



**State of Louisiana**  
Louisiana Department of Health  
Office of Public Health  
Bureau of EMS

**Emergency Medical Services Certification Commission**  
**Meeting Minutes**  
September 06, 2019

**Call to Order**

Chris Mixon, as the only EMS Certification Commission officer present, called the meeting to order at 9:23 a.m, Chris welcomed Dr. Elder to the committee after his re-appointment. Toby Henry made a motion to change the order of business and to add the discussion of election of officers as the first item on the agenda. Ryan Brown seconded the motion and it was passed without opposition.

Nominations were as follows:

- Chair: Chris Mixon made the motion to nominate Dr. Jeffrey Elder, Tammy Gray second and was approved without opposition. The meeting was turned over to the Chair, Dr. Elder.
- Vice Chair, Jeff Watson made the motion to nominate Ryan Brown, Tammy Gray second and was approved without opposition.
- Secretary, Ryan Brown made the motion to nominate Chris Mixon, Ryan Brown second and was approved without opposition.

**Roll Call**

**Commissioner Name**

Christopher Mixon, Secretary	Present
Jeffrey Elder	Present
Ryan Brown	Present
Tammy Gray	Present
Toby Henry	Present
Dr. Jeffrey Kuo	Absent

**Commissioner Name**

Travis Schulze	Absent
Barbara Sellers	Absent
Dr. Lance Stuke	Absent
Jeffrey Watson	Present
Megan Marino	Absent
Tracey Wold	Present
Quorum	Yes

**Bureau of Emergency Medical Services Staff**

Susan Bailey, Director	Absent
Stephen Phillipe Deputy Director, EMSCC Investigator	Present
Stacy Barbay, Recorder	Present
David McKay, Bureau of Legal Services, DHH Attorney	Present

**General Public Attendance**

Curry Landry, Louisiana Ambulance Association

**Approval of Minutes.**

after the elimination of the entire paragraph regarding executive session prior to the section labeled disciplinary proceedings, Chris Mixon made a motion to accept the previous meeting minutes from the June 14, 2019 meeting as written, Ryan Brown seconded and the motion was passed without opposition.

**Formal Disciplinary Proceedings**

<i>Individual Information and Allegation</i>	<i>Violation(s)</i>	<i>Actions Taken</i>	<i>Motion</i>
<p><b>Cardarius Davis (LA19-349):</b> You CARDARIUS DAVIS self reported the following: I was arrested in May 2018 at the age of 17 (juvenile) for possession of marijuana, with intent to distribute, improper lane usage, illegal carrying of a weapon. The following charges were filed against me:                      1.R.S. 40:966 (felony) Manuf./distribution/possession of a schedule 1; possession of marihuana                      2.R.S. 14:95 (felony) illegal carrying of weapons                      3.R.S. 32:79 driving</p>	<ul style="list-style-type: none"> <li>• LAC Title 46 Part XXXVIII §303(A)(1) Knowingly falsifies any documents submitted to the bureau, commission or the EMS educational facility.</li> <li>• 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.</li> <li>• LAC Title 46 Part XXXVIII §503 (D)(3) Is unfit or incompetent by reason of negligence, habit, or other cause.</li> </ul>	<p>Allowed to complete clinical work in the course however he must have an expungement for 2019 charges before can be licensed.</p>	<p>Jeff Watson made a motion that Mr. Davis be allowed to conduct clinicals while in school but must have the 2019 expungement documents before he can license as an EMS professional. Tammy Gray seconded and the motion was passed without opposition.</p>
<p><b>Aaron Billiot Jr. LA16-019745:</b> On 4/17/2019 he acted outside the scope of practice of a Paramedic student during a clinical rotation.</p>	<ul style="list-style-type: none"> <li>• LAC Title 46 Part XXXVIII §503 (D)(3)(c) Failure to utilize appropriate judgment.</li> <li>LAC Title 46 Part XXXVIII §503 (D)(3)(g) Performing duties and assuming responsibilities within the scope of the definition of EMS</li> </ul>	<p>No action. No violation of the Louisiana Scope of Practice,</p>	<p>Ryan Brown made a motion to take no action as there was no violation of the scope of practice. The motion was seconded by Tracy Wold and passed without opposition.</p>

	<p>practice when competency has not been achieved or maintained, or where competency has not been achieved or maintained in a particular specialty.</p> <ul style="list-style-type: none"> <li>LAC Title 46 Part XXXVIII §503 (D)(3)(f) Performing procedures beyond the authorized scope</li> </ul>		
<p>Jeff Watson made a motion, Ryan Brown seconded to add David Curtis to the Disciplinary Proceedings.</p>			
<p><b>David Curtis</b> (123106), You, reported the following: I was arrested in May 2018 for possession of marijuana, with intent to distribute schedule I narcotics, possession with intent to distribute schedule II narcotics, possession with intent to distribute schedule III narcotics, illegal carrying of a weapon. The following charges were filed against me:</p> <ol style="list-style-type: none"> <li>R.S. 40:966 (misdemeanor) Manuf./distribution/possession of a schedule 1; possession of marihuana</li> <li>R.S. 40:966 (felony) Manuf./distribution/possession of a schedule 1; possession of marihuana</li> <li>R.S. 40:1023 (misdemeanor) Manuf./distribution/possession of a schedule 1; possession of marihuana</li> <li>R.S. 40:968A (misdemeanor) Manuf./distribution/possession of a schedule 1; possession of marihuana</li> <li>CCRP Theft of goods</li> <li>R.S. 14:95E (Felony)illegal carrying of weapons</li> </ol>	<ul style="list-style-type: none"> <li>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.</li> <li>LAC Title 46 Part XXXVIII §503 (D)(3) Is unfit or incompetent by reason of negligence, habit, or other cause.</li> <li>LAC Title 46 Part XXXVIII §503 (D)(4) Is habitually intemperate in the use of or abuses alcohol or habit-forming drugs.</li> </ul>	<p>Denied ability to complete clinicals and cannot reappear to the EMSCC for two years.</p>	<p>Tracy Wold made the motion to deny Mr. Curtis the ability to complete clinicals and he cannot reappear to the EMS Certification Commission for two years. Jeff Watson seconded the motion and there was no opposition.</p>

**7. Recurring Business**

- EMS Professional Discipline and Review of Decisions**
  - The committee discussed the procedure to hear, review and ratify cases. The Administrative Rule was reviewed and cited by David McKay. A

request was made to forward the Decision Matrix to the Commissioners for review, Chris Mixon will share his google documents folder with the committee.

- **Scope of Practice for EMS Professionals**

- Chris Mixon reviewed the minor amendments to the Louisiana Scope of Practice that were previously emailed to the committee. There were no objections to the amendments. Chris Mixon made a motion to accept the Louisiana EMS Scope of Practice as submitted. Toby Henry seconded the motion and was passed without opposition. (Attached) The revised Scope of Practice document will be posted to Bureau of EMS website, the LA Boards and Commission website, and distributed to the Task Force and Bureau of EMS instructors and agencies. The committee discussed training, verification, documentation and testing of the skills noted as optional modules for each level and more specifically Advanced EMT. Dr. Elder requested the Bureau of EMS look at the issue and what requested the Bureau offer recommendations on would be feasible from an operational level (i.e. can add as education credit via roster, testing can be loaded into the BEMS Information System and will follow the practitioner and be viewed by public record) for the Commissioners to review.

**8. Old Business**

- **Policy and Procedure Manual** Concern regarding the Policy Manual was expressed and there has been a request to schedule a meeting with Steve Russo, Executive Council at Louisiana Department of Health, to discuss. David McKay has requested a copy for review as well as it was requested that a copy be sent to the new commissioners. No action taken.

**9. New Business**

- **Process to Appear before Commission** The commission discussed the ability to hold settlement conferences to assist in hearing cases in a timely manner. Steve Phillippe reported there are 47 people still waiting paperwork to be submitted. The Administrative Rule explains the process of how cases should be processed. Chris Mixon asked for Steve's input regarding areas of concern that Steve may have utilizing the matrix and requested Steve to bring to the commission the items he needs additional clarification. The commission requested Steve to treat all notifications/reports from companies as formal complaints even though they may not be reported on a "complaint form" and if the report meets the standards to be processed through the decision-making matrix or brought before the commission.

The committee briefly discussed mandatory reporting from other EMS professionals. Dr. Elder asked if there are any cases that Steve is unsure about to please contact Dr. Elder to discuss. Steve will process the three cases that he received from an EMS agencies for the next EMSCC meeting. The Commissioners discussed the process to share disciplinary case information prior to the meeting. David McKay explained that the information can be shared prior to the meeting however the respondent must also receive a copy at the same time (2 weeks before). The documents collected for the case should be

shared with the commission with no conclusions or recommendations noted. The Commissioners agreed that utilizing the Louisiana Bureau of EMS SharePoint site would be the most secure to review the documents. Steve noted that he will upload the documents as he receives them and will notify the Commissioners two weeks before the meeting to review the documents. If documents are received less than two weeks prior to the meeting, exceptions should be made to review the documents and hear the case. Documents that the respondent does not produce should be sent out two weeks before and by certified mail in PDF form to the respondent.

### **Next Meeting**

The next meeting will be held November 1, 2019 at 9:00 a.m. at the Bureau of Emergency Medical Services office as the committee voted not to meet in October 2019 and the dates are no longer on the second Friday of even numbered months.

The following dates were agreed upon by the committee members present:

- November 1, 2019
- December 13, 2019
- February 7, 2020
- April 17, 2020
- June 26, 2020
- August 21, 2020
- October 16, 2020
- December 11, 2020

The Emergency Medical Service Certification Commission would like to recognize Dr. Miletello's service to the EMS community and the great loss to the EMS profession.

### **Adjourned**

Chris Mixon made a motion to adjourn the meeting at 12:53 p.m., Ryan Brown seconded and the motion was passed without opposition.