

THE REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL OF NEW YORK CITY, INC.

Regional Emergency Medical Services Council of New York City

September 20, 2016

The Regional Emergency Medical Services Council of New York City met on September 20, 2016 at 6:00 PM, at the Offices of the Regional EMS Council, 475 Riverside Drive, New York, New York.

Organizational Members		Present	Absent
Chevra Hatzalah Volunteer Ambulance Corp	1. Dov Jacob Alternate, Ari Weisz	X	
Fire Department, City of New York Emergency Medical Services	2. Chief Janice Olszewski, EMTP Alternate, Chief James Booth	X	
	3. Chief Christine Mazzola, EMTP Alternate, Bradley Kaufman, MD		X
Greater New York Hospital Association	4. Patrick Meyers Alternate, Alison Burke	X	
	5. Dominick Battinelli, EMTP Alternate, William Goffin, EMT	X	
New York City Health & Hospital Corporation	6. Joseph Marcellino, MPH, EMTP	X	
New York City Office of Emergency Management	7. Mordechai Goldfeder, EMTP Alternate, Johanna Miele/Peter Bojmal	X	
New York City Police Department	8. PO Daniel Rodriguez Alternate, PO John Johnstone	X	
NYS Volunteer Ambulance & Rescue Association, Inc. Dist 4	9. Ryan Gunning, EMT Alternate, James Downey, MBA, EMT	X	
NYS Volunteer Ambulance & Rescue Association, Inc. District 18	10. Brenda Morrissey, EMTP Alternate, Christopher Legaz, EMT		X
REMAC NYC	11. David Ben-Eli, MD	X	

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Organizational Members <i>(continued)</i>		Present	Absent
United New York Ambulance Network	12. Michael Raiola, EMT Alternate, Scott Orlanski, EMTP	X	
	13. Joshua Hans, EMTP Alternate, vacant	X	
At-Large Members		Present	Absent
14.	Vincent Barranco, EMTP	X	
15.	Scott Chiang, EMTP	X	
16.	Robert Crupi, MD		X
17.	Joseph A. DeMorato, EMTP		X
18.	Rachel E. Freier, Esq., EMT	X	
19.	Jerrold Gelbard, EMTP		X
20.	Jerry Gombo	X	
21.	Martin Grillo, EMTP	X	
22.	Sean Graves	X	
23.	Yedidyah Langsam, PhD, EMTP	X	
24.	Mordechai Lax, EMTP	X	
25.	Mitchell S. Powell, EMTP	X	
26.	Michael Vatch, EMTP		X

Staff

Nancy Benedetto, Executive Director Administration
 Marie Diglio, EMTP, Executive Director Operations
 Joseph Raneri, Disaster Preparedness Coordinator

Guests

Mark Ayuyao, Mount Sinai Health System
 Nicole DeSalvo, NYUHC
 Christina Distefano, NYUHC
 Dales S. Garcia, NYUHC
 Shannan Greaves, Hunter Ambulance

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Amy Horrocks, NYUHC
Joseph Itzkowitz, Emergency Care Programs, Inc.
Dennis Laurie, NYUHC
Michael Linehan, NYS DOH EMS
Angelo Oliva, NYUHC
John Warwick, Bed-Stuy VAC

The meeting was called to order at 6:30 PM by Yedidyah Langsam, PhD, EMTP, Chair. Meetings of the Regional EMS Council are recorded to comply with the Governor's Executive Order #3 to web cast meetings. A roll call attendance was conducted; a quorum was present. A stenographer was present to record the meeting to meet statutory requirements of Transfer of Operating Authority procedures.

Voting rules. A quorum is based on the number of voting seats – whether those seats are filled or vacant. Currently, REMSCO has 26 voting seats, so when voting, a majority of members must vote in the affirmative to pass any motion. That means, 14 votes in the affirmative are needed to pass any motion.

Committee members present were asked if they had comments, questions or corrections regarding the Minutes of the June 28, 2016 meeting. Hearing none, the Minutes were unanimously approved as written.

Members received copies of the Regional EMS Council's 'Conflict of Interest' and 'Ethics' policies. Members were asked to read, sign and return the signature pages at the next meeting.

CORRESPONDENCE REPORT

The Offices of the Council received the following correspondence:

Membership:

- The following members requested to be excused: Robert Crupi, Jerry Gelbard.

NYS DOH:

- Public Notice from New York State Department of Health, Bureau of EMS, Operations Unit, to be read into the REMAC Minutes of the following enforcement actions:

Provider / Agency Name	EMT / Agency #	Penalty	Violation	County of Residence
Ziph Hedrington	168767	Suspended for one (1) year. Two (2) months deemed to have been served concurrently with his period in restricted status with his employer. The remaining ten (10) months are stayed pending no further violations for three (3) years. Assessed a civil penalty of \$2000. \$1500 shall be suspended pending no further violations for three (3) years.	10 NYCRR Part 880.16(a)(13)	Bronx
Jean Fontus	418170	Certification Censured. Assessed a civil penalty of \$2000. Entire amount suspended pending no further violations for a period of three (3) years.	10 NYCRR Part 880.16(a)(11)	Brooklyn
Michael Schwertfeger	237696	Certification Suspended. The suspension is deemed to have been served concurrent with his last day of employment on 10/11/13 and ending on 07/05/16. Assessed a civil penalty of \$1000. The penalty is stayed pending a period of probation. Placed on probation for two (2) years effective 7/5/16.	10 NYCRR Part 800.16(e)	Fredonia

- Letter from NYS DOH to East Midwood VAC approving a request for emergency ambulance service vehicles (EASV). Vehicles must be marked when in-service.

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- Letter from NYS DOH identifying the transfer of operating authority applications this region should be receiving:
 - 0164: TransCare New York, Inc.
 - 0508: TC Ambulance group, Inc.
 - 0509: TC Ambulance North, Inc.
 - 0510: TC Ambulance Corp.
 - 0574: TCBA Ambulance, Inc.
- NYS DOH letters approved Competency and Fitness for:
 - Instacare 1, LLC
 - AMR of NY, LLC
 - Mount Sinai Hospital
 - Ambulnz NY, LLC
 - NYU Hospital Center

COURSE SPONSORS:

- LaGuardia Community College was awarded initial accreditation to its EMS-Paramedic Program by the Committee of Educational Programs for the EMS Professions (CoA EMSP).
- LaGuardia Paramedic program announces Paramedic Class 21, beginning September 2016, and multiple ancillary training programs.
- Letter from NYS DOH to REMSCO Course Sponsor, acknowledging receipt of Specialty Course Sponsor Renewal.
- Letter from NYS DOH to Selwin Olivacce of EMT Training (08-080), rejecting his course sponsor renewal application based on multiple severe deficiencies.
 - A sight visit was conducted by NYS DOH personnel, finding additional deficiencies. Courses in progress may be cancelled if deficiencies are not appropriately corrected.
- Letter from NYS DOH to Stephen Davis approving Davis Training Programs (08-090) as a BLS Course Sponsor in Queens. Enrollment must not exceed 12 students.

OTHER:

- Application for EMS Operating Certificate from CAICA.
 - This organization submitted the incorrect forms, and were directed to the CON Process.
- Letter from North Shore Ambulance & Oxygen Service, stating they are in litigation with the current owners of Century Ambulance and Stephen Davis, and asking that the Transfer of Operating Authority be with-held.
 - The NYS DOH was made aware of this, and responded that the REMSCO cannot stop action on this TOA. Only competency & fitness are items for review.
- FOIL from Herzfeld & Rubin, PC, asking for information on any complaints received against Chevra Hatzalah.
 - This FOIL was honored. No complaints were identified.
- Notice of Appeal from Mount Sinai Hospital regarding denial of its application for ambulance operating authority.

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- Flyer from NYS Volunteer Ambulance & Rescue Association announcing its September 2016 Trade Show and Conference.

The Office of the Council sent the following correspondence:

- Agendas, Minutes and associated attachments for the meeting.
- Welcome letters to new At-Large Members: Sean Graves and Jerry Gombo.
 - A membership form was submitted by Mr. Gombo.
- Recommendations for approval of the following Course Sponsor renewals:
 - 08-014, REMSCO NYC, Specialty Courses, New York, Kings, Queens, Bronx & Richmond, long form
 - 08-032, Gerritsen Beach Fire Volunteer Inc., BLS, Kings, long form
 - 08-040, Timer, Inc., BLS, Richmond, long form
 - 08-058, Modern Health Resources, Inc., BLS, Bronx, Kings, New York & Queens, short form
 - 08-070, Emergency Care Programs, BLS, New York, Kings, Queens, Bronx & Richmond, short form
 - 08-078, Code One, Inc., BLS, Bronx, long form
 - 08-087, Emergency Aid Training, Inc., BLS, Bronx & New York, short form
- Public Notices for:
 - TCBA Ambulance, Inc. (0574) to Mount Sinai Hospital
 - TransCare New York, Inc. (0164) to NYU Hospitals Center
 - TC Ambulance Corp (0510) to American Medical Response of NY, LLC
 - TC Ambulance North (0509) to Instacare I, LLC
 - Century Ambulance Service, Inc. (7342) to Ambulnz NY, LLC

STAFF REPORT

Program Agency contracts and deliverables have been approved. Payments from the NYS DOH are generally received with five (5) days of vouchers.

Ms. Benedetto asked that members review and sign both the Conflict of Interest and Ethics signature pages. This is a requirement.

AMBULANCE COMMITTEE REPORT, *Chair Joseph Marcellino, MPH*

There were six (6) applications for transfer of ambulance operating authority. The Ambulance Committee received and reviewed the applications in electronic format prior to the meeting. Copies of applications were made available to REMSCO members and the general public. A public notice was mailed, emailed and published in the NY Times. No negative comments regarding competency and fitness were received.

The following come forward in the form of seconded motions from the Ambulance Committee:

1. TCBA Ambulance, Inc. (0574) [Bankruptcy] to Mount Sinai Hospital

The Ambulance Committee of the Regional Emergency Medical Services Council of New York City finds, based upon the receipt of a complete application for Transfer of Operating Authority of TCBA Ambulance, Inc. (0574) [Bankruptcy] to Mount Sinai Hospital, and a review of Competency and Fitness having been conducted by the Regional Emergency Medical Services Council of New York City and the New York State Department of Health; and that review having revealed no issues challenging Competency and Fitness, recommends that approval of the Transfer of Operating Authority of TCBA Ambulance, Inc. (0574) [Bankruptcy] to Mount Sinai Hospital, operating authority within the, NYC Counties of New York, Kings, Queens, Bronx, and Richmond, be granted.

Prior to vote, the Chair asked if any REMSCO member had a conflict which would prevent him/her from voting. Hearing none, the Chair asked the REMSCO membership if anyone believed there was a member who should not participate in the vote. Hearing none, a roll-call vote of REMSCO members was conducted and the results were the following: 19 in Favor; 0 Abstentions and 0 Opposed. The motion carried, and will be forwarded to the NYS DOH BEMS for final action.

2. TC Ambulance Corp. (0510) [Bankruptcy] to American Medical Response of New York, LLC

The Ambulance Committee received and reviewed the application in electronic format prior to the meeting. A public notice was mailed, emailed and published in the NY Times. No negative comments regarding competency and fitness were received. The following motion was made by the Ambulance Committee:

The Ambulance Committee of the Regional Emergency Medical Services Council of New York City finds, based upon the receipt of a complete application for Transfer of Operating Authority of TC Ambulance Corp. (0510) [Bankruptcy] to American Medical Response of New York, LLC, and a review of Competency and Fitness having been conducted by the Regional Emergency Medical Services Council of New York City and the New York State Department of Health; and that review having revealed no issues challenging Competency and Fitness, recommends that approval of the Transfer of Operating Authority of TC Ambulance Corp. (0510) [Bankruptcy] to American Medical Response of New York, LLC, operating authority within the, NYC Counties of New York, Kings, Queens, Bronx, and Richmond, be granted.

Prior to vote, the Chair asked if any REMSCO member had a conflict which would prevent him/her from voting. Hearing none, the Chair asked the REMSCO membership if anyone believed there was a member who should not participate in the vote. Hearing none, a roll-call vote of REMSCO members was conducted and the results were the following: 19 in Favor; 0 Abstentions and 0 Opposed. The motion carried, and will be forwarded to the NYS DOH BEMS for final action.

3. Century Ambulance Service, Inc. (7342) dba Century 1 Medical Transportation to Ambulnz NY, LLC

The Ambulance Committee received and reviewed the application in electronic format prior to the meeting. A public notice was mailed, emailed and published in the NY Times. No negative

comments regarding competency and fitness were received. The following motion was made by the Ambulance Committee:

The Ambulance Committee of the Regional Emergency Medical Services Council of New York City finds, based upon the receipt of a complete application for Transfer of Operating Authority of Century Ambulance Service, Inc. (7342) dba Century 1 Medical Transportation to Ambulnz NY, LLC, and a review of Competency and Fitness having been conducted by the Regional Emergency Medical Services Council of New York City and the New York State Department of Health; and that review having revealed no issues challenging Competency and Fitness, recommends that approval of the Transfer of Operating Authority of Century Ambulance Service, Inc. (7342) dba Century 1 Medical Transportation to Ambulnz NY, LLC, operating authority within the, NYC Counties of New York, Kings, Queens, Bronx, and Richmond, be granted.

Prior to vote, the Chair asked if any REMSCO member had a conflict which would prevent him/her from voting. Hearing none, the Chair asked the REMSCO membership if anyone believed there was a member who should not participate in the vote. Hearing none, a roll-call of REMSCO members was conducted and the results were the following: 20 in Favor; 0 Abstentions and 0 Opposed. The motion carried, and will be forwarded to the NYS DOH BEMS for final action.

4. TransCare New York, Inc. (0164) [Bankruptcy] to NYU Hospitals Center

The Ambulance Committee received and reviewed the application in electronic format prior to the meeting. A public notice was mailed, emailed and published in the NY Times. No negative comments regarding competency and fitness were received. The following motion was made by the Ambulance Committee:

The Ambulance Committee of the Regional Emergency Medical Services Council of New York City finds, based upon the receipt of a complete application for Transfer of Operating Authority of TransCare New York, Inc. (0164) [Bankruptcy] to NYU Hospitals Center, and a review of Competency and Fitness having been conducted by the Regional Emergency Medical Services Council of New York City and the New York State Department of Health; and that review having revealed no issues challenging Competency and Fitness, recommends that approval of the Transfer of Operating Authority of TransCare New York, Inc. (0164) [Bankruptcy] to NYU Hospitals Center, operating authority within the, NYC Counties of New York, Kings, Queens, Bronx, and Richmond, be granted.

Prior to vote, the Chair asked if any REMSCO member had a conflict which would prevent him/her from voting. Hearing none, the Chair asked the REMSCO membership if anyone believed there was a member who should not participate in the vote. Hearing none, a roll-call of REMSCO members was conducted and the results were the following: 20 in Favor; 0 Abstentions and 0 Opposed. The motion carried, and will be forwarded to the NYS DOH BEMS for final action.

5. TC Ambulance North, Inc. (0509) [Bankruptcy] to Instacare I, LLC

The Ambulance Committee received and reviewed the application in electronic format prior to the meeting. A public notice was mailed, emailed and published in the NY Times. No negative comments regarding competency and fitness were received. The following motion was made by the Ambulance Committee:

The Ambulance Committee of the Regional Emergency Medical Services Council of New York City finds, based upon the receipt of a complete application for Transfer of Operating Authority of TC Ambulance North, Inc. (0509) [Bankruptcy] to Instacare I, LLC, and a review of Competency and Fitness having been conducted by the Regional Emergency Medical Services Council of New York City and the New York State Department of Health; and that review having revealed no issues challenging Competency and Fitness, recommends that approval of the Transfer of Operating Authority of TC Ambulance North, Inc. (0509) [Bankruptcy] to Instacare I, LLC, operating authority within the, NYC Counties of New York, Kings, Queens, Bronx, and Richmond, be granted.

Prior to vote, the Chair asked if any REMSCO member had a conflict which would prevent him/her from voting. Hearing none, the Chair asked the REMSCO membership if anyone believed there was a member who should not participate in the vote. Hearing none, a roll-call of REMSCO members was conducted and the results were the following: 20 in Favor; 0 Abstentions and 0 Opposed. The motion carried, and will be forwarded to the NYS DOH BEMS for final action.

6. TC Ambulance North, Inc. (0509) [Bankruptcy] to Instacare I, LLC

The Ambulance Committee received and reviewed the application in electronic format prior to the meeting. A public notice was mailed, emailed and published in the NY Times. No negative comments regarding competency and fitness were received. The following motion was made by the Ambulance Committee:

The Ambulance Committee of the Regional Emergency Medical Services Council of New York City finds, based upon the receipt of a complete application for Transfer of Operating Authority of TC Ambulance North, Inc. (0509) [Bankruptcy] to Instacare I, LLC, and a review of Competency and Fitness having been conducted by the Regional Emergency Medical Services Council of New York City and the New York State Department of Health; and that review having revealed no issues challenging Competency and Fitness, recommends that approval of the Transfer of Operating Authority of TC Ambulance North, Inc. (0509) [Bankruptcy] to Instacare I, LLC, operating authority within the, NYC Counties of New York, Kings, Queens, Bronx, and Richmond, be granted.

Prior to vote, the Chair asked if any REMSCO member had a conflict which would prevent him/her from voting. Hearing none, the Chair asked the REMSCO membership if anyone believed there was a member who should not participate in the vote. Hearing none, a roll-call of REMSCO members was conducted and the results were the following: 20 in Favor; 0 Abstentions and 0 Opposed. The motion carried, and will be forwarded to the NYS DOH BEMS for final action.

The next meeting of the Ambulance Committee is scheduled for Tuesday, October 25, 2016.

TRAINING AND EDUCATION REPORT

The Training and Education Committee of the Regional EMS Council of New York City has not met. The next meeting is scheduled for Tuesday, January 10, 2017.

REGIONAL EMERGENCY MEDICAL ADVISORY COMMITTEE REPORT

The REMAC will meet next week on Tuesday, September 27, 2016.

JOINT REMSCO/REMAC QUALITY IMPROVEMENT COMMITTEE REPORT

The Joint Regional Emergency Medical Services Council/Regional Emergency Medical Advisory Committee (REMAC) Quality Improvement Committee will meet tomorrow, Wednesday, September 21, 2016.

STATE EMS COUNCIL REPORT

The State EMS Council (SEMSCO) and State Emergency Medical Advisory Committee (SEMAC) met on September 13 & 14, 2016. Yedidiah Langsam, PhD, representative of the NYC REMSCO and Marie Diglio, Executive Director Operations were in attendance. The following is a summary of the meetings:

Trauma & Stroke Report:

- NYS BEMSAT staff will be reaching out to REMACs regarding needed data for hospitals.
- STAC continues to complain of lack of notifications for Trauma patients. Forms and policies being developed.
- Hospital staff being educated on how to accept report from EMS.

Epinephrine Check & Inject Demonstration Project

- Epi demo project report was presented:
 - All regions participated in this study. Identification of anaphylaxis continues to be a problem. Providers are not differentiating between allergic reactions and anaphylaxis. Pediatric signs/symptoms must also be clarified. Preferred administration site is the upper thigh. Many agencies still have not submitted pre- and post-tests. Some problems with State Bridge Data. There are double reporting issues.
- The following Motions were approved:

Motion 1: Move that the scope of practice and training of EMTs in NYS be amended to include the drawing up and administration of intramuscular epinephrine to patients in anaphylaxis.

(There was discussion that skill not be limited to anaphylaxis.)

Motion 2: Move that syringe epinephrine kits as approved by the NYS BEMSAT are an acceptable alternative to epinephrine auto-injectors as specified in Policies 10-01 and 14-02.

Motion 3: Move that this Demonstration Project continue until approval is granted by the NYS Commissioner of Health, and the BEMSAT has in place the necessary educational; component for

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original and refreshing EMTs, and the Department of Health issues requisite policy statements and updates to reflect the change in scope of practice of EMTs.

- Alternative formulary discussion regarding medication shortages (13-04 policy). Regions should follow current procedure.
- Bureau of Narcotics has agreed to increase amount of fentanyl allowed on ambulance. A revised reporting form for narcotic use has been developed. Now there are electronic versions. ALS agencies must have narcotic licenses. Some agencies are lowering to Advanced EMT status in order not to carry narcotics.

Education & Training

- The expansion of the scope of practice and training of EMTs to include the drawing up and administration of intramuscular epinephrine to patients in anaphylaxis should be added to curriculum, hopefully by spring 2017 (protocol rollout). Information should be available at January 2017 meeting. This is pending Commissioner's approval.
- EMT-CC tag is reviewing this level of provider in order to decide whether to maintain or eliminate this level of provider. If kept, the curriculum must be updated.
- The loss of Paramedic programs is a problem statewide. There are not enough CICs for these courses.
- Regional faculty will be updated. They will be paid to participate.
- The new Instructor level exams have been held. The last exam tested 66 CLIs (75% pass-rate) and 88 CICs (50% pass-rate). There are online remedial training sessions.
- Testing update:
 - There is now one (1) vendor (PSI bought out PES)
 - 2016 Exams: CFRs: 2455 (92% pass-rate), EMT: 9523, (88.59% pass-rate), AEMT: 66, 89% (pass-rate), EMTCC: 241 (93% pass-rate), EMTP: 1109 (88.9% pass-rate).
- ADA issues: How does reasonable accommodation connect with official EMT job description? According to Feds, this is a guide. At State Exams - no tests are read to students. What is a reasonable accommodation?
- Active shooter courses are available.
- Disaster management regulations require annual hospitals conduct full scale disaster drills. EMS Agencies should participate.

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End of life Protocols being developed.

- Electronic MOLST being distributed. Need to begin training EMS providers on how to use it.

Steve Kroll, Chair of SEMSCO:

- Conducting a series of conference calls. Start getting EMS Community talking. Get information on state of EMS in NYS. Possibly write a paper or presentation. Financial sustainability, and recruitment and retention to be discussed.
- Question...are we self exterminating our system. Reduction of reimbursement, over burdening of education, etc.)

Systems

- CON requirements discussed. Councils are not to share/post personal information (resumes, home addresses, etc.).
- Multi county certificates can have operation in one section of their certificate and remain active. Certificate covers entire territory, even if not all counties are actively served.
- Must revise definition of public need. Article 30 must change.
- June 11 TOA draft was distributed. Comments requested. Additional comments will be requested.

UNFINISHED BUSINESS

No Unfinished Business.

NEW BUSINESS

The NYS DOH will be asked to develop a policy on sexual offender back-ground checks. This is pending approval of a Bill requiring all new employees/volunteers on ambulance agencies have these background checks prior to active deployment as EMS providers on ambulances.

No further business remaining, the meeting of the Regional EMS Council was adjourned. The next meeting will be held October 25, 2016