



September 1, 2022

Honorable Members of the General Assembly
700 Capital Avenue
Frankfort, KY 40601

**Re: Kentucky Board of Emergency Medical Services Report
to the General Assembly Pursuant to HB 777 (RS 2022)**

Dear Honorable Members of the General Assembly:

The following report is provided in accordance with House Bill 777 (Regular Session 2022), Section 1(8).

I. List of Income and Expenses of the Board

FY2022 Budget Actuals

REVENUES

State Appropriations	\$	1,799,700
Certification Charges / Other Revenue		594,055
Governmental Grants and Contracts		893,800
Fund Balance (carry forward from prior years)*		239,200
Total Revenues	\$	3,526,755

EXPENDITURES

Personnel	\$	1,191,300
Operating		574,200
Ambulance Grant (state mandated)		720,000
Ambulance Grant Supplemental		126,119
Capital Outlay (Building Lease)		102,423



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Total Expenditures	\$ 2,714,042
Excess of Program Revenue over Program Expenditures	\$ 812,713

*Includes Ambulance Grant supplement and KCTCS One-time payment July 2021

II. Summary of Data Collected on the Number of Complaints Against Individuals Certified or Licensed By the Board and Emergency Medical Services Training Institutions Approved By the Board and Disposition of Those Complaints

Individuals & Service Complaints

<u>Case Number</u>	<u>Individual or Service</u>	<u>Disposition</u>
2021-001	Anthony Harness	Self-Surrender
2021-002	Lifeguard EMS	Dismissed
2021-003	Jonathan Prater	Probation
2021-004	Ohio County EMS	Dismissed
2021-005	Stephen Kulas	Probation & Education
2021-006	Amy Warman	Probation & Education
2021-007	Clay County EMS	Dismissed
2021-008	Adam Wilson	Dismissed
2021-009	David A. Briscoe	\$250.00 Fine & Education
2021-010	Lifeguard EMS	Dismissed
2021-011	Watts Caney Fire & Rescue	Probation
2021-012	Luke Goodin	Dismissed
2021-013	Spencer Booher	Probation & Education
2021-014	Lifeguard EMS	Dismissed
2021-015	Lauren Abrams	Probation & Drug and Alcohol Testing
2021-016	Charlie Craft	Immediate Temporary Suspension
2021-017	Elijah Mays	Immediate Temporary Suspension
2021-018	Middlesboro Fire & EMS	Dismissed
2021-019	Watts Caney Fire & EMS	Dismissed
2021-020	Patrick Burnett	Probation & Anger Management
2021-021	Walter Pennington	Complaint Withdrawn



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2021-022	Kelsey Guidi	Complaint Withdrawn
2021-023	Cynthia Ray	Self-Surrender
2021-024	Oldham County EMS	Complaint Withdrawn
2021-025	Garrard County Ambulance	Dismissed
		Probation & Drug and Alcohol
2021-026	Aaron Flenner	Testing
2021-027	Carla Rivas Hernandez	Dismissed
2021-028	Kimberley Hammons	Probation & Education
		Probation & Drug and Alcohol
2021-029	Daniel Cottle	Testing
2021-030	Manford Stewart	Revoked

DUI Related Complaints

<u>Case Number</u>	<u>Name</u>	<u>Disposition</u>
001-2021	Justin Halsaver	Probation and \$250.00 Fine
002-2021	Julia Deboor	Probation and \$250.00 Fine
003-2021	Thomas Jarvis	Probation and \$250.00 Fine
004-2021	Christian Hayse	Probation and \$250.00 Fine
005-2021	Kenneth Glover	Probation and \$250.00 Fine
006-2021	Stephen Combs	Probation and \$250.00 Fine
007-2021	John Oliver	Probation and \$250.00 Fine
008-2021	Janice Downing	Probation and \$250.00 Fine
009-2021	Jennifer Vajas	Probation and \$250.00 Fine
010-2021	Timothy Vaile	Probation and \$250.00 Fine
011-2021	Nicholas Webster	Probation and \$250.00 Fine
012-2021	Brent Jaynes	Probation and \$250.00 Fine

TEI Complaints

<u>Case Number</u>	<u>TEI Name</u>	<u>Disposition</u>
POC-2021-001	AMR Northern Kentucky TEI	Plan of Correction Completed



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III. Accounting of All New Administrative Regulations and Amendments to Administrative Regulations Promulgated By the Board

Since January 1, 2022, the Board has not promulgated any new administrative regulations. The following amendments to administrative regulations promulgated by the Board have been filed with the Regulations Compiler since January 1, 2022. The amendments to 202 KAR 7:545 were promulgated in response to supply chain disruptions and the general impracticability of the requirement that agencies obtain a license from the Board within 90 days of issuance of a Certificate of Need, given that agencies must first obtain required equipment and supplies before a license can be issued. The amendments to 202 KAR 7:560 and 202 KAR 7:701 were promulgated by the Board in response to staffing shortages that EMS agencies across the Commonwealth face, particularly agencies in rural areas.

- **202 KAR 7:545E** – License Classifications (Filed on March 30, 2022; Considered by ARRS on June 14, 2022)
 - Requiring agencies to “apply for” rather than “obtain” a license from the Board within 90 days of issuance of a Certificate of Need.
 - Requiring agencies to request a final inspection for licensure from the Board within 180 days after applying for a license from the Board.
- **202 KAR 7:545** – License Classifications (Filed on March 30, 2022; Considered by ARRS on July 14, 2022)
 - Identical to 202 KAR 7:545E
- **202 KAR 7:560E** – Ground Vehicle Staff (Filed on May 3, 2022; Considered by ARRS on July 14, 2022)
 - Allowing individuals who are certified in CPR and have completed an emergency vehicle operator’s course to drive ambulances until September 1, 2022, after which ambulances must be minimally staffed by a driver certified as an EMR.
 - Removing requirement that paramedics staff at least 25% of Class I and Class IV ALS ambulances.
 - Requiring Class I ALS agencies to have a paramedic on-duty at all times.
 - Requirement that Class IV ALS agencies be minimally staffed by an AEMT or a paramedic left unchanged.



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- **202 KAR 7:560** – Ground Vehicle Staff (Filed on May 3, 2022; Considered by ARRS on August 9, 2022)
 - Removing requirement that ambulances be minimally staffed by a driver certified as an EMT.
 - Requiring that ambulances be minimally staffed by a driver certified as an EMR.
 - Removing requirement that paramedics staff at least 25% of Class I and Class IV ALS ambulances.
 - Requiring Class I ALS agencies to have a paramedic on-duty at all times.
 - Requirement that Class IV ALS agencies be minimally staffed by an AEMT or a paramedic left unchanged.
- **202 KAR 7:701E** - Scope of Practice Matters (Filed on July 12, 2022; Scheduled to be considered by ARRS on September 13, 2022)
 - Allowing certified EMTs and AEMTs to supervise EMT students in addition to the previously permitted physician, registered nurse, or paramedic supervisors.
 - Allowing AEMTs to supervise AEMT students in addition to the previously permitted physician, registered nurse, or paramedic supervisors.
- **202 KAR 7:701** – Scope of Practice Matters (Filed on July 12, 2022; Scheduled to be considered by ARRS on October 11, 2022)
 - Identical to 202 KAR 7:701E.

IV. Recommendations for Changes in Administrative Regulations, Board Policies, and Statutes

The new Board held its first meeting on July 21, 2022. As a newly constituted Board, it is not yet in a position to make recommendations to the General Assembly for changes to applicable administrative regulations, policies, or statutes. However, the Board has begun reviewing its Bylaws, the administrative regulations promulgated by the Board, and statutes applicable to the EMS profession. Once the Board has had an opportunity to complete its review, it will be in a better position to make substantive recommendations. However, the Board can provide the General Assembly some background information on the issues that the Commonwealth’s EMS agencies and personnel are facing.



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Board representatives have attended the legislative Emergency Medical Services Task Force meetings and some representatives have presented during the meetings. During those meetings, a variety of issues that the EMS profession faces have been discussed, and the Board is encouraged by those productive discussions and optimistic about the legislative actions that may result. For example, during the August 16, 2022 meeting of the EMS Task Force, three general issues were discussed that the General Assembly could potentially take actions to address: (1) funding and reimbursement; (2) workforce shortages; and (3) access to facilities.

Funding and Reimbursement

The new Board has not had sufficient time to fully review the current state of funding and reimbursement for services. Currently, work is underway to assess the impact HB 8 has had on services and data is being collected for all reimbursement rates to assess the impact it has on services. The Kentucky Association of Counties, Kentucky Ambulance Provider Association and the Kentucky Fire Chiefs Association are assisting in the collection of data.

The Board's move to state government will have a significant impact on Board expenditures. The Board is reviewing the financial outlook for the agency. A better assessment can be made after a budget year cycle. During this budget year, the Board will look for ways to improve efficiency and review the adopted fee structures.

Workforce Shortages

Nearly every state is facing personnel shortages in every field, including EMS. The Board recognizes there is not a single fix for the current workforce shortage and is looking for several solutions, including increasing instructional opportunities and reimbursement rates that will enable services to provide increased wages and benefits.

Access to Facilities

The Board has stroke and cardiac committees that aids services in selecting the appropriate facilities to transport patients to. Agencies are negatively affected by the lack of services within many of the state's regions. The Board and its committees will continue to look for ways to facilitate transport for definitive treatment. However, the workforce shortage will be key to the success of access as provided by ambulance care.



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Sincerely,

John R. Holder, Chairman
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