

Broward Regional Emergency Medical Services (EMS) Council
June 2, 2022
1:30 p.m.
MINUTES – In person

Call to Order

Alison Zerbe, Staff, called regular meeting to order at 1:30 pm.

Roll Call

Alison Zerbe called roll and quorum established.

Announcements:

- Dr. Mallak retired in June 2020.
- Dr. Rebecca MacDougall is the new Chief Medical Examiner of Broward County. Congratulations to Dr. MacDougall.

Approval of Minutes from March 3, 2022

MOTION TO Accept the minutes of March 3, 2022.

Motion made by: Dr. John Halpern

Seconded: Dr. Fred Keroff

MOTION passed unanimously

Presentation - canceled by presenter.

Alison Zerbe welcomed EMS new member, Chief Vincent Cinque who spoke with Chief Massa from Sunrise about the Infectious Disease Exposure Form that has not been updated for approximately six years. Chief Cinque took this on with the Fire Chiefs' Association.

Chief Cinque inherited the deco designation when Broward Sheriff's Office Fire Rescue Department made changes in January 2022.

The Fire Chiefs' SOG needed updating with more uniformity, a logo, and current applications for a more professional look.

He would like to finish the SOG revisions with Chief Moran in Davie and Chief Lubow in Plantation. When revised it will go back to the Fire Chiefs' Association, Safety and Health Section (through Chief Botting and Chief Whelan), and then to Chief Downey and the E-Board.

When the Fire Chiefs' approves it he wants the EMS Council and Medical Issues Committee to make changes, if necessary, regarding infectious disease and then EMS Council endorsement. It should be resistant to fail when going to the hospitals.

After the exposure Worker's Comp can manage it. They want to coordinate, especially, hospital parties: compliance officer, ED director, infection control officer and Chief Cinque. Exposure can happen any time and they have to be on the same page.

Dr. MacDougall said that if the person is dead and they need a sample, they can loop her in. It doesn't do them any good if no one took samples when exposed on an individual dead on scene or pronounced at the hospital. The Medical Examiner can draw a sample except if

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autopsied or at the funeral home.

She said they may want to put “What happens if I have exposure to someone who’s dead that has no hospital samples?” on the same SOP. They will educate EMS on what to do. As soon as the Medical Director is notified, those who are exposed will get treatment within the preferential allotted time. Include Dr. MacDougall into the conversations so they can wrap up everything and get protected. Chief Cinques said, “Yes.”

Dr. Keroff commented that there was a State statutory language that addresses healthcare provider contact with HIV individuals and the procedure if there was significant exposure. Blood can be drawn from the deceased without approval of a relative.

Chief Downey said that agencies have been carrying their own blood tubes because, in the past there was resistance getting blood from the deceased. Dr. MacDougall said that when Medical Examiner’s office has knowledge about it, they will always give samples. Dr. MacDougall doesn’t need consent and they can call her directly.

The faster the ME’s Office is in the loop, the better; three days later the body is gone, and they won’t have the samples.

Dr. Keroff said that because of turnover in the hospitals new players don’t understand their rights. The procedure needs to be reinforced on a regular basis.

Dr. Boyar mentioned that it would be great when Chief Cinque is doing their protocols to ‘require’ the same as Broward Health. Broward Health just did protocols for employees and non-employees. They have a set blood draw for the source and exposed. Do they know what blood needs to be drawn for what test? Chief Cinque said, “No,” they are building off the previous program. Dr. Boyar said that they could get together offline and share his information. Chief Cinque asked if Broward Health’s SOGs match Memorial or Holy Cross’ blood draws?

Dr. Keroff said that he didn’t know because he didn’t know the revision. Dr. Keroff said that in the previous iteration, Dr. Lee, Tom DiBernardo, Chief Moran, and Dr. Keroff were on the committee that looked at it. There was physician input into the manual.

Dr. Boyar said that he has found what is a required test at the hospital; it’s updated. He will contact Chief Cinque offline and email him the updates. It’s going to be district-wide.

Alison said that they would place it under Medical Issues and Dr. Boyar is on the committee. She will make sure everyone can make those meetings in the future.

Recommendation for Appointment/Reappointment:

Joanne Richter, reappointment, Broward County Trauma Advisory Panel, 6-24-2022. Joanne Richter’s CV was sent out.

MOTION TO RECOMMEND Joanne Richter, reappointment to the Broward County Trauma Advisory Panel.

Motion made by Dr. John Halpern

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Seconded by Bruce Caruso

Motion passed unanimously

Recently Approved Appointments/Reappointments by Commission:

Dr. Wayne Lee, reappointment; Peter Powers, appointment; Ryan Logan, appointment; George Carbonell, appointment.

Vacancies:

Advanced Life Support (ALS): County Provider

Advanced Life Support (ALS): Private Provider

American Heart Association, Broward County Chapter

Appointee of Commissioner Mark D. Bogen Appointee

of Commissioner Tim Ryan

Broward Regional Health Planning Council, Inc.

Law Enforcement Representative, Union Representative

Transport: Aircraft

- Chief Gregory Holness retired in the last few days and EMS Council needs to fill Transport: County Fire
- The only vacancy Alison Zerbe is having issues filling is the Law Enforcement, Union Representative. Alison Zerbe reached out to the Law Enforcement Union. If anyone has a recommendation for Law Enforcement contact Alison Zerbe. Nominees have to live in Broward County.

Contact/email Alison Zerbe with nominees or recommendations for the vacant positions.

Committee Reports:

Legislative Session – ended on March 11, 2022

- SB502 – Died in Health Policy Committee. (COPCN) Certificates of Public Convenience and Necessity. This requires a county with a population exceeding one million people to approve any applicant if the applicant has been operating in the state for ten years or more. Last meeting it was postponed. Introduced in SJ29 on 1/11/2022.
- SB1144 – Died in Community Affairs Committee. ALS non-transport and medical countermeasures bill. This would exempt certain government entities from requirements to obtain a COPCN for ALS non- transport services. This is in Health Policies since February 23
- SB330 – Died in Appropriations Subcommittee and Health and Human Services. Medicaid modernization. This authorizes Medicaid to reimburse for certain remote evaluations and patient monitoring services. Introduced since 1/11/2022.
- SB200 – Died in Banking and Insurance. First Responder employment related accidents and injuries. This would expand eligibility for certain workers compensation benefits to include correction officers and 911 dispatchers. Introduced as SJ11 on 1/11/2022.
- HB469 – Passed and would directly affect EMS in Broward County. Patient care and healthcare facilities. Intention is to take pressure off the staffing challenges. Part of the bill authorizes a licensed person to assist patients JICwith specific tasks. It allows nurses to delegated to other individuals to help staffing. The major thing regarding EMS is it would allow an ALS transfer, not 911, but private providers to use driver-only to drive the front of the ambulance.

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Executive Committee – Dr. Frederick Keroff reported

- Ralph Marrinson retired last year. Broward Regional EMS Council needs to nominate the Chair at the annual meeting in September. Ten days before the meeting the Nominating Committee has to make recommendations to the Council for the three positions: Chair, Vice Chair, and Secretary.
- Anyone wanting to be on the Nominating Committee send Alison an email. They have to do this in September. If no one volunteers she will have to designate.

Public Information, Education – Chief Joel Gordon reported

- The mobile JIC project is moving forward. The RFP for the bid should be going out this week. The funding has been allocated.
- Conversation between the State and FEMA about providing an advanced PIO course in Florida in February. It's an intense course; there are prerequisites. They need to get online with FEMA and register through sert trac once it's posted and start the prerequisites. The big prerequisite is the L105 Basic PIO, probably late Summer/early Fall and then they will do another one up in Fire Rescue East in January.
- For individual who are not familiar with local storms and how to respond to them, messaging on preparation is critical. Need to get information out.

EMS Conference – Chief Bruce Caruso reported

- 25th Anniversary theme is *Honoring the Past, Connecting the Present, Developing the Future*. Dates are June 13-17, 2022.
- Have been advertising in publications and social media sites.
- FTFC has a grant that goes to the Broward Fire Rescue agencies and private providers for a certain amount of slots for First There First Care.
- ALS Competition is sold out with 24 teams competing.
- Nursing competition will have six teams competing.
- Annual EMS Awards for Fire Rescue are the Ralph Marrinson Lifetime Achievement Award, and Donald DiPetillo Lifetime Achievement Award. Following the awards, celebrate the 25th Anniversary with a live band, the Smokin' Aces.
- There are going to be the Surfside Collapse- EMS standpoint; State meetings, Gathering of Eagles; opening ceremony; leadership symposium, groundbreaking information. Complete information is on First There First Care website.
- They have 80 vendors from all over the world.

Medical Issues – Dr. Frederick Keroff reported

- The Medical Issues Committee met in April to discuss recommendations from County Commission, but supported by Cleveland Clinic, to create the proposed (Class 5 Specialty Transport). The Committee had two recommendations on the language. The EMS Council must approve to move forward to the County Commission.

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1.) Specialty transport means transportation by an EMS transport vehicle a.) between two facilities licensed under Chapter 395, Florida Statutes, of an organ transplant patient or a patient on (ECMO) extracorporeal membrane oxygenation or b.) to or from an airport.

The second piece. The staffing of the vehicle. Language from the Medical Issues.

2.) The patient compartment of an EMS transport vehicle providing a Class 5 ALS Specialty Transport must be staffed with a minimum of one State licensed paramedic and one State licensed emergency medical technician. The patient compartment of the EMS transport vehicle may also include any of the following to the extent required by the patient's condition: physician(s), registered nurse(s), perfusionist(s), registered respiratory therapist and additional paramedics.

Their recommendation: 1.) Who they can transport; 2?) Staffing of the transport vehicle.

Dr. Keroff heard Cleveland Clinic frequently has distant or out-of-the-country transports and make prior arrangements for transport. One of the complaints from Cleveland Clinic is when they have air transport and have difficulty getting from airport to Cleveland Clinic. They requested the ability to transfer patients with prior arrangements.

Adam Katzman, County Attorney, said that they can't run emergencies. They are not running 911 response. If they get there and call 911, 911 can't respond.

Chief Caruso asked if there were any other Broward County hospitals that expressed this interest, if passed? Dr. Keroff said not to his knowledge.

Alison Zerbe said they had HCA inquiring about having their own COPCN, interest from a company in California, and from a company through a Medicaid broker that had been operating illegally in two other counties. This conversation has opened the door to further conversation with others wanting to do the same. They must think of all the consequences both intended and unintended.

Dr. Keroff commented that at the Medical Issues Committee meeting that it was brought up that the Fire Chiefs had supported this. Chief Downey said it wasn't brought up to the Fire Chiefs for discussion to vote or support.

Dr. Keroff wanted to get a statement from the Fire Chiefs, but Adam Katzman said that this ordinance is set for a public hearing on June 7, by the County Commission. If they pass that...that's the ordinance. Two proposals for the ordinance:

The County Commission denied the Class 2 license Cleveland Clinic applied for. During that meeting one County Commissioner wanted to provide relief to Cleveland Clinic and similar facilities that may experience issues. They mentioned ECMO and organ transplants at the meeting. In subsequent discussions with Cleveland Clinic, they alleged it wasn't enough and ECMO and organ transplant were examples. They crafted an ordinance that would allow them to perform interfacility transfers for patients on ECMO and organ transplants.

At the Medical Issues Committee meeting Cleveland Clinic was there and they brought up the issue with the airport, as well. There may be situations where it wasn't ECMO and organ transplant. The language revised to ECMO and organ transplant interfacility,

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and anyone else to and from the airport.

The original version of the ordinance was the staff on the ambulance had to be a State licensed paramedic and a physician. The requirement was considered too restrictive and was substituted to say the State licensed paramedic and State licensed EMT and then staff who are medically necessary for the patient.

The sponsoring Commission Fisher agreed with those recommendations. They were included in the draft ordinance for the public hearing.

Now, the proposal in front of the Commission is that a Class 5 Specialty Transport would be that you can transport a patient on ECMO or organ transplant or they can transfer anyone to and from the airport. Staff on the ambulance have to be a State licensed paramedic and State licensed EMT or anyone else deemed medically necessary in the patient compartment.

County Administration has proposed an amendment to that, and the amendment is also in front of the Commission which refers to the prior ordinance.

The prior ordinance says that they can transfer an ECMO or organ transplant between two licensed facilities or to and from an airport. To transport they have to be an ECMO or organ transplant. They also brought back the requirement that they had to have a physician onboard and a State licensed paramedic. That is an amendment, and the Commission would have to agree with the amendment and make a MOTION to have that amended, seconded, and the Board would have to vote on it to include that amendment.

The proposed ordinance as it stand right now they would have an ECMO transportation and organ transplant transportation or to and from an airport with a State licensed paramedic or State licensed EMT. That was the Medical Issues Subcommittee's recommendation, as well.

Adam Katzman said that a Class 2 license would allow them to transport anywhere. The Class 5 Specialty Transport is limited. It was intended to address an issue that potentially medical facilities are having, at least at Cleveland Clinic.

Alison Zerbe said that typically if there's a complaint about air or ambulances it comes to her. They haven't had of anything in a while. They had an airport complaint in 2020 during COVID; a Mexican air provider landed without telling anyone and was going to take the patient to an ER. Broward County can't regulate every air provider in the world. Apparently, when they called the private provider, with a 911 response, they couldn't be there within 20 minutes.

Private providers staff off of demand analysis. They have budgets to follow and can't wait around for calls during dead times. In an unusually busy time this may hinder the response time. The providers have spoken to all their management. They have ambulances and equipment waiting to use. They don't have a staffing issue. Unless the private ambulance provider brings their own staff outside Broward County, a million ambulance companies is not going to solve their problem.

Dr. Keroff wanted commented on the differences of the language that came from

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Medical Issues Committee, and County Administration's proposed language. Two differences when it comes to the County Commission.

1. Who can they transport?

The proposal from the Medical Issues was an ECMO or organ transplant or anyone to and from the airport.

The County Administration limits that to ECMO and organ transplants whether it's between two facilities or whether it's to and from the airport. It can only be those two types of patients.

2. The other difference the Medical Issues supported less restrictive staffing so it could be a paramedic and EMT. The County Administration requires a paramedic and physician.

The question is which does the EMS Council wish to support?

DISCUSSION:

Chief Julie Downey asked why they added the airport. She could understand if it was ECMO or organ transplant patient coming by air, but it sounds like they are opening it up to any patient coming by air.

Candace Pineda said that Cleveland Clinic expressed challenges when they have an international patient for a private surgery or issues like neuroscience and cardiac. They had issues with that transport, when the patient lands, and a private provider isn't available. They call 911. The patient then is transported to a local facility not to their intended receiving destination.

Chief Downey said they should hear from Broward County and Chief Cinque. Since they run the airport they're the ones really affected. Cleveland Clinic's international patient population, the majority of time, were coming in electively and bringing the whole family. It's an international program Cleveland Clinic runs. In a more emergent nature, the concierge service of Cleveland Clinic makes those arrangements in advance.

Alison Zerbe and Chief Carter when has said that during the peaks of COVID they did have service problems. Private providers were also staffing COVID vaccination and testing site; the cities didn't want to. Lately she they haven't brought issues to her. If they bring issues, to her, immediately. They can adjust it then and find the issue.

When an international call comes in the broker contacts the ambulance company. Every time they have a complaint, with details, she calls the broker. The two circumstances, the broker dropped the ball and didn't call the ambulance company until 30 minutes before the flight landed. There are different variables.

Candace Pineda commented that at the Medical Issues Committee meeting the private providers provided data to indicate when they had issues or when they were available.

There's other hospital or agencies that contract with a private provider instead of having their own license. They contract and have an ambulance at their site, staffed. They pickup/transfer patients as needed. They suggested that for other agencies.

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Dr. Keroff said that 1.) He gave up making broad-reaching rules based on just one screw up. It's a bad way to approach making rules.

2.) Because of unintended consequences, he thinks limit it to ECMO and organ transplants. It's not going to be as attractive to potential participants. He would limit it to ECMO and organ transplants whether from another facility or from the airport. The issues with the air broker he thinks should addressed the air broker.

MOTION that the language would read: Specialty Transport means the transportation of an organ transplant patient or a patient on extracorporeal membrane oxygenation (ECMO) by an EMS transport vehicle between two facilities licensed under Chapter 395, Florida Statute, or to or from an airport.

Motion made by Dr. Frederick Keroff

Seconded by Chief Julie Downey

Motion passed unanimously.

This was basically the County Administration's recommendation.

Alison Zerbe said that the Class 2 providers can already do these calls. They can take whoever they want in the ambulance, and do any calls the hospital wants ECMO, organ transplant, neonatal.

- This is what came out of Medical Issues Committee:

Choice 1. The patient compartment of an EMS transport vehicle providing a Class 5 ALS Specialty Transport must be staffed with a minimum of one State licensed paramedic and one State licensed emergency medical technician. The patient compartment may also include, etc. The difference between this and the other came from the County Commission.

Choice 2. The Patient compartment of the EMS transport vehicle providing a Class 5 ALS Specialty Transport must be staffed with a minimum of one State licensed paramedic and one physician. This does not include an intern or resident.

DISCUSSION:

Dr. Keroff said that whoever arranges the transport, incurs the medical and legal responsibility provided by that service, and the transport are appropriate to maintain the patient's condition. If they have a minimum of a paramedic and EMT but drips need to be titrated on the patient and vents must be monitored, etc., for them not to have someone that can perform this would be medically and legally inappropriate. They can adjust the language to say 'must include any of the following... Class 2 can provide the services. They have a paramedic, but they often send staff and make sure at least a nurse comes with them to operate the equipment.

Chief Caruso said that when you say 'must' they make a choice. More times than not it will be a paramedic and will have two paramedics and an EMT. They have to do their due diligence. They don't want the patient to decompensate on the way to the hospital and don't want the patient to decompensate after they leave the hospital.

Adam Katzman said that from a legal perspective the use of 'may' is fine: but If from an

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operational or policy perspective there should be something different like a ‘must’ that includes other measures that they deem appropriate. The ordinance is requiring them to do their due diligence. They have a minimum required personnel. If the patient requires something else the holder of the Class 5 is going to provide appropriate personnel or have certain consequences from patient decompensation.

Chief Caruso said that Specialty patients all come by private air and are going to come with the appropriate staff managing them in the air. Why wouldn't they at least mirror the same staff when they reach the ground? Alison Zerbe said that many times the fixed-wing staff come with them, and the ambulance takes them back to the airport.

Dr. Keroff said that the real issue: Does the physician need to be onboard? To him the physician would get less use than anyone else they would put on the vehicle.

MOTION that the patient compartment of an EMS transport vehicle providing a Class 5 ALS Specialty Transport must be staffed with a minimum of one State licensed paramedic and one State licensed emergency medical technician and any and all appropriate personnel.

Motion by Dr. Frederick Keroff

Seconded by Jon Frasher

Motion passed unanimously

Critical Incident Stress Management (CISM)– Andrew Masters not present

- No report.

EMS Review – Alison Zerbe reported

- No report. This committee meets when they have new COPCN applicants. No meeting in the near future.

Grant Committee – Alison Zerbe reported

- The Florida Department of Health have announced the matching grants. Several Broward County agencies were awarded funds.
- If a recipient of the County EMS Grant, Alison needs invoices before December 1. After December 1 she needs to have approval by the FDOH to moved it to FY2023.
- The next County Government Grant fund will be announced towards the end of summer. When announced Alison will let everyone know and they only have a four week turnaround to complete their project. For the new committee members, the grant comes through Broward County Trauma Agency→Ranking Committee→EMS Council→County Commission→Alison Zerbe has to apply to FDOH for the funds. A single agency can apply but county-wide or partial county-wide project receives more funds in the ranking process. She encourages everyone to apply for it.

Nominating Committee – Alison Zerbe reported

See Executive Committee.

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Old Business – Alison Zerbe

Public hearing Tuesday, June 7th 10:00, regarding the ordinance and anyone can sign up to speak for 2 or 3 minutes. When the agenda Item number is correct Alison Zerbe will email it or view it on Broward County Commission website.

New Business – Alison Zerbe

Nothing to report.

Good of the Order

- Dr. Keroff made a suggestion; they need a Motion. The next meeting is September 1st but that is Labor Day weekend. He recommends the Council move the meeting to September 8th.

MOTION to move the next meeting to September 8th.

Motion made by Dr. Frederick Keroff.

Second made by Dr. Boyar

Motion passed unanimously.

Next Meeting Dates

September 8, 2022

December 1, 2022

Adjourned

2:40 p.m.