



Meeting Minutes September 20, 2021

I. ATTENDANCE

	NAME	CATEGORY	OFFICER / COMMITTEE CHAIR	TERM	2020-11	2021-01	2021-03	2021-05	2021-07	2021-09
1	Allen, Reg	Monroe County At Large (Seat 2)	System Operations	3/31/2022	P	P	E	P	A	P
2	Arnold, William	Monroe County At Large (Seat 1)		3/31/2025	P	P	P	P	P	A
3	Cook, Alex	Livingston County At Large (Seat 2)	Treasurer	3/31/2023	P	P	P	P	P	P
4	Coyle, Thomas	Monroe County C.O.N. (Seat 1)		3/31/2025	P	P	P	E	P	P
5	Cushman, Jeremy	Regional Medical Director		Ex-Officio	P	P	P	P	P	P
6	Czapranski, Tim	Monroe County EMS Coordinator		Ex-Officio	P	P	P	P	P	P
7	Dewar, Karen	Livingston County EMS Coordinator		Ex-Officio	P	P	P	P	P	P
8	Erbland, Edward	EMS Training / Education	Training & Ed	3/31/2024	P	P	P	P	E	P
9	Farney, Aaron	REMAC Representative		3/31/2025	P	P	P	P	P	P
10	Frost, Tim	At Large EMS Agency (Seat 3)		3/31/2025	P	P	P	E	P	P
11	Cassin, James	At Large EMS Agency (Seat 4)		3/31/2025	Hartman	Hartman	Hartman	VACANT	VACANT	P
12	Hoskins, Michael	At Large EMS Agency (Seat 2)		3/31/2023	E	A	P	E	E	A
13	Kelly, Timothy	Livingston County At Large (Seat 3)	Vice Chair / N.E.G.	3/31/2025	P	P	P	P	P	A
14	Kirchoff, Thomas	At Large EMS Agency (Seat 1)		3/31/2025	P	P	P	P	P	P
15	Klueber, Geordie	Livingston County BLSFR		3/31/2023	P	P	P	E	P	P
16	Lindskoog, Jonathan	Livingston County At Large (Seat 1)		3/31/2025	Bailey	Bailey	Bailey E	P	P	E
17	Mustafa, Ahmed	Monroe County At Large (Seat 4)		3/31/2024	P	P	P	P	P	P
18	Philippy, Mark	At Large EMS Agency (Seat 1)	Chairperson	3/31/2025	P	P	P	P	E	P
19	Perez, Andrew	Monroe County C.O.N. (Seat 2)		3/31/2024	P	P	P	P	P	P
20	Puls, Megan	Healthcare Representative (Seat 2)		3/31/2024	P	P	P	P	P	A
21	Rathfelder, Eric	Law Enforcement		3/31/2023	P	E	P	P	P	P
22	Smith, Merideth	Community		3/31/2025	P	P	P	E	E	E
23	Tinelli, Samuel	Livingston County C.O.N.	Secretary	3/31/2023	P	P	P	P	P	P
24	Williams, John	Monroe County – BLSFR		3/31/2024	P	P	P	P	P	P
25	Vacant	Healthcare Representative (Seat 1)		N/A	VACANT	VACANT	VACANT	VACANT	VACANT	
26	Vacant	Healthcare Representative (Seat 3)		N/A	VACANT	VACANT	VACANT	VACANT	VACANT	

LEGEND: Present = P Excused Absents = E Unexcused Absents = A

II. Actions

	MOTION	MADE BY	SECOND	ABSTAIN	NAY	APPROVED
1	Approve July Meeting Minutes	Ahmed Mustafa	Tim Czapranski			X
2	To approve meeting schedule for 2022	Tim Czapranski	Geordie Klueber			X
3	Adjournment	Alex Cook	Eric Rathfelder			X
4						X

III. Meeting called to order - Mark Philippy

IV. Attendance – Secretary call roll - Sam Tinelli - 18 Present, 4 absent, 2 Excused

- Confirmed quorum

V. Approval of Meeting Minutes

- Motion to accept the minutes from the July Meeting is made by Ahmed Mustafa and seconded by Tim Czapranski. Roll call vote – No objections, 1 abstention James Cassin to the minutes.
- **Motion 1 – Passed**

VI. Chairperson – Mark Philippy

- Messages have seemed to be getting caught in everyone's spam folder, please be sure to check your folders so you don't miss correspondence.

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- We are now able to offer a virtual option thanks to the Office for Open Government memo. Moving forward, if you choose to join virtually please ensure your camera is turned on. The current end date for this allowance of virtual meetings is January 15, 2022.
- Welcome James Cassin to the Council. He has worked tirelessly on data analytics in our region. Thank you for joining us.

VII. Vice Chair / NEG Report – Tim Kelly

- No Report

VIII. Secretary – Sam Tinelli

- No Report

IX. Treasurer – Alex Cook

- July financial statements have been sent out. We are still in the same boat - the state has not paid us yet. The last payment received was for the quarter ending 9/2020. Ben will be following up with Lynne and grants Gateway. The university understands the position of the council and the way the contract is written, we pay them once we are paid from the state. The State is currently on a hiring freeze which is another factor in the delay.

X. System Medical Director – Jeremy Cushman, MD

- Thank you to everyone for what you're doing. The system is overwhelmed. No imminent protocol/practice changes. Dr. Chushman and Dr. Verneti are in discussion on ideas to turn around crews. We are in this together.
- This past week there have been several meetings (regional Mutual Aid TAG, DO & Advisory Board Meeting and the EMS Coordinators Meeting). It's important that the leadership attends these meetings so that we can advocate for ourselves.

XI. Program Agency Report – Jeremy Cushman, MD on behalf of Ben Sensenbach

- Meeting Calendar for approval:
 - 2022 MLREMS REMSCO Meetings
 - January 24th 2022 1600 (moved to 4th Monday due to the MLK Holiday)
 - March 21st 2022 1600
 - May 16th 2022 1600
 - July 18th 2022 1600
 - September 19th 2022 1600
 - November 21st 2022 1600
 - 2022 MLREMS REMAC Meetings
 - February 28th 2022 1700 (moved to 4th Monday due to THE President’s Day Holiday)
 - April 18th 2022 1700
 - June 20th 2022 1700
 - August 15th 2022 1700
 - October 17th 2022 1700
 - December 19th 2022 1700
- Motion to approve by Tim Czapranski, seconded by Geordie Kleuber. Are the locations the same as in the past? Yes, we will also offer the hybrid option as long as we are able to do so. No abstentions, no opposed.
- **Motion 2 passes.**
- State Actions

- James Philbin
 - Certification revoked effective 7/22/21.
 - Assessed a civil penalty of \$10,000.
 - For violations of 10NYCRR Part 800.3(ap)(1) and 800.3(al)
 - “...Physical abuse means conduct by a certificate holder which causes, by physical contact, physical injury, or serious or protracted impairment of the physical, mental or emotional condition of a patient, which causes the likelihood of such injury or impairment. Such conduct may include, but shall not be limited to, slapping, hitting, kicking, biting, choking, smothering, shoving, dragging, pinching, punching, shaking, sitting upon, burning, cutting, strangling, striking, using corporal punishment or throwing objects at a patient. Physical abuse shall not include reasonable emergency interventions necessary to protect the safety of any person...”
 - “...Incompetence means a lack of, or loss of, skill or knowledge to practice the profession, and/or practicing with negligence, as negligence is defined in this part on one or more occasions while treating a patient...”
- Francesco Berardi
 - Certification suspended for one year effective 8/3/21. The suspension is stayed pending no further violations for a period of three years.
 - Assessed a civil penalty of \$2,000.
 - For violations of 10NYCRR Part 800.3(ap)
 - “...Patient abuse means any inappropriate and/or offensive physical, sexual or verbal contact or interaction with a patient, irrespective of whether the certificate holder is specifically acting in his/her capacity as an EMT when (s)he engages in the abuse...”
- Yosef Chaim Bensimon
 - Suspended for three years effective 8/5/21. The suspension is stayed.
 - Placed on probation for three years effective 8/5/21.

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- Assessed a civil penalty of \$2,000.
- For violations of 10NYCRR Part 800.16(a)(2) and 800.16 (a)(9)
- “...has been negligent in the performance of his/her EMS duties and practice, as incompetence is defined in Section 800.3 of Part...”
- “...has falsified a patient record and/or misrepresented and/or concealed pertinent information during a patient care investigation, including but not limited to making deliberate omissions of material fact...”
- Kevin Steger
 - Certification surrendered effective 8/24/21.
 - For violations of 10NYCRR Part 800.16(a)(11)
 - “...has abandoned a patient, as patient abandonment is defined in Section 800.3 of this Part...”
- Will Davis
 - Issued a reprimand 9/2/21.
 - Placed on probation for three (3) years effective 9/2/21.
 - Assessed a civil penalty of two thousand dollars. Half is suspended pending no further violations.
 - For violations of 10NYCRR Part 800.3 (ao)
 - “...Patient Abandonment means a certificate holder’s willful termination of patient contact prior to delivering the patient for medical evaluation and/or treatment, or securing a proper refusal of medical attention in accordance with applicable protocol. Patient abandonment may be effected through means including, but not limited to leaving a patient unattended after establishing patient contact, leaving a patient to the care of an EMT certified at a lower level when the certificate holder knew or should have known that the patient required a higher level of care, and/or encouraging the patient and/or bystanders to reject transport to a hospital by ambulance unless it occurs within an organized multi patient/agency response...”
- Thomas Warrington

- Certification revoked effective 9/13/21.
- Assessed a civil penalty of \$2,000. \$1,000 is suspended pending compliance of payment.
- For violations of 10NYCRR Part 800.15 (a)(3) and 800.16 (a)(1)
- “...scope of practice as defined in section 800.3...”
- “...has failed to comply with the requirements of Section 800.15 of this part...”
- Eric Gieseler
 - Certification suspended for 1 year effective 9/16/21. The suspension is stayed pending no further violations for 3 years.
 - Assessed a civil penalty of \$2,000.
 - For violations of 10NYCRR Part 800.16 (a)(5)
 - “...has been convicted of one of more criminal offenses, as that term is defined in section 800.3(ak) of this Part, unless, in accordance with Article 23-A of the Corrections Law, the department determines, that (i) there is not a direct relationship between one or more of the criminal offenses and the duties required of this certificate or (ii) allowing the certificate holder to retain his/her certificate would not involve an unreasonable risk to property or the safety or welfare of a specific individual or the general public. In determining these questions, the agency will look at the eight factors listed under New York State Correctional Law Section 753...”
- ALSFR services – you were copied on changes to the state. The enforcement of the State data dictionary is creating a concerning issue. There is an upcoming meeting to further discuss the issues with the State. After this meeting, Mark Philippy will bring any further concerns to the State Operations Committee.
- We continue to send reminders to agencies to turn in their 5136 form. When a service submits their packet to the State without first sending us the 5136 form for signature, it is marked as incomplete.
- Cost data collection seminar is coming up on October 13th in Albany for those that are interested.

XII. System Operations - Reg Allen

- We may look at utilizing the Systems Operations Committee to work on ongoing issues such as hospital drop times.

XIII. Training and Education - Ed Erbland

- CIU Potentially coming up. We are still awaiting a course number, but that will hopefully help folks that need the class.
- CME Porta - if you are having issues with this, please reach out to Ben Sensenbach or Ed Erbland.

XIV. PIER – Ahmed Mustafa

- We submitted an article for the DPM Newsletter on recognition. Our goal is to turn out a quarterly article to keep PIER in everyone's minds.
- Also looking at doing a monthly social media spot for EMS (i.e. Breast cancer awareness, Domestic Violence Awareness, Thanksgiving Safety, etc.)
- As part of the Program Agency request for agency information, we are going to also request the primary and secondary media contacts for each agency so that when there are solicitations, we can send them directly to the right folks.
- Agency of the Year award sign – there have been issues with some of the grommets in the wind, so the sign has been affixed to a piece of wood. This has significantly helped. Other than that, the sign is in good shape, it just may be a bit more challenging to move.
- As a reminder, our new award packet is out, please consider submitting your folks for nomination.

XV. Livingston County – Karen Dewar

- Livingston County participated in the NYS Association of Counties – EMS Counties in Crisis. No county service is cookie cutter. The attendance was overwhelming. Concerns were voiced about long response times, lack of volunteers, etc. The take home point was even for county wide services, we still need to keep our current agencies that are doing well, doing well.

XVI. Monroe County – Tim Czapranski

- Hexagon CAD log off issues have been fixed.
- Looking at three POD sites for boosters and third shots. We would like to have a spot at fleet again, but we need to await NYS approval.
- Our first class of paid inters have finished. Thank you to all agencies that supported this training.
- ePCR hexagon interface – Ben and Tim to work together as things move forward.

XVII. REMAC – Aaron Farney, MD

- August Meeting was cancelled
- The next meeting is Monday, October 18th at 1700
- If this takes place in person at the PSTF, masks are now required at all times in the building.

XVIII. OLD BUSINESS

- None to report

XIX. NEW BUSINESS

- None

XX. SEMAC/SEMSCO Updates

- Vital Signs Conference November 11th – 14th in Saratoga
- SEMAC/SEMSCO Meeting are October 19th and 20th at Empire State Plaza
- There have been conversations regarding if this will either be hybrid or wholly virtual. We are also not sure if the Program Agency meeting is going to happen either, more to come as everything is sorted out.
- EMS Memorial is September 30th, contact Val Ozga if you would like to attend. All attendees must arrive by 10am.
- Part 800 changes – approval has been delayed. It is with the Division of legal affairs.
- Mark Philippy is terming out next year. We will need two candidates to submit by this time next year. We would suggest keeping Tim Kelly as one of the candidates given his active engagement.

XXI. NYS DOH Dates to Remember

- No Report

XXII. Adjournment

- **Motion made by Alex Cook to adjourn, seconded by Eric Rathfelder.**
- **Motion 3 - Passed**

- **Next Meeting: Monday November 15th, 2021 at PSTF at 1600**

Link for full meeting video:

[Full September 2021 MLREMS Meeting](#)