what this document says. There is a requirement for an employee to report what medications and doses an employee is on. This is protected health information. There is no issue with an employee reporting significant side effects but there is a problem with an employee disclosing the name(s) of medication(s). There is no expectation for employee(s) to report alcohol charges. And there is no delineation between a charge or a conviction.

A huge issue is who gets the results. It is understandable that the medical director would get the results but do not understand Emergency Management getting the information. Interestingly enough the employee does not get information.

There is a concern with the last statement regarding employment action. Pitt County does not have any authority to terminate anyone other than employees of Pitt County. Dr. March does have the authority to suspend someone's privileges.

This is an unfunded mandate that could cost a sizable amount of money.

If the intent was to provide the policy as an example for an agency that does not have an agreement or policy, then this needs to be stated in the minutes.

Discussion:

Noel Lee reported that Dr. March has been working on this document and this is a draft. (Dr. March clarified that he had not seen the draft document prior to it being sent out.) This document is a sample for agencies to use who do not have a policy in place. If an agency has a policy in place then please share it with the committee. Dr. March also has a concern as to how we share information when someone works at more than one squad. If he suspends an employee then that person cannot work in the system.

Chuck Owens reported that this document has been presented to the Quality Management Committee and came through them to the EMS Oversight Committee in the QM report. If this is meant to be a sample for an organization who does not have one then how do we resolve the more stringent requirements in this document.

Jimmy Garris reported that the squads who do not have a policy need to refer to the City of Greenville, Pitt County and the squads that have a policy to use as a guide for them to develop their own policy.

Kathy Dutton asked if it is too late to amend the contract by taking out the last statement in paragraph 21, page 10 and attaching the agreement as an exhibit because it does give one the impression that this has been approved by the medical director. When you read it you feel like this is what the medical director would prefer you to do.

Janis Gallagher reported that in paragraph 21 page 10 of the contract, Exhibit 1 was attached to be helpful for those squads who do not have a drug and alcohol policy. She reported that it is appropriate and legal for the county to require a provider to have a policy in place to address a very serious issue because if there is an incident where an impaired driver has an accident and there is a law suit against the county and the provider we are going to say we have a policy. This will protect the county and squad who can say the employee did not follow policy. Squads are not required to sign the sample policy. The squads must submit a policy within 30 days of the execution of the contract.

Noel reported that Emergency Management maintains a roster of all squads and the question came up if Dr. March suspends someone in the system that he contact our office and that way if that person goes to work with another squad it will send up a red flag that they have been suspended by Dr. March.

Kathy Dutton asked if there is a requirement for the medical director to report to the state when someone is suspended locally. Kyle Willis reported that unless the law has been broken, it is a local decision and the State does not become involved.

Motion: Kathy Dutton made the motion to delete the last sentence in Paragraph #21 on Page 10 of the Contract between the County and the squads which reads, "A sample policy, which has been approved by the Medical Director, is attached hereto as Exhibit I." Jimmy Garris seconded the motion. Vote was unanimous.

Items for Report:

FY 09-10 EMS Contract-Noel Lee reported that contracts are being routed now for signatures. Janis reported that there was a productive meeting with Noel, Kyle Willis and Helen Reel to address the items from this committee and all were worked out. Kyle Willis made the suggestion that the last line of paragraph 21, page 10 be lined through and initialed since the contract is already being routed for signatures.

The addendum for the new vehicles purchased by the county is also being routed for signatures. Noel pointed out that contracts need to be signed and returned as soon as possible.

Medical Director's Report: Noel reported that Dr. March asked that it be announced that the World Health Organization (WHO) declared H1N1 as a phase 6 pandemic. Also Pitt County has its first flu case at Pitt County Memorial Hospital.

Squads Forecasted Capital Expenses for FY 09-10: Noel reported that a motion was made at the June meeting to have squads turn in capital outlay needs. Two squads have responded. The county squads are still working on their report. Winterville has responded that all of their capital outlay needs were included in their budget request.

BOCC Actions: Approved Bell Arthur and Eastern Pines Funding Requests. Appointed Kathy Dutton as Pitt County Memorial Hospital Representative.

Items for Consent:

Approval of Minutes, Data Reports and Financials – Jimmy Garris made the motion to approve the minutes of the May 14, 2009 meeting and Data Reports. Duane Holder seconded the motion. Vote was unanimous.

	<u>Ayden</u>	<u>Bell Arthur</u>	<u>Eastern Pines</u>	<u>Falkland</u>	<u>Farmville</u>	<u>Fountain</u>	<u>Grifton</u>	<u>PCEMS-21</u>	<u>PCEMS-24</u>	<u>Winterville</u>
- Contract	HB 8/8/2008	HB 7/23/2008	HB 7/29/2008	HB 8/7/2008	JC 8/19/2008	HB 7/16/2008	HB 7/30/2008	HB N/A	HB N/A	HB 7/24/2008
- Updated Roster/BOD/Officers	JC 9/9/08	JC 8/28/08	JC 9/3/05	JC 9/2/08	JC 8/28/08	JC 8/26/2008	JC 12/29/2008	JC 8/28/2008	JC 8/28/2008	JC 8/25/2008
- 990 Tax Return/Exemption	JC 3/20/2009	JC 3/12/2009	JC 1/21/2009	JC 6/4/2009	JC 6/3/2009	JC 11/10/2008	JC 3/13/2009	JC/MB 8/20/2008	JC/MB 8/20/2008	JC 9/30/2008
- Fiscal Year End Statement	JC 8/15/08	JC 9/3/05	JC 9/2/08	JC 9/2/08	JC 9/2/08	JC 8/26/2008	JC 9/12/08	JC 8/28/08	JC 8/28/08	JC 7/23/08
Annual Vehicle Inventory	JC 9/9/08	JC 8/28/08	JC 9/3/08	JC 9/2/08	JC 8/28/08	JC 8/1/2008	JC 7/31/08	JC 8/27/08	JC 8/27/08	JC 7/1/08
Certificate of Insurance	JC 8/1/08	JC 8/12/08	JC 8/12/08	JC 8/1/2008	JC 8/12/08	JC 8/1/2008	JC 8/1/2008	JC 8/1/2008	JC 8/1/2008	JC 8/12/08
Monthly Expenditure Report	JC 5/14/09	JC 5/19/09	JC 6/1/09	MB 4/24/09	JC 6/1/09	JC 5/20/09	JC 5/16/09	JC 5/29/09	JC 5/29/09	JC 5/21/2009
Monthly Vehicle Log	JC 6/9/09	JC 5/29/09	JC 6/1/09	JC 6/10/09	JC 5/27/09	JC 5/27/09	JC 5/29/09	JC 5/29/09	JC 5/29/09	JC 5/21/2009
Monthly Service Data Report	JC 6/9/09	JC 5/29/09	JC 5/11/09	JC 6/10/09	JC 5/27/09	JC 5/20/09	JC 5/16/09	JC 5/29/09	JC 5/29/09	JC 5/21/2009
Monthly PCRs	JC 5/15/09	JC 5/15/09	JC 5/11/09	JC 6/10/09	JC 5/15/09	JC 5/5/09	JC 5/16/09	JC 5/5/09	JC 5/5/09	JC 5/5/2009
Monthly Run Log	JC 6/9/09	JC 5/29/09	JC 5/11/09	JC 6/10/09	JC 5/27/09	JC 5/27/09	JC 5/16/09	JC 5/29/09	JC 5/29/09	JC 5/16/2009
Approved for Release of Funds	JC/NL 6/9/09	JC/NL 5/29/09	JC/NL 6/1/09	MB **	JC/NL 6/1/09	JC/NL 5/28/09	JC/NL 5/29/09	JC/NL N/A	JC/NL N/A	JC/NL 5/28/09

This report is for the **JUNE 11th, 2009** meeting and reflects annual submissions to date (5-29-09) as well as the monthly requirements for April **2009** for release of June **2009** funds.

* = these stations had outstanding APRIL PCRs during the reconciliation performed in MAY 2009. The date shown reflects when all PCRs were accounted for by PCEM.

** = Funding for this station is now a county responsibility and directly tracked by the finance department.

Fitch Recommendation: David Lusk asked that people report at the next meeting the status of assignments of the Fitch Recommendations.

Items for Decision:

Appointment of Citizen At Large, Duane Holder.

Motion: Jimmy Garris made the motion to re-appointment Duane Holder to serve on the EMS Oversight Committee. Faye Barefoot seconded the motion. Vote was unanimous. This will go to the Commissioners on June 29, 2009.

Questions/Comments from Members

Kyle Willis made the motion to cancel the July 9th meeting. Faye Barefoot seconded the motion. Vote was unanimous.

Adjournment:

The next meeting will be August 13, 2009.

Respectfully submitted,
Helen Bryant, Secretary