

CENTRAL NEW YORK



REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL
Serving, Cayuga, Cortland, Onondaga, Oswego & Tompkins Counties

Meeting Minutes of July 21, 2009

<i>Last Name</i>	<i>First Name</i>	<i>Status</i>	<i>County</i>	<i>Present</i>	<i>Proxy</i>	<i>Excused</i>	<i>Absent</i>
Addario	Mike	Member	Onondaga	X			
Bitner	Chris	Associate Member	Onondaga	X			
Butler	David J.	Member	Onondaga	X			
Calley	Brian	Member	Onondaga	X			
Cousins	Paul	Member	Onondaga	X			
Darby	Warren R.	Member	Onondaga	X			
Derbyshire	Susan	Member	Onondaga	X			
DiGregorio	Anthony	Member	Onondaga	X			
Duell	Robert	Member / County Coordinator	Cortland	X			
Eckstadt	Tamara	CNY REMSCo Staff		X			
Egan	Pat	Member / County Coordinator	Oswego	X			
Flynn	Susan	Member	Tompkins	Voted in			
Foster	Linda	Member	Onondaga	X			
Fricano	Lon A.	Member	Cayuga	X			
Gleeson	Tim	Associate Member	Onondaga			E	
Green	Jason	Associate Member	Cayuga			E	
Hansen	Patricia	Member	Cortland	X			
Harrington	Beth	Member	Tompkins	X			
Hogue	Troy D.	Member	Onondaga	X			
Jones	Jeff	CNY REMSCo Staff				E	
Kehoe	Eric	Associate Member	Cayuga	Voted in			
Loomis	Robert	Member	Oswego	X			
Lynn	Harry	Member	Cayuga	X			
Markham	Joseph	Asst Med Director					U
Marko	John	Member	Onondaga	X			
Martin Reed	Laura	Member	Cayuga	X			
Menter	Zachary	Associate Member	Oswego	X			
Merrill	Peggy	Member	Tompkins	X			
Morrissey	John	NYS DOH				E	
Murray	Mark	Member	Oswego	X			
Olsson	Daniel	Medical Director		X			

Paolini	Roger	Member	Onondaga	X			
Pinsky	Brad	Associate Member	Onondaga	U			
Potter	David	Associate Member	Oswego	U			
Price	Colleen	CNY REMSCo Staff		E			
Price	S. Lee	Associate Member	Cortland	X			
Procopio	Greg	Member	Onondaga	U			
Rotko	Roman	Member	Cayuga	X			
Shurtleff	Lee	Member	Tompkins	X			
Shutts	J. Penny	Member	Oswego	X			
Suriani	Sammy F.	Member	Onondaga	X			
Surprenant	Susie	Associate Member/ CNY REMSCo Staff	Oswego	X			
Wallis	Norman	Associate Member	Oswego	X			
VanEtten	Doug	Associate Member	Cortland	P			

Darby: The microphone is not the camera. You can hear the echo in this room so what we've got to do is during the course of the meeting one person speaking at a time, clearly identify who you are because our person who is doing the on-screen typing is going to have to figure out which member is talking for our transcript so as we go forward with the meeting the camera is going to be over there and speak one at a time clearly, identify yourself at the beginning of whatever you're bringing to the table. With that I will call the July 21st meeting of Central New York REMSCo to order. And ask that everybody that is here for this meeting be sure that you have signed in even if you're not a member of the Council, we would like to have you as a guest sign in so that we can acknowledge your presence. The minutes of the May 19th Council meeting were sent out and I'm looking for any corrections, amendments that may be necessary before we vote to accept them. One of the advantages of being on web cast for the most part it is accurate other than you may get something wrong listening.

I didn't get it.

I didn't get it.

(_____)

Darby: Tammy, the minutes. I got them. I saw them.

There are a couple of other things from your office that I didn't get.

Eckstadt: Who didn't get them?

Darby: Okay, Sue Derbyshire, Penny Shutts, Beth?

Foster: I didn't get them.

Darby: And Linda. Those are the four we said be sure not to send them? I'm sorry, Linda.

No, I got, you know, her other emails _____. Just not that one.

Darby: You'll know when you get them because it's a fairly fat document. Okay. I'm looking for those that have read it, any amendments. Do I have a motion?

Paolini: So moved.

Darby: So moved, Roger Paolini. Is there a second to Roger's motion?

Addario: Second.

Darby: Mike Addario. All in favor of accepting the minutes, signify by saying "aye."

(Ayes)

Darby: Opposed? And we have 4 abstentions that didn't see them. Okay. Treasurer's Report will be circulated around in the Blue Book. Be sure to take a look at that and under New Business we will entertain a motion there. Correspondence is also in the 2 Blue Books that are being passed around. If there is anything you wanted copied, please indicate that in the front sheet and it will be copied and available to you at the EMS Office or at the next meeting whichever is convenient for you. Chairman's report. We've been very busy doing a number of things. One of the concerns that we have and it will come up as we talk with the Program Agency later is that the State has not of this date approved our contracts, and when that has happened in the past, we have experienced this twice, and it isn't just this Council, it's across the State, where it's going to slow down the process to the point where we don't have the contract moneys to continue doing business. Therein lies the reason why we do some of our own fund raising where we will talk about Glow Golf coming up in September, a couple of other events that we try to do to keep enough money to keep our staff and our offices alive during the short falls that the State may come up with, and I've lived through two of them now. One of them where we actually had to lay off for a week the staff before finally the contract got signed and we got some money from the State to operate. So as of this date the contracts have not been approved through the State Comptroller's Office and we will wait. Other than that as we go down through the committee reports there will be a number of things that I may want to comment on. Under #5 in your agenda, EMS Program Agency. Mark Murray.

Surprenant: Susie Surprenant. Mark Murray had to leave early due to personal reasons so I will include when I come to the Central Office, it will be part of that report.

Darby: Okay. Legal Affairs did not meet. Membership?

Menter: Zach Menter. Membership. Well, we had quite a bit of activity in membership the last couple of meetings. Currently we have 2 open positions for Cortland County which we have a new resume and cover letter for one of those two open associate member positions going around. We have 1 open associate membership position for Cayuga County which we currently nothing for. We have 1 open voting spot for Onondaga County which we have 15 eligible applicants for. Oswego County is full. Tompkins County has 3 open associate positions and 1 open voting position which we have Susan Flynn's resume and cover letter for. Maybe you want to start with Susan Flynn first. We'd like to bring hers to the floor as a seconded motion from our committee to approve her for a full membership for Tompkins County.

Darby: Okay, that comes as a seconded motion from the Membership Committee. The motion is to accept Susan Flynn as a voting member representing Tompkins County. Discussion on the motion? Every member here knows Susan Flynn.

Merrill: I think she should be a great asset.

Darby: Peggy Merrill says great asset.

Harrington: I agree.

Darby: Beth?

Harrington: I agree.

Darby: The two Tompkins County people. Okay, all in favor of accepting Sue Flynn into that membership position for Tompkins County signify by saying aye.

(Ayes)

Darby: Opposed? Any abstentions? Carried.

Menter: Okay, for the Onondaga position, again, we initially received 16 applicants, 1 was not eligible because did not live in the area so of the 15 eligible candidates it was very difficult to come up with who we were going to choose. Looking at them we decided we wanted to pick a candidate which brought diversity as I mentioned earlier, and we were looking for that candidate. As I said, there were multiple candidates that were very qualified. Many of them were more than qualified candidates. Candidates that are currently associate members, candidates that are currently not associate members, affiliation with various agencies in this region. Who we came up with was Jerry Emmons. He is a physician at Upstate. We felt that he would be the candidate that would bring the most diversity to the committee and he is very well qualified. He is very well qualified. EMS in Tompkins County, Oswego County and he currently resides in Onondaga County with Upstate's first pick for residents this year.

Darby: Okay, that again comes with a seconded motion from the Membership Committee. The floor is open for discussion on Jerry Emmons.

(_____)

Menter: The other applicants, there should have been a folder lying around, everyone was in the Blue Book.

(_____)

Menter: Okay, the candidates for the Onondaga position were Neil Snedecker, Keith Brandis was the one that was not eligible because he didn't live in the area, Jerry Emmons, Jennifer Freeman, Gary Haas, Dr. Derek Cooney, Chris Bitner, William Gamba, Catherine North, Gail Tompkins, Matt Cheevers, Jay Scott, Vincent Lalofter, Michael Isbel, Michael Moore, and Tim Gleason.

Darby: Other questions or discussion?

Menter: Again, many of those candidates were very qualified, overqualified actually, a lot of them. I mean you had another physician on there. Many _____.

And we were looking for someone that we felt could really bring a lot to the Council, who has a lot of good ideas, who is not afraid to speak up, kind of a new perspective type thing. Someone that we feel is going to be around for a long time and in the long run will be a real strong benefit to the Council. This will be an unanimous decision from the Membership Committee. It wasn't easy. I mean there was a lot of hashing this out to come up with this and it wasn't fun and it gave me a headache, and it was really very difficult to come to this conclusion. Like I said it was an unanimous decision and we felt was the best choice.

Darby: And that speaks highly of the seat that that many qualified people were asking to be considered. Further discussion. Tony DiGregorio.

DiGregorio: Tony DiGregorio, Onondaga County. I appreciate the work and effort put in by the Membership Committee and this is no slight on any decision that you made. However, I know this has been talked about before, I'm a little concerned that we have associates that have given of their time. In fact, one of them we honored tonight and basically as we have done in the past, and yet they're not good enough to serve as a full member. The whole point of bringing on associates was to have them get the feel for what this is all about, and with that knowledge base, be that much better a member when they were voted into full membership. I think that this is at least the second time we've overlooked an associate and it might be more than that. You'll have to excuse my age and my memory, but – I just think that it is a disservice to the people who have been sitting on this board as associates. I think it's a slap in the face, my own opinion. Once again, I have all the trust in the world as far as what the Membership Committee is doing, but in this point disagree with the fact that we've overlooked some of our well-learned associates that we have been trying to school and make them feel as though they're doing a good job and making it to the full membership. Just my opinion.

Menter: Both of the associates were two of the very qualified candidates and there was a lot discussion

that went into that, and _____ one of the things that came up that _____ look at all of these candidates _____ each one could bring to the Council. Again, it was not an easy decision. A lot of thought went into it. A lot of back and forth conversations regarding _____.

Darby: Go ahead, Mike Addario.

Addario: We have a couple of associate members that have been engaged in this Regional Council now for a couple of years _____, attendance record is pretty good. I certainly understand the issue around diversity. I think it would be great to have an active physician _____. I guess my question would be, this individual _____. Why wasn't there discussion about making this physician – considering this individual for an associate position.

Menter: Well, we were looking for someone for a voting position, I guess it was, it was advertised and resumes were for the voting position. I mean definitely if there was an associate position, I mean it would make sense that we do the same thing.

(_____)

That is correct.

Darby: Troy Hogue.

Hogue: I don't have an original thought beyond what Tony and Mike have said on this topic. I don't feel that I need to reiterate that and my feelings are really the same. I can say that I cannot in good conscience vote for _____.

Darby: Linda Foster.

Foster: I would like to remind everybody that no where in our constitution does it state that associate members are to be upgraded to voting members. In fact, there are some of us that questioned the possibility of associate membership at all. Because they're not in Article XXX. So right now that whole program according to some of us is on the line.

Darby: Sue Derbyshire.

Derbyshire: I'm a bit concerned as being a past member of the Membership Committee, that whenever this committee makes a decision it seems like there is always arguments, a slap in the face against the members of the Committee. As Zach said _____, it's a difficult decision. Being an associate member it is not a get-out-of-you-will-become-a-member card, okay, you're looking across the board, closing your mind to any friendships or, you know, relationships, personal, ask the county coordinators do you know this person, this doctor or whatever, and I believe that's how they made their decision. You want people to serve on this committee. Every year Warren asks is there a committee you want to be on. I said last time I don't want to be on Membership because every time we do something, somebody's feelings get hurt or somebody thinks somebody should have gotten in, and I don't think that's how we want to do that. You want to let this committee do their job. If you're against it, fine, then vote against their recommendation. That's what you've got. If you don't like it the way it's going, next time around ask Warren to be on the committee. I'm sure he would have no problem filling those positions.

Darby: Lee Price.

Price: I just wanted to reiterate _____ transition from associate member to new full member, putting myself back in associate member position, we invested a lot of time in this REMSCo. _____ a little bitter to be passed over after being oriented to the operation of this Council, putting in energy and effort into this Council and then to be passed over for full membership were it to come up. Again, the committee, I'm sure _____, I'm sure that you used the best criteria you could. I think associate membership, despite not being part of our bylaws meeting the requirement for membership I think it does represent a commitment to the REMSCo and it should be a highly held criteria for membership in this Council.

Darby: Norm Wallis.

Wallis: I just wanted to say from the associate side of the things. If I don't have something to look forward to and being a voting member, then am I wasting my time and the Council's time by attending these meetings and taking up slack where someone else would be considered for a voting member's position, am I taking up that time? So certainly if I was overlooked in my position, if I was overlooked several times, would I say is this working coming any more.

Darby: Lon Fricano.

Fricano: Lon Fricano, Cayuga County. One of the things that has been a thorn in the side of EMS has been the good ole boy ethic. Now, I can appreciate the fact that somebody comes forward and wants to be an associate member and they're coming to the meetings and that was something that we devised as a way to try to keep ourselves on the radar screen so there would be potential candidates for open seats. We wouldn't be starting from scratch all the time. I appreciate that. However, the integrity to the organization does not -- is diminished, if you start to look at this as a pathway of entitlement and a good ole boy system, buddy, we don't like all those people that come to the meetings, it's not personal. The committee's job is to rise above personalities and to make the best decision it can at the time based on all the candidates which rightfully get ___ as a level playing field. That there was no entitlement. Now, if I was an associate member and I felt I got passed over, my nose would be out of joint, my feelings might be hurt a little bit and wonder, but I didn't come here for my purposes, I came here as an associate member to try to influence the process, to try to put my 2 cents in, try to help the cause of EMS in any way I could for the greater good and so when the moment comes to make a decision and you have people who did their time and their energy and they look and they try not to be part of the good ole boy network and they try to pick the most qualified candidate and rise above that stuff, the first thing that somebody does is criticize the committee, a snub against the person. That's the

problem. The problem is that relationships are not as important as making good decisions that transcend us. People will get a chance. Nobody is going to be on this Council forever. You know, when good candidates come forward and they shine, if you didn't pick that person, what would you be saying. Well, we pick our friends, not the best candidate. That's the other side of that coin. I have confidence in the Membership Committee's decision and process. Diversity is an issue. We've never had a physician as a regular Council member. We're looking at agency protocol development and all of these are going on around us, the world is changing. How can that be bad, it's not that the associate members that didn't get the seat are not qualified people as they pointed out, but there happened to be a super qualified person and it was their job to rise above their friendships with these people and to make the best intelligent, impartial decision that they could make based on what was on the table in front of them. And I'm a little bit distressed that we're bringing the level of that discourse down to, you know, _____ because that is what this sounds like.

Darby: Okay. One last comment, Troy.

Hogue: I just feel a need to respond _____ I don't feel that I'm raising an issue ____ so I hope they're not referring to me.

Fricano: Not at all.

Hogue: I do respect what the committee has done and I would express the same thing that I expressed before which I think is _____ associate members. We have tried to fill those people in this organization. I think the vote for an associate member _____ unknown. I think there is a similar opportunity for that position or anyone else that we thought was appropriate or qualified to serve at the REMSCo as an associate and that's why we've created those positions. So please don't speak for me, Lon, for --

Fricano: I wasn't speaking for you, I was speaking for myself.

(_____)

Darby: The history of that associate position, Linda is correct when she says that _____, it is something that this Council thought about and my predecessor, we wanted to get more people involved in the Council, especially when it came to trying to fill positions, it was difficult at times, and it still is at times to have people that are active as associates, they know the committees, they're active on committees and they know the workings of the Council by the time an opening comes that certainly would prepare one for Council voting members and that was the thinking behind it, but there was no requirement that they had to be an associate in order to become a member and as Zach pointed out, that's one of the dilemmas the Membership Committee has to wrestle with every time -- having said that, our public question, the motion from the committee for Dr. Jerry Emmons from Upstate for the Onondaga County voting membership opening. Well, I'll do this by hands. All in favor please raise your hands. 15 for. Against raise your hand. 9.

Derbyshire: I kind of slept through that. I voted wrong.

Darby: Okay, 15 to 8. The motion carries. Any abstentions? Two abstentions, two abstentions, the motion carries. Anything further from the Membership Committee?

Menter: Nope, that's all.

Darby: That was enough, right?

Right.

Darby: Moving on to Policy Committee. I don't believe there was any Policy Committee meeting at this point or need for such. Review and Comment, Mike Addario.

Addario: We have two items that were presented to us. _____ The first is a request from Union Springs Fire Department request for exemption

_____ set forth in section 3005(a) _____ section 3003 such _____. The premise being that they're down to 1 EMT, they have had several EMTs who have expired certifications recently. They do not have access to EMT refresher courses. It is our understanding that there hasn't been a refresher course in Cayuga County at least a year if not longer and that _____. I'm not sure how many people have dealt this before, at least to my knowledge, I'm not sure if people are familiar with this _____ 3003 _____.

Can you speak up just a little?

Addario: Sure. 3003, section 5A(c), The regional emergency medical services council is authorized to grant an exemption from the staffing standards set forth in section 3005-A of this article to a voluntary ambulance service operating solely with enrolled members or paid emergency medical technicians which has demonstrated a good faith effort to meet the standards and is unable to meet such standards because of factors deemed appropriate by the regional council. An exemption shall be for a period not to exceed 2 years and shall be conditioned on the participation by the voluntary service in a program to achieve compliance which shall include technical assistance and support from the regional council tailored to the needs and resources at the local level as provided by paragraph (m) of subdivision 3 of the section, to be funded by the New York State emergency medical services training account established pursuant to section 97-Q of the State Finance Law, such account as funded by a chapter of the laws of 1993. Nothing shall prevent the regional council from issuing subsequent exemptions. Such exemptions shall have no effect whatsoever on the insurability of the organizing receiving such exemption and such exemption shall not be used as a basis for increasing insurance rates or premiums related thereto, notwithstanding any other provision of law, rule, regulation or commissioner's ruling or advisory to the contrary. Prior to issuing an exemption, the regional council shall provide written notice by certified mail to the chief executive officers of all general hospitals and municipalities in the

county or counties within which the service requesting an exemption operates. Such notice shall provide opportunity for comment on the issuance of the exemption. Notice of the determination of regional council shall be provided within 10 days of the determination to the applicant, the department, and any party receiving notification of the application who requests notice of the determination. The applicant, the department, or any concerned party may appeal the determination of the regional council to the State Council within 30 days after the regional council makes its determination. So what this is saying, it is says we have to have granted the exemption, basically for we deem the appropriate cause, appropriate reason, and our response is to grant the exemption up to 24 months, up to 2 years.

_____ We cannot authorize the exemption until we send out notices to CEOs and hospitals which would be Auburn Memorial Hospital in this case and municipalities within that county and once we receive feedback or lack thereof, we can go ahead and _____. That being said you have to come up with a motion _____. We're making a motion to grant exemption for 12 months pending input from hospitals and municipalities within Cayuga County and _____ with the assistance _____ by the next REMSCo meeting in September.

Darby: Okay, motion coming from Review and Comment as a seconded motion. Discussion on the motion? Penny.

Shutts: Penny Shutts. Have they indicated if they're not going to be running with an EMT what level care they are going to provide in the back of the ambulance in the meantime and have they given you any indication of what their plan is to get EMTs in the back again?

Addario: Yes, they have several expired EMTs who are in the process of trying to get their recertification. Again the issue is apparently there is no refresher course scheduled _____. In the meantime they would be providing services with those expired EMTs. So basically there are not certified responders on their vehicle. Now section 3003 _____.

We're not actually voting on what level of care they're providing, we're voting on whether or not they get an exemption _____, minimal staff requirement by New York State _____ that's what we're discussing.

Darby: Further discussion? Linda Foster.

Foster: Okay, I'm unfamiliar with this, so I'm going to ask some kind of stupid questions. I know _____ what does that do about liability? I mean these people are going to be on the ambulance, treating patients without proper certification. Where does the legal issue come in here? I mean if we say okay, so they're actually not certified treating patients.

Addario: Article XXX allows us to make that decision.

Foster: Okay.

Darby: Paul Cousins.

Cousins: I only heard half of that back here, but how can we change a State standard of a certification level. It doesn't seem to make any sense to me.

Addario: We aren't changing the standard. We're allowing an exemption as provided in Article XXX for them to get to the State standard.

_____ I get a response standard, I get all of that, but why not be a physician for a while, you know, I don't think that's a great idea. I know they're hurting –

(_____)

Fricano: What they're asking for, what they've asked for is an exemption from the standard with the proviso that there are expired EMTs _____ that are fully trained are onboard the ambulance so they can begin transporting from the country to meet ALS which is going to be coming 90 plus percent of the time, they do bang out to surrounding squads trying to get an EMT, but they're not always available and

what this does is, is just -- in 1999 they didn't have to have an EMT on board, nobody did, no volunteer ambulance had to have an EMT.

(_____)

Addario: The staffing standard came about in 2000. Article XXX specifically provides for us to give an exemption to that standard in a situation like this while they get things together. They're not just saying well, we just won't have anybody on the ambulance, they're saying we'll use our expiring EMTs until they can get refreshed. So it's not like they're in the hands of, you know, an untrained person.

Why should that take a year?

Fricano: It hopefully won't. They're still training.

(_____)

Butler: Dave Butler, TLC. There has been no training to get them recertified, that's the problem. They proposed a class in Cayuga County _____, they got shot down.

Fricano: They're working on putting together a list to try to get enough people to justify a class and try to get someone to teach that class. In the meantime, you can't just leave people laying in the gutter.

Cousins: How many people are we talking about?

Fricano: How many people --

Staff.

Fricano: They have probably half a dozen expired EMTs.

Cousins: I can do a 2 weekend refresher.

Fricano: C'mon down.

Darby: I see that. Linda Foster.

Foster: Okay, one question, these people who have expired cards, will have a patient under their care, they will be able to do whatever they could do if their cards were good, correct?

Addario: I cannot tell you that. I'm not legal counsel, Article XXX does not speak to the level of certification, it only speaks for our ability to give the exemption.

Foster: Okay.

_____ standards _____

Okay, another questions, has this ever been done before?

Addario: I couldn't tell you.

Darby: Not in this region. Beth Harrington.

Harrington: I have 2 concerns, 1 that I think it would behoove this Council to figure out how we can get them classes in Cayuga County, and if you want to do it, Paul, I will help you, and secondly you keep talking about levels of certification, well there are different levels of certifications, but in this case we're talking about noncertified people and that certainly is different than levels of certification, and I would agree, I think these people probably if they have been doing it are most capable, but there is a difference between levels of certifications and noncertification and that I would think we should ask legal counsel about.

Darby: Any further discussion? Lee Price.

Price: Mike, is it (_____) is it within the rights of the Council to grant such a waiver conditionally upon due diligence to get an EMT on that ambulance once transport has been initiated regardless of how, whether it be ALS, whether it be another fire department EMT, the hospital, similar to the ALS or hospital whichever is closest, EMT or the hospital, whichever is closest, is that within our rights to put that requirement on there?

We have the right as a Regional Council if I understand the section correctly _____ prior to giving that exemption _____.

Darby: Okay. Let's hear the motion one more time. Norm.

Wallis: Just a couple of followups. Mike, do you know how many calls they do a year, what's their call volume like.

Addario: Probably about 120 a year.

Wallis: Also, how does it impact the EMS in that area with or without them?

Addario: It's pretty sparse.

Okay.

It's pretty sparse.

Wallis: What's the next closest ambulance?

Addario: Well, none of them are staffed. They always bang out for adjacent departments to try to get EMTs, they've been doing that for a long time, they just won't get them.

Darby: Tony D.

DiGregorio: I just need a clarification. We're going to permit a certified ambulance to have noncertified personnel.

For a temporary one year exemption as provided in Article XXX.

DiGregorio: But isn't that in violation of certified ambulance, they're suppose to have certified personnel on it. I mean, I'm just looking for a clarification because if we are permitted to do why do we need the ambulance certified? I can just see something, it just doesn't seem, I have 3 years to be certified and in the 3 year period they have no

certification classes whatsoever? And the State didn't realize this either? I mean --

Why would take a recertification class at the beginning, the first year you pass --

DiGregorio: That's why they put the pilot program in place, too. I mean that's one of the concerns that they had, and I disagree with what Lon said a little bit earlier, because prior to the EMT, CFR, as to there was a level of certification. CFRs had to be present in the back of the rig in order to transport a patient from point A to the hospital, and then they went to EMT. They relaxed it for a few years when they brought it back so now we have a minimum standard of EMT and we're saying, we don't need to meet that standard, but you do need a certified ambulance to transport this patient with noncertified personnel who may be well qualified, granted, they don't lose their training, they just lose their certification _____, granted, I don't disagree with that, but I have problems with the fact telling someone that they can have noncertified people in certified rigs.

(_____) 100% sure that our granting them with an exemption gives them what they are looking for. My understanding of exemption, and I believe we've only granted one in my tenure here, was to allow an advance life support unit to roll out the door with BLS providers in order to provide service in the absence of advanced life support personnel in a certified unit. My understanding of the exemption standard was that's what we were allowing. I mean with a staffing crisis we could grant that exemption so that they could still roll and provide BLS service if they didn't have advance life support and that type of thing. I'm not sure that we've -- the spirit of that was to grant a service to respond without certified -- any certification, I guess.

Have we had any discussion, Mike, ____ with Central Office about that event?

No, we just got this, I believe, yesterday.

Darby: Okay. Would you read for us again your motion _____

Addario: Prehospital care providers at any level are practicing medicine. There is a – I just have a problem whether you're uncertified or expired, you're not certified, you're – you have no legal or paperwork, if you will, back up what you're doing, and are we allowing somebody that has the equivalent on paper anyways, no training to be in the back of an ambulance? And how does that reflect on the individuals who take the time and energy to do their training, to do their CME and to stay current. We're treading on thin ice. In my opinion from a medical standpoint of letting people with expired certification ride in the back of a certified, recognized transporting vehicle.

Darby: Let's call the question.

Fricano: I just want to make a clarification because some things are being misstated. When you certify an ambulance, that only refers to the equipment certification on the ambulance. That's what that means. That the ambulance is properly equipped. Okay, that includes an EMT _____, the law specifically gives us the right to grant an exemption from the staffing standard, it doesn't mean the ambulance is not a certified ambulance for the equipment which is what that represents. It specifically – this is really no different than when the State arbitrarily _____ everybody's certification for 5 years. So, you know, look at that, I mean, in most states people don't have to go through this recertification process _____. We have a lot of issues in this State that are threatening our ability to move these patients. In Union Springs, probably 95% of their calls are ALS. They have automatic ALS response coming from Rural Metro in Auburn on virtually every call and they always bang out for local EMTs. These guys have been there for at least years, and they want to _____ and start transporting. And the way the law is written now, they can't, they have to sit and wait. _____ ALS unit hopefully it doesn't break down or get lost _____ to the hospital and that's the established principle. So

they're working right now very hard to try to get a course _____ CIC to teach it. So I just want to clarify the difference. It's not exactly –

Then again I still think it's very thin ice.

(_____)

Darby: Sue Derbyshire.

Derbyshire: I see us on a slope that's covered with ice here. It's a very nice thought to help this unit out, but the fact of the matter is we're here to give these patients who have no choice in who's coming to help them out to give them the best level of care that's available. You can have a certified ambulance, with every safety pin, every cravat and everything else, the EMT curriculum has changed so much since the last time these people probably took it, with nebulizers and all this other kind of stuff and they're not going to know what to do. We gave _____. It will take one weekend, maybe two to get these six people recertified.

Darby: Paul Cousins.

Cousins: This is kind of simple. These people aren't certified at all, but if they're expired, they're not CFRs, they're nothing -- we need to do something else for them. But we clearly need to help.

Darby: If you read the motion one more time.

Addario: Sure. Grant exemption for 12 months pending input from hospitals and municipalities in Cayuga County and _____ with the assistance of individuals from REMSCo _____

Darby: Okay, we'll do this by show of hands. All in favor of the motion signify by raising your hand. 7 for. Against the motion, raise your hands. 12. The motion is defeated. Anything further _____.

Addario: (_____) Received a response packet _____ it was submitted about 4:30, quarter of 5 tonight so we are going to do two things,

number one we're going to be scheduling a meeting next month to discuss this. It was also suggested because this is sort of a square peg in a round hole situation _____ able to review this so we're going to recommend we reach out to the State Department of Health and see if we can get an opinion as soon as possible so that we can forward these next month _____.

Darby: Questions for _____. Linda Foster?

Foster: What packet were you just talking about?

Addario: Upstate's response to _____

First of all I want to say it's no reflection on a negative vote to the committee I know you people did your work. Okay. Like I said before, we tend to blame committees and we shouldn't, but the fact that so many of us were concerned about legalities, all right, perhaps the committee, chair, or whoever could investigate truly what this is about with the State, all right. _____ clarification about the legalities of this. Could you come back with some more advanced answer?

You mean our _____

Not the Upstate thing, the exemption thing.

Correct.

_____ suggestion _____.

They can respond, they can't transport.

But I would suggest that we don't wait until our next meeting to resolve this _____.

But that plan of action, I'm sorry, the committee's role in that _____ clarification from Albany about the legality if people don't have a card treating patients.

Darby: And also to put Albany on notice that we need _____. Any other comments? Lee.

Price: I don't want to see it dropped because I think it's beginning of some other cascading effects. It sounds as _____ that there are other options out there when some of these rural areas, we've got to be cognizant of all the factors involved, and you may start to see a number of similar requests come to _____. By no means, should this be _____ we need to go forth and see what other options we've got _____.

Darby: Okay. Moving onto T&E? Lee Price.

Price: T&E. Seeing that June 30th has come and gone, we've had a group of sponsorship renewals come in, 4, 2 short forms, 2 long forms. With regards to short forms, TLC has submitted a short form renewal for its education sponsorship and comes from committee as a motion to _____

Darby: Okay, it comes as a seconded motion. TLC renewal of their course sponsorship. Any discussion on the motion? All in favor signify by saying aye.

(Ayes)

Darby: Opposed? Any abstentions? 1 abstention. Carried.

Price: The second short form, Syracuse Fire Department and their sponsorship renewal coming from the committee. We move that we recommend _____

Darby: Okay, Syracuse Fire Department renewal for the course sponsorship. Discussion on that motion? Seeing none. All in favor signify by saying aye

(Ayes)

Darby: Opposed? Any abstentions? Carried.

Price: The first long form renewal is from Tompkins-Cortland Community College and from the committee it comes with a motion for recommendation for approval.

Darby: TC3 for renewal. Any discussion on that motion? All in favor signify by saying aye.

(Ayes)

Darby: Any opposed? Any abstentions?

1 abstention.

Darby: 1 abstention. Carried.

Price: Our last long form was from Oswego County and this one the committee's recommendation for it be tabled because we had some very minor omissions having to do with the application, and we believe upon further review and verification that it may be questions of duplication and not questions of the application being incomplete. So we will hold off taking any action on that until we can get that cleaned up so that is tabled. And that's it for our sponsorship renewal. We also have some CICs who are requesting approval. The first one is Tim Gleason and motion is to recommend for approval.

Darby: Okay, Tim Gleason comes as a seconded motion from Training and Education Committee. Any discussion on that motion? That's a recommendation from the Region to the State. All in favor signify by saying aye.

(Ayes)

Darby: Any opposed? Any abstentions? Carried.

Price: We have another candidate for CIC, David Savola, from Rural Metro and motion is to recommend for approval by the State.

Darby: David Savola? Is that correct? For CIC. A seconded motion again from committee. Any discussion? All in favor signify by saying aye.

(Ayes)

Darby: Any opposed? Any abstentions? Carried.

Price: The last CIC candidate from Auburn, Matthew Pysnack. Recommendation from Committee to approve him to the State for CIC.

Darby: Okay, Matthew Pysnack. Comes as a second motion. Discussion on that? All in favor signify by saying aye.

(Ayes)

Darby: Any opposed? Any abstentions? Carried.

Price: Lastly just for information there is a _____ blue book there are a bunch of course applications within the region that have been submitted to us for upcoming courses late summer or fall time period, and I believe that's all I have from Training and Ed.

Darby: Any questions for Training and Ed? Moving onto Ways and Means. You've got in the hand-outs over there the Glow Golf event that's coming up in September and as we've already discussed it's the important the deal with these fund raising events in a positive way in the event that the State doesn't come through with our contract, this keeps us functioning and then we get caught back up on the contract. It's a fun event. It's now our sixth year doing it and of all the events that we've done this is probably the most popular and if you don't golf very well, this is the event you want to be in. Because you can't see that you don't golf very well. And for those that don't golf at all, the putt putt place is right there, too, and that's where you'll find yours truly. So put that on your calendar and see if you can get some teams out from the different agencies that starts some competition amongst, Bangs comes up all the way _____. Let's see if we can fill that course with a fun night, at the same time help keep us functioning during these short falls that we have sometimes in contract. Question, Linda Foster?

Foster: I have a question. Who designed the pamphlet for the Glow Golf?

Eckstadt: I did.

Foster: Tammy, I want to say it's a very good job.

Eckstadt: There's a date correction on the front of that. It is Friday, September 18th, not the 19th, and all the stuff is on the web so you can go there and take it out, take a look at it. The brochure is on there, the flyer is on there. Can I just add something, Warren?

Darby: Yes.

Eckstadt: This year also as part of the Glow Golf we're also doing the quilt raffle. As they said, you know, we need to get our funds in order, and the quilt is all done, it's up there, that's what it looks like, it's – we've been calling it the "Heroes Quilt". It's not EMS, it's not fire fighter, it's everybody. It's heroes, it is EMS, it's fire coverage. It's helicopters, it's CFRs, it's everybody. It has our logo on there, it has the New York State log on there. You can feel free to take a look at it. The black band that I put around it signifies fallen heroes. I think it's a pretty significant quilt myself, it's one of my better jobs, and whoever wins it is going to be nice and warm this fall.

Darby: Just picture yourself with your honey in front of the fireplace with that quilt.

Eckstadt: There's nothing like it. It's one of a kind.

Darby: Thinking EMS thoughts.

It's beautiful.

Darby: Okay, tickets are here tonight?

Eckstadt: Yes, we have tickets over on the table.

Darby: Okay. By-Laws, where are at with that, Troy?

Surprenant: Warren, we have to take a break.

A tape break.

Part II

Darby: Okay, back on tape. We're continuing the meeting by going into #6 on your agenda, County reports. Cayuga, Roman.

Rotko: Roman Rotko, Cayuga County. It's been kind of quiet. The fireworks were uneventful. We should have a great race coming up in 3 weeks. That's it. It's quiet.

Darby: Okay, any questions for Cayuga?

Yes, what can we do to get you an EMT course?

(_____)

_____ six people to come down here to take one, it seems like that's an issue.

We'll find _____

You said in a couple of weekends.

It can be done in 2 weekends, but that's kind of an immediate fix.

That fixes one agency for six EMTs. T&E, maybe we need to come together with a meeting with Cayuga to see if we can assist in some way as a region. Do you remember back when we were approving course sponsorships and we're asking if the course sponsorships could cross the county lines, specifically for this kind of issue. Maybe this is one of the times that we can use that.

Does Cayuga County have no sponsoring agency?

TLC, you're Cortland, right, as far as sponsorship?

They go in 4 counties if I remember correctly on their sponsorship. Is Patricia –

Yes, right here.

You do 4 counties.

We do 4 counties, that's correct.

And I believe that Cayuga is one of them.

Yes, it is.

So they do have a course sponsorship because they have asked for 4 counties, to serve 4 counties. It is one of the only sponsorships other than –

Oswego.

Oswego has only asked for Oswego, I believe, Pat, correct me if I'm wrong.

That's correct.

I think what happened back when we had all these course sponsorships come up _____ each course sponsorship name all the counties so that we could cross the lines.

That's right.

But not all of them kept it up because the ones that we reviewed, Tompkins has asked for Tompkins, Oswego has asked for Oswego, City Fire has asked for City Fire's area even though they have gone elsewhere and the only ones that have asked for more than one county was your course sponsorship. TLC has asked for 4 counties.

(_____)

Darby: Okay, so we will get together with Cayuga and see if we can resolve this for the region. Cortland County, Bob Duell.

Duell: Bob Duell, Cortland County. We had a basic EMT refresher and original course starting August 5th going through December 17th at TLC and the other major thing in our county is New York Jets football team coming to Cortland SUNY from approximately July 29th to August 21st. This has been a very

strenuous activity for the college to go through. A lot of renovations and updates, demands for them, but we hope that this is going to be a shot in the arm for the economic situation in the City of Cortland as well as the county. The EMS provider will obviously be TLC Ambulance, I don't know if Dave would like to speak more on that, on their plans. That's all to come starting this next week, and we're hoping it's going to be a good summer for that. That's all I've got.

Darby: Mr. Butler, you want to add to that.

Butler: I defer to Trish.

Hansen: Basically, we have been in conversation with the Jets and we are going to have a stand-by ambulance there during their practices. That's the only time they wanted an ambulance there. They practice twice a day for certain days and we'll have our duty rigs posted there as well as to cover when a stand-by ambulance isn't there. The stand-by ambulance is for the spectators. We have absolutely no idea how many to expect. The Jets seem to think up to 2,000 a day, and for the players. The players are unique. The trainers are going to start initial care to the players. They have the specialized equipment for players' helmets and then they will turn over care to our personnel if need be, continue care and take them right to the hospital. The hospital has made arrangements for the players to come in to a specific room to avoid media coverage, and other than being extremely busy in Cortland, the next couple of weeks, there are other activities going on in town as well, so it will be very busy. It was interesting is in order for any EMS personnel to be on the grounds they have to be in uniform with an ID. If they do not have a uniform and they don't have an ID and are involved in specialized events, we had to provide copies photographs of everybody who _____ anticipated would be on the grounds, but we're still not allowed in the secured Jets area. The Jets are setting up outside whirlpools and other things for the players so, you know, there are areas on campus where we are not going to be permitted _____ obviously.

Darby: It should be an interesting experience. David.

Butler: Those people that are interested in coming to see the Jets practice, it's a \$5 fee for parking. The admission is free. If anybody wants to come.

(_____)

Darby: Okay. Moving onto Onondaga County. Tony.

DiGregorio: Onondaga County, Tony DiGregorio. We have a couple of things. One, presently our EMS Advisory Board has changed over, a number of personnel that have been sitting on the board that served there more than their six year term, they're just 2 or 3 year terms, one of those being a physician from REMAC. Apparently Dr. Olsson has been gracious enough to serve at the pleasure of the County Exec, actually last night he gave us an additional 3 years. So I'm asking our chair from REMSCo to direct our chair of REMAC, which is a subcommittee from REMSCo to find a person to replace Dr. Olsson on the EMS Advisory Board so that we would be full staffed. From those that might be here from Onondaga, we're still looking for a civilian, and we're still looking for some representation from the east so if anybody is interested send me a letter saying, indicating their interest. The other thing I have, I noticed that ____ come in, he was here at the beginning, as Onondaga County EMS Director, I did receive a letter from Brian Dahl addressed to Andrew Johnson, Senior EMS Rep, requesting that they be authorized to include paramedic refresher courses in Cayuga. It did elude to the fact that since it was brought to this body and since I was the chair of Training and Ed at the time that Onondaga County as well as University Hospital, in the form of Jay Scott, had offered to help and assist in any way and so did Sue Surprenant, representing Central New York EMS when we met with them last December, and they indicate there are no ALS courses in Tompkins County and Onondaga County, but in looking at the applications that have been sent there is a paramedic refresher that will be starting in September of this year at University Hospital EMSTAT and there is an also an "I" intermediate original that is a course

sponsorship of SUNY EMSTAT with Onondaga County EMS to try to regionalize our training as was spoken here and also at other areas, and we're using EMSTAT for that as well. So there are a few ALS that we're still attempting to do, but we did encourage Cayuga to seek their own paramedic or ALS refresher. And, yes, we did offer to help. This is the first time I've seen anything as a request to assist them. I'll share this letter with you, but it was sent to myself as well as John Morrissey, Warren Darby and Sue Surprenant and I'll only bring it up from Onondaga County's report, not from the regional report. It's not coming from Training and Ed because it was not ALS training and ed, but they are trying to help themselves. They are trying to get course sponsorship for the paramedic refresher courses and they are asking Andrew Johnson to assist them. Onondaga is also going to be sponsoring in September, as I stated a couple of times in the other meeting, a large drill at the airport. Unfortunately it is in conflict with the opening of the Children's Hospital, and I would tell you, if you get the chance to go see the opening of the Children's Hospital, go there. I'm speaking out of turn and I'll be bitched at – probably slapped, however, the thing of it is is that the drill is there. I would like to think that those higher than my pay grade and Dr. Olsson's pay grade, which I'm sure they haven't, would talk and say that this is an important monumental time to show Central New York that we have a Children's Hospital and all the effort that University Hospital has put in and the community has put in to get such a facility here, should probably divert and put off to our rain date which is the following weekend the drill. That's fallen on deaf ears. If you've got any say there, go ahead and push it. I would avoid Syracuse on that day if they decide not to. If they decide to have them both going on, I would tell you to avoid the intercity because there's going to be a little traffic. That doesn't mean that the hospital _____. Open to any questions.

Darby: Questions for Onondaga County. We will work on the open seats for your advisory board.

DiGregorio: Thank you.

Darby: Oswego County, Pat.

Egan: Pat Egan, Oswego County. Just a couple of things, this Thursday starts our, not our, annual festival, Harborfest. EMS responsibilities, capabilities rest within the city limits, so I don't have much to report there except to invite you on up. And the only other thing as far as my correspondence is concerned, we have successfully experienced our first John Morrissey course sponsor audit for 2 long days. And we made it.

Darby: Congratulations. Any questions for Oswego?

Darby: Tompkins County, Lee.

Price: Minimal, both Groton and TC3 are starting classes in late August. They both will be posted on the web site. That's as much as I'll offer tonight.

Darby: Any questions for Lee, Tompkins County? Moving onto #7, Program Agency, Central Office. Sue?

Surprenant: As Warren has mentioned with the contracts, please support the fund raisers. Tammy and I would appreciate that, considering the state of New York State and Albany right now. We are having a CIC class that's scheduled for December 5th, 6th, and 8th. I'm happy to see that the 3 candidates that were just approved were actually from the previous one that we held so it's nice to see that we're getting more CICs in the region. We held 12 CME evaluator courses in May and we trained 127 new evaluators on the new scenarios and the new skilled sheets that were released. We also – for the month of June done 12 train-the-trainer classes for the new protocol roll-outs so there are 99 people that attended those 12 courses, and in turn will be bringing back the materials that were developed by Dr. Olsson and the Program Agency for the protocol roll-out, and will be training approximately 700 ILS and ALS providers during the month of July and August and protocol will be going live September 1st this year, and also we have Rural Metro, in previous meetings we approved EMS

Charts as an E product for this region. At the REMAC meeting on July 16th, this past Thursday they asked for approval to be able to Zoll in the region. It was approved by the REMAC along with the stipulation that there is a signed Regional MOU similar to what we've done with EMS Charts so this needs to come per the policy on electronic charts that needs to come to the Council for approval as well.

Darby: Okay, questions for Susie?

Darby: Warren, we will need a vote on the Zoll. We will need a vote on Zoll for approval.

Darby: Okay, coming from Central Offices a motion, that's not a seconded motion, so we will ask for a second to that.

DiGregorio: I'll second.

Darby: Tony D. Any discussion on the motion? Zoll.

Hogue: Troy Hogue, I just wanted to clarify. Troy Hogue from Rural Metro, I wanted to clarify that although Rural Metro is the only agency right now that is in agreement with Zoll to bring this product on, there are a number of other agencies that are talking with Zoll so this would not be an unique product that Rural Metro had. So we could approve everyone I guess.

Isn't the 911 Center looking at Zoll, too?

I can't comment on that _____.

The fire side.

Warren, _____ Rural Metro is _____ over to the Zoll _____ paperwork.

EPCR.

EPCR. I currently use that now _____. As most of you know, the EPCR makes things a lot easier. It's good quality software. The only thing that

I would recommend when you do it to find a good quality product to run it on. But the software in the chart is user friendly and for you guys I would recommend.

Darby: It's to have somebody come back home from Texas to tell us that. Any other discussion on the motion? Okay, all in favor signify by saying aye.

(Ayes)

Darby: Any opposed? Any abstentions? Okay. Dr. Olsson, Medical Director.

Olsson: Okay. A couple of quick comments about the last SEMAC in June. The Emergency Medical Services for Children met March 17th. They recommended that the SEMAC pass an advisory that all the ambulances in New York State carry a copy of their regional protocols on each ambulance, something to think about. The State Formulary, ketamine was added. We will see what that does over the next six months to a year. There is a motion underway, there are actually 3 separate groups of people that are developing State-wide ALS guidelines. None of the three groups are talking to each other. Surprise. Blood transport, the blood transport commission have the forms in the rough final draft, it still has to go to the blood transport approval committee people. Those agencies that are doing transports where you run up against needing to transport blood, you still have to have a registered nurse or no blood goes. Ongoing discussion regarding on-line medical control, who can do it. There are in areas of the State that use EMT-Ps to give medical control orders to EMT-Ps. There is discussions about nurse practitioners, PAs, etc. Chest pain centers, a while back you may recall that the STEMI centers were going to become vague, well, the New York Cardiac Advisory Council who by the way has not really defined what the name of these centers will be yet, are suppose to some final rough draft of operating procedures done this summer. Whether it's going to be STEMI, whether it's going to be PTCI centers nobody knows. Education, there was a discussion about a core content being done on

line. There is a consensus that it can be and should be done on line, however, the problem has to do with interaction. It has to be 2 way and the State has not as yet given any kind of blanket approval so there is still more discussion on that. The Office of Medical Malpractice, Office of OPMC is investigating outpatient physician office that are using moderate sedation which is defined as a patient who is less than conscious, but maintains their own airway. They are requiring that the hospital EDs notify the State when there are violations and bad outcomes, which trickles down to the fact that the EMS providers have to determine that a physician's office to providing moderate sedation and it's a complication. No one knows who is going to train the EMS community to recognize this so more to come. At the SEMSCo there was a discussion regarding EMS memorial, specifically criteria for application. Currently it reads, must have died in the line of duty. The question came about regarding an individual who died on their way home from a scheduled shift. Does that constitute line of duty? The sense goes that it did. I don't know how that is going to affect line of duty death in investigation, insurance and what not, but that is what the sense was. Vital Signs October 15th to 18th. As far as the REMAC, we are going to have to notify the physicians that there seems to be or we perceive anyways a lack of EMS agencies or crews getting the chart back to the physician for signature for a field termination. It still does require a signature. We changed some of the verbiage in the minimum equipment lists, policy statement 0001, if I got that right, to bring us more in line with what we're actually doing. We discussed at previous meeting policy statements, what was then 97-04 is now 09-04 which talks about medical direction. Spinal immobilization, you may recall that last summer the State came out with the fact that selective spinal immobilization training was going to be completed by 31 December '08, and it was up to the region to determine how it was going to be implemented. There was no mention on what to do with agencies who didn't do the training. So my feeling was that we needed to make sure that everyone got the training and so it was sent to the agencies and it was mentioned at every REMAC that when you complete

spinal immobilization training you will notify the region and at that point we will provide _____. The rationale was the fact that hospitals, hospital personnel and agency medical directors cannot keep track of who has completed the training and how hasn't, very simple. We have 50% or maybe 60% as of last month agencies in the region that have completed training. A suggestion and discussion was brought up at the REMAC that we should rethink this to look at the transporting agencies since they are in effect the ones that are going to be holding the bags so to speak. I've asked Susie to look at that and the intent that we will go live 1 September with selective spinal immobilization and we will notify the State of those agencies that have not completed the training. We will send out obviously very formal notification of the change and the implementation date so that there will be no question. Two areas that we did not talk about mostly because of my own whatever. We had trouble with QI issues in the last several months taking days and weeks in getting the incident reports, PCR's and all of the information sent back to the agency or the office so we can evaluate them. We will bring it up again at the next REMAC and finalize it, and my feeling is that when a provider and an agency have been notified of an investigation they will have 48 hours or 72 hours to get the information in. If the information is not received in the main office, the provider is automatically suspended if they are not suspended previously. Another thing that we need to talk about which we talked about briefly in the past is restructuring of the physician component of the REMAC that more adequately reflects the medical directors of the agencies that are actually out there providing care. There will be a physician roll-out for the update, it will include the same materials that the provider gets, plus the base station course, plus the selective spinal immobilization. We are also going ask that every ED supply the Regional Office with a list of all the physicians that are currently working. This will for the first time allow us to track which physicians in the region are actually doing the base station course and actually have some idea of what the protocols are. I think that's it in a nutshell.

Darby: Questions for Dr. O? Thank you, Doctor.

Coordinators' reports.

Surprenant: Colleen is at the Fire Academy until Thursday studying hard. So right now the coordinators are going to work on call-outs in Oswego, Onondaga, Cortland and Tompkins County. They've also been assisting with the CME evaluator roll-outs as well as the train-the-trainer classes. So between those 3 they have been quite busy in the last couple of months.

Speak up, Sue.

Surprenant: That's it for my report. Short and sweet.

Darby: Questions for Susie? PAD and Epi report, Tammy.

Eckstadt: Tammy Eckstadt with PAD and Epi report. We have 6 new sites for our PAD agencies, bringing the total up to 410. We've got Mexico Point Park in Oswego, Delphi Falls Fire Company in Onondaga County, Mohawk Global Logistics in Onondaga County, the Caroline Center Church in Tompkins County, JPW Structural Contracting, say that 10 times fast in Onondaga County, Baldwinsville Volunteer Fire Company in Onondaga County. The updates on the Manlius Police Department, Catholic Charities, Toomey Residential and Community Services. So that brings a total in Cayuga County of 41, total in Cortland County of 27, total in Onondaga County of 256, total in Oswego County 52, Tompkins County 34, and on the last page of PAD/Epi report is a new mock up of the quality assurance report. It's kind of an easier way, I hope, the spreadsheet. It's a little easier way to look at all of the PADs that have been reported for use since the last meeting. any feedback that would be great. Also, on the PAD report there are still quite a few that say, like no file, not on DOH, I am beginning to work on those, because of the CME evaluators stuff and the protocol roll-out and the train-the-trainer I just haven't had a chance to get to this stuff yet since the last meeting, but I'm going to make it a point to get these things going and get them scared away starting this week.

The epi pen report, we don't really have anything new. Again with this month's -- I have not had the chance to work on it, I'm going to work on it this week and get going on that so everything should be up to date next time or hopefully. That's all I've got.

Darby: Questions for Tammy? Appreciate your diligence on correcting our files to the State files and vice versa so it's the same data in both locations. New York State Council did meet back in June. The minutes will be coming out in the near future, we'll put it out in the blue book. The next meeting is in September. The committees are meeting on September 8th and the Council meeting is September 9th. If you remember --

It's not --

The 2nd and 3rd, that's a change of date on that.

The 8th, 9th doesn't look right.

Darby: Okay, the 2nd and 3rd has been corrected, which is before the holiday, Labor Day which is the 7th this year, the latest it comes. Smack, dab during the State Fair activities.

At least it's not on September 11th.

Darby: That's true, it's not conflicting with REMSCo. We're welcome to be a part of that. It's at the Crowne Plaza Hotel in the heart of downtown Albany. New York State Health Department, I do not see a representative here tonight, so we will move on to old business. Troy, by-laws, where are we at with by-laws?

There is one piece of input that the By-Laws Committee is waiting for which is _____ Dr. Olsson and REMAC is working on that, that's the restructuring of that subcommittee. I am meeting with legal counsel on Wednesday to go through the draft that we have up to this point. After we get that feedback from legal counsel, I'll distribute her comments and the draft document to the committee.

Darby: That's tomorrow or next Wednesday?

I'm sorry, next Wednesday.

Darby: Next Wednesday, thank you. Other old business? Going onto New Business, Treasurer's report. It's coming around in the blue books and I'm looking for a motion to accept. Moved Roger Paolini, second Paul Cousins. Any discussion the Treasurer's Report? All in favor signify by saying aye.

(Ayes)

Darby: Any opposed? Any abstentions? Carried. Other new business, Linda Foster.

Foster: I recently bought Roberts' Rules of Order _____ and I suggested _____ and made the suggestion that Penny Shutts, and Warren was about to say the name, also, so I'm throwing it out there. I'd like to make a motion that we have a parliamentarian at each meeting. Do we want to ask Penny _____.

Darby: I think that it could be an appointment for which we can do by motion if you want.

Foster: Well, I'm just going to make a motion that we have a parliamentarian at every meeting.

Darby: And do we have a second to that motion? Roberts' Rules needs a second. Roger Paolini. We do have from Barnes & Noble, the book and the quick cheat sheet chart for whomever is going exercising the parliamentarian role, and I don't know about -- I could speak to Penny afterward to see if she would be willing to accept this task. There is not a lot of pictures, I'll tell you that already. But it's an important role, because there are times when we need to say what is the proper way of handling a particular situation and to have this data available would be very helpful. So, Lee.

_____ is another reference of material we get the rules of New York State Senate and study those at the same time.

(_____)

Darby: I think we should appoint Lee to do that.

(_____)

Darby: Under New Business –

(_____)

We have a motion on the floor.

Darby: I'm sorry, you're right, you're right. Hold me to the fire. No further discussion, I'll call the question. All in favor of having a parliamentarian with this material at each meeting signify by saying aye.

(Ayes)

Darby: Any opposed to that? Any abstentions?
Carried. Penny, you and I need to talk. Any other new business?

Foster: Warren.

Darby: Yes.

Foster: I just have a quip since you're talking about how things should be done. We really should vote on receiving the Treasurer's Report and not accepting it. That means that you take responsibility for it and it should – the audit should be accepted. The report each month should be received.

Darby: Which is in Robert's Rules I've just been told. Thank you.

I do this.

Darby: Thank you very much. Use the term receiving. Any other new business? David Butler.

Butler: I think we need to address the whole issue of the associate member. I know it's not going to be a

good subject to bring up, but it has caused some problems for us at today's meeting and are we exposing these associate members to any liability. Currently Article XXX covers us as permanent members of any liability. Maybe we need to eliminating the associate membership.

They don't have voting powers so they don't have any responsibility.

Butler: Then why do we have them. While you do something out there, they say I'm an associate member of the Central New York Regional Council, they have no protection. If they get hurt coming to one of these meetings, they have no protection, we do as permanent members. That came up at the last program agency meetings and we discussed this, and we talked to the insurance adjustor, the insurance man, and he wasn't sure. You know, I just want to throw that out because I think we have some liability out there.

Darby: So the question we asked the insurance guy is, can we cover them or is there a reason why we need to cover them as associate members. We've already visited tonight the reason why we have associate members of this Council. We don't need to revisit that I don't think. Lon?

Fricano: Well, I did a little research on this, also, after this issue surfaced. I send an email to Lee Burns almost 2 months ago now right after that meeting, still haven't heard back from him. They couldn't answer the questions. For example, we're being web casted. An associate member says something during a web cast and it influences the action of the Council and some entity before the Council has a negative outcome as far as they're concerned to proceed. We as permanent members of the Council have legal indemnity. An associate member is something we've created so they have no legal indemnity. In fact, they could be sued and held personally responsible for what they did affecting the actions of the Council which is why the Council has legal immunity. Now, we have a current example of exactly that situation with the Air Medical problem. They tried to sue the

Regional Council, they can't do that, but who are they suing. They're suing TLC who is an associate of the Council for the purpose of a clearinghouse. So we have to mount a legal defense because the Council asked TLC to be the clearinghouse. It could have happened in the Rural Metro base or whoever makes it next, and we have to mount a legal defense on behalf of TLC because they're doing something for the Council, but they don't have statutory immunity as Council members do. So do our associate members realize that they may be at personal risk for their activities, for their actions in committees, for their actions on the web cast. It was something that we never thought of before. Is that fair to them? Because let's say an associate member took a position and strongly influenced the county and they got sued. Even if we wanted to provide them with a legal defense which I'm sure we would that doesn't mean we'll win, and they could still wind up with a judgment against them if we they lose or we lose in court. So that's an issue. From my understand is that the by-laws amendments that are currently being looked at is giving associate members a vote in committee which is pretty putting them in a position to vote on official matters before the Regional Council. So I posed those questions to the State and said is that okay, can we do that? They're researching it, they can't answer the question off the bat, but it didn't sound very promising.

Either did our insurance company.

Fricano: Well, right. In fairness to the people that come, the associate members, who may be being exposed to a legal risk, maybe we shouldn't classify them as a quasi-member of the Council. Maybe they should just be public members who come to a Council meeting, who get to make their comments in each committee and each meeting under public comments section so that they're not exposing themselves to liability as a quasi-Council member with no legal protection.

Darby: Penny Shutts.

Shutts: This is a public meeting and we welcome guests that are not members of the Council and just as an example tonight, he made a comment about the Zoll PCR with his experience which could have in the same respect influence the vote of this Council given his point of view and we accepted that. Anybody, this is a public meeting, does that mean we don't accept any information or we don't allow somebody who is not a member to even give input of anything for that same reason that they may be liable later?

Not at all. But they can wind up voting as a proxy on Council business, but not members of Council. There are large implications, and hopefully nothing would ever happen, but in our meeting currently, something is happening. An associate of this Council is being sued for Council business.

They're not an associate member.

They're not an associate member.

(_____)

It's a real difficult thing to discuss because like Penny said they are valued people that come here and give us input, that information is very valuable to this Council. However, you've got to look at reality and we got sued for something that we're doing. TLC got sued for something that we're doing for free for the Regional Council and trying to do the right thing. We can't ask people to come here and we bless them as an associate member and allow them to get sued. It's just not fair and that's the only reason I bring this up. I could care less if we have associate members, but in fairness to somebody like Chris Bitner, he's a great resource for information. He gives us a lot. Is it fair to get Chris sued? He can give us the same information as a member of the general public --

How is that going to be any different whether they're an associate member --

Because we're blessing them with a title. He's the general public.

He's part of the Council.

Darby: Okay, Mike Addario.

Addario: I don't know if any of us in this room are qualified to render a legal opinion on whether or not an associate member is legally responsible for _____. I guess I would make a suggestion that once again refer that to legal counsel _____ associate members. Obviously there is a historic pattern there using associate members _____.

Can you speak up?

Addario: None of us here really have a legal background _____ Department of Health _____ and associate members are in our by-laws _____ so I'm not sure if that connects them or not. _____ I would suggest that we ask our – ask an expert.

Darby: We've asked the experts and the answers aren't back yet, that's all. I think we should hold the discussion any further until we get some appropriate counsel from the insurance guy, from the State and from legal counsel and then we can make an appropriate decision on this. Sue?

Addario: Your insurance guy, you've got to look at the policy, and I would be glad to look at it for you guys. Because you're talking two different things and you're talking about general liability, slipping and falling, Chris on his way here, Chris on his way home, but there is no policy on the face of the earth that's going to insure Zach – what he said today or he made the recommendation – it won't go, there is no such policy. It has be blatantly liable against somebody which it was not, but I would be glad to look at the policy because that insurance guy probably didn't even write it to start – I mean it's got to have a workman's comp episode to it, you know, if go out and kill somebody on your way home, but there is really no coverage for what we say as long as we're saying it in good faith or you give an opinion or like what I said before, nobody can come back and see me for what I said. It just won't go.

Darby: Susie?

Surprenant: I agree with what Mike is saying that right now we don't have an opinion back from DOH. I think Troy meeting with counsel next week is a perfect opportunity to ask that question and the third having spoken to our insurance rep who was suppose to be here today actually stated that he is still investigating it and talking with the underwriters, who does not have all the answers to our questions that the Board posed to him so before he gives his opinion to us, he wants a complete package and then he will give that to us.

Darby: Okay. So the recommendation is that we continue this discussion, but with the appropriate information. Any other new business for the good of the order? I'd recognize that our member, Harry Lynn, is back, and he is functioning 100% he says with no restriction and that's answer to prayer. Harry, welcome back.

(Clapping)

Darby: And also I talked to Sandy and Andrew is doing better for those you _____, keep her in your thoughts and prayers. Is there anything else for the good of the order?

Fricano: Motion to adjourn would be a good thing.

Darby: That would be for the good of the order. Lon has a motion. _____ second. All in favor?

(Ayes)

Darby: Any opposed?