



State of Louisiana

Louisiana Department of Health
Office of Public Health
Bureau of Emergency Medical Services

Emergency Medical Services Certification Commission
7273 Florida Blvd
Baton Rouge, LA 70806

Minutes June 25, 2021

- 1) **Call to Order:** Chairman Jeffrey Elders, M.D. at 9:05a.m.
- 2) **Roll Call**

Commissioner Name		Commissioner Name	
Jeffrey Elder, MD, Chair	Present	Meghan Marino, MD	Virtual
Ryan Brown, Vice Chair	Present	Adam Oliver	Absent
Christopher Mixon	Present	Barbara Sellers	Present
Tammy Gray	Present	Lance Stuke, MD	Present
Toby Henry	Absent	Jeffrey Watson	Present
Jeffrey Kuo, MD	Present	Tracy Wold	Present

Quorum Yes

Bureau of Emergency Medical Services Staff

Susan Bailey, Director	Present
Stacy Barbay, EMSCC Facilitator	Present
David McKay, Bureau of Legal Services, DHH Attorney	Present

3) Approval of Minutes

The April 23, 2021 meeting minutes were approved with the reading waived. Motion made by Chris Mixon and 2nd by Jeff Watson Motion carried unanimously.

4) Formal Disciplinary Proceedings

Name	Violation	Action
William Davis	<ul style="list-style-type: none"> • LAC Title 46 Part XXXVIII §503 (D)(3)(q) Use of or being under the influence of alcoholic beverages, illegal drugs or drugs which impair judgment while on duty. • LAC Title 46 Part XXXVIII §503 (D)(3)(h) Improper use of drugs, medical supplies or equipment, patient's records, or other items 	Did not attend

	<ul style="list-style-type: none"> • LAC Title 46 Part XXXVIII §503 (D)(3)(i) Misappropriating items of an individual, agency, or entity. • R.S. 40: 1133.7 (9) Unprofessional conduct. • LAC Title 46 Part XXXVIII §503 (D)(3)(c) Failure to utilize appropriate judgment. • LAC Title 46 Part XXXVIII §503 (D)(9) Has violated any provision of Subpart 1. Rules of Procedure of LAC Title 46, Part XXXVIII. • R.S. 40: 1133.7. (3) Is unfit or incompetent by reason of negligence, habit, or other cause. 	
<p>Lillian May</p>	<ul style="list-style-type: none"> • LAC Title 46 Part XXXVIII §503 (D)(3)(a) Failure to practice EMS in accordance with the standards of EMS practice. • LAC Title 46 Part XXXVIII §503 (D)(3)(k) Failure to act, or negligently or willfully committing any act that adversely affects the physical or psychosocial welfare of the patient. • LAC Title 46 Part XXXVIII §503 (D)(3)(c) Failure to utilize appropriate judgment. • R.S. 40: 1133.7 (3) Is unfit or incompetent by reason of negligence, habit, or other cause. • LAC Title 46 Part XXXVIII §503 (D)(9) Has violated any provision of Subpart 1. Rules of Procedure of LAC Title 46, Part XXXVIII. 	<p>No Action</p>
<p>Adrianna Moore</p>	<ul style="list-style-type: none"> • R.S. 40: 1133.7 (11) Abandonment of a patient. • LAC Title 46 Part XXXVIII §503 (D)(3)(a) Failure to practice EMS in accordance with the standards of EMS practice. • LAC Title 46 Part XXXVIII §503 (D)(3)(k) Failure to act, or negligently or willfully committing any act that adversely affects the physical or psychosocial welfare of the patient. • R.S. 40: 1133.7 (15) Intentional falsification of any document related to license, emergency medical services education, or related to the care of the patient. • LAC Title 46 Part XXXVIII §503 (D)(3)(c) Failure to utilize appropriate judgment. • R.S. 40: 1133.7 (3) Is unfit or incompetent by reason of negligence, habit, or other cause. • LAC Title 46 Part XXXVIII §503 (D)(9) Has violated any provision of Subpart 1. Rules of Procedure of LAC Title 46, Part XXXVIII. 	<p>Probation until March 31, 2024 and \$50 fine</p>

<p>Rachelle Lewis</p>	<ul style="list-style-type: none"> • LAC Title 46 Part XXXVIII §503 (D)(2) Is guilty of a felony or is convicted of a crime or offense which reflects the inability to practice EMS with due regard for health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding, including, but not limited to, expungement, non adjudication or pardon. • R.S. 40:1133.7 (14) Has violated any rules and regulations of the commission or the bureau or any provision of this subpart. • R.S. 40:1133.7 (3) Is unfit or incompetent by reason of negligence, habit, or other cause. 	<p>No Action</p>
<p>Jennifer Mahfouz</p>	<ul style="list-style-type: none"> • LAC Title 46 Part XXXVIII §503 (D)(2) Is guilty of a felony or is convicted of a crime or offense which reflects the inability to practice EMS with due regard for health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding, including, but not limited to, expungement, non adjudication or pardon. • R.S. 40:1133.7 (14) Has violated any rules and regulations of the commission or the bureau or any provision of this subpart. • R.S. 40:1133.7 (3) Is unfit or incompetent by reason of negligence, habit, or other cause. 	<p>Probation, two cycles, upon licensure</p>
<p>Aaron McManus</p>	<ul style="list-style-type: none"> • LAC Title 46 Part XXXVIII §503 (D)(2) Is guilty of a felony or is convicted of a crime or offense which reflects the inability to practice EMS with due regard for health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding, including, but not limited to, expungement, non adjudication or pardon. • R.S. 40: 1133.7 (4) Is habitually intemperate in the use of or abuses alcohol or habit-forming drugs. • R.S. 40:1133.7 (14) Has violated any rules and regulations of the commission or the bureau or any provision of this subpart. • R.S. 40:1133.7 (3) Is unfit or incompetent by reason of negligence, habit, or other cause. 	<p>Probation until 3/31/2024, must participate in a support program and submit quarterly documentation as well as a quarterly certified drug screens. All documentation to be submitted via BEMS IMS</p>

Jacob Pennison	<ul style="list-style-type: none">• LAC Title 46 Part XXXVIII §503 (D)(2) Is guilty of a felony or is convicted of a crime or offense which reflects the inability to practice EMS with due regard for health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding, including, but not limited to, expungement, non adjudication or pardon.• R.S. 40:1133.7 (14) Has violated any rules and regulations of the commission or the bureau or any provision of this subpart.• R.S. 40:1133.7 (3) Is unfit or incompetent by reason of negligence, habit, or other cause.	Probation, two cycles, upon licensure
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5) Recurring Business

- a) Review of EMS Practitioner Disciplinary Decisions
 - i) Review Deferred Decision Matrix and Review Panel decisions since last meeting. Approved and ratified.
 - ii) Review canceled applications: 14 applications have been cancelled. Approved.
- b) Scope of Practice
 - i) Ryan Brown: Should there be a change to the scope of practice to deal with pediatric Epi? After discussion by the Commission, no.

6) Old Business

- a) Public Record Requests for EMS Practitioner Data
 - i) David McCay: Waiting on the sign off by Asst. Secretary for formal opinion request.
 - ii) BEMS: Request made to IMS programmer for next update to add a box to choose that information be public or private and record personal vs business address
- b) Substance Abuse/PTSD Treatment Programs Work Group Report
 - i) Tabled
- c) Driver to EMT Transition
 - i) Chris Mixon update: Proclamation expired and EMR classes were taught
- d) Students allowed into Court Prior to Student License Approval
 - i) BEMS: More information will be disseminated to programs prior implementation of new procedures for Compact and background checks
- e) Anonymous Complaints
 - i) David McCay discussion:
 - (1) Does a person that have right to face their accuser?
 - (2) Most states ask for names
 - (3) Historically anonymous complaints are not accepted
 - (4) David's recommendation is to not accept anonymous complaints – there is not ability to protect the information
 - (5) Add on complaint form that name will be released but not address, email address or phone number

- (6) Request for formal legal opinion: Can BEMS/EMSCC withhold name and contact information of the complainant to give to the respondent. Can BEMS/EMSCC receive an anonymous complaint?

7) New Business

- a) BLS and ALS Treatment (Ryan Brown) – Can BLS provider take a patient from an ALS provider after treatment by ALS provider has initiated treatment? This would be a local service policy.
- b) Commissioner's Efficiency Ideas (Jeffrey Watson)
 - i) Review panel members will introduce the formal hearing cases when heard by the Commission.
 - ii) Commissioners should be familiar with the cases prior to the start of the meeting.
- c) CoAEMSP announcement (Susan Bailey)
- d) Ketamine bill (Susan Bailey)

8) Next Meeting: August 20, 2021

- a) Request to change October Meeting Date: Email to poll Commissioners will be sent.

9) Adjournment: Motion made by Jeff Watson and seconded by Chris Mixon carried unanimously to adjourn at 2:40pm