



Meeting Minutes June 27, 2022

● ATTENDANCE

	NAME	CATEGORY	OFFICER / COMMITTEE CHAIR	TERM	2021-09	2021-11	2022-01	2022-03	2022-05	2022-06
1	Allen, Reg	Monroe County At Large (Seat 2)	System Operations	3/31/2022	P	P	A	P	P	P
2	Arnold, William	Monroe County At Large (Seat 1)		3/31/2025	A	P	P	P	P	P
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	P	A	P
5	Cushman, Jeremy	Regional Medical Director		Ex-Officio	P	P	E	P	P	P
6	Czapranski, Tim	Monroe County EMS Coordinator		Ex-Officio	P	P	P	P	P	A
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	E
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	A	P	P
11	Cassin, James	At Large EMS Agency (Seat 4)		3/31/2025	VACANT	P	P	P	P	P
12	Vacant	At Large EMS Agency (Seat 2)		3/31/2023	A	A	Vacant	Vacant	Vacant	Vacant
13	Kelly, Timothy	Livingston County At Large (Seat 3)	Vice Chair / N.E.G.	3/31/2025	A	P	P	P	P	P
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	P	E	P
16	Lindskoog, Jonathan	Livingston County At Large (Seat 1)		3/31/2025	P	P	P	P	P	P
17	Mustafa, Ahmed	Monroe County At Large (Seat 4)		3/31/2024	P	P	P	P	P	A
18	Philippy, Mark	At Large EMS Agency (Seat 1)	Chairperson	3/31/2025	P	P	P	P	P	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	A	P	P	E	P	P
21	Rathfelder, Eric	Law Enforcement		3/31/2023	P	P	E	P	E	P
22	Smith, Merideth	Community		3/31/2025	E	P	P	P	E	A
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	A	E	P
25	Vacant	Healthcare Representative (Seat 1)		N/A	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT
26	Vacant	Healthcare Representative (Seat 3)		N/A	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT

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

●Actions

MOTION		MADE BY	SECOND	ABSTAIN	NAY	APPROVED
1	Motion to adjourn	Sam Tinelli	Tim Kelly			X

●Meeting called to order
●Attendance – Secretary call roll - Tim Kelly - 20 Present, 3 absent, 1 Excused, 3 Vacant

- Confirmed quorum

●Chairperson - Mark Philippy

- Special Meeting – called for the purpose of discussing budgetary matters for the regional program agency (idea of having a contract to vote on for this meeting).
- Current budget year ends June 30th. Mark has been in communication with finance of BEMS as well as Ryan Greenberg
- We do not have a contract to sign at this time. The office of the State comptroller has the contract under review currently. We will not have them by Friday, but we are assured that it is likely that we will have the contracts in the second or third week in July. Dr. Cushman & the Program Agency is willing to continue to operate as our program agency until we receive this

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- Feel confident that we are working toward a solution with the State. Fully intend on having the Program Agency continue as is. There are a number of challenges we need to work on to overcome.
- We are supposed to be on a reimbursement model, where the State gives us a grant, we spend it and we ask the State of NY to reimburse us for that amount. We should be able to request an advance from the State from the contract and then work with the University to make sure the payment for services have been made, and then we will give the State that voucher to show what we've spent. By the end of June 2023, this should get us back to the proper way. We have to voucher for things that have already been spent.
- At this point we are waiting for some feedback from the finance department at BEMS as well as the University side to ensure we can operationalize this. The University has been great partners. Without them, we would not be where we are now. Hope to ratify the contract in July if we have that by that month, then we can take a look at our memorandum of understanding with the University.
- The University has been great partners. Without them, we would not be where we are now. Hope to ratify the contract in July if we have that by that month, then we can take a look at our memorandum of understanding with the University.
- Questions?
- Thank you Mark for your leadership throughout all of this. The University of Rochester Department of Emergency Medicine is dedicated to EMS in this Community, and we will continue to support this body. Thank you Mark and the rest of this Council for your advocacy.
- Ben & Alex – thank you for all of your time and effort that you've put into this

- The State may want to at some point see what we did however many years ago it was that we contracted with the University. If we can find how it came to be to produce from the beginning to the State. Ben is going to take a look and see what we have. The BEMS are the ones that dictate our records retention, but we will look and see what we have.
- Sue Breese & Sharon Chiumento may be helpful to ask as well.
- Tim Czapranski brought up an issue with the STAT MEDEVAC issue – the REMAC voted to approve the request – our motion was to accept the letter without comment, this is not correct, since they have the potential to operate in our region. Depending on what happens at SEMAC, we may have to revisit this for a vote. Take a look at it, if you need a copy, reach out to Ben or Mark and we can get that to you.
- Hold on State Actions and read into minutes at the next meeting.
- Last distance meeting, we will be in person next time.

● State Actions

- Peter Sherman
 - Surrendered effective 7/5/22.
 - Assessed a civil penalty of \$500.
 - For multiple violations of 10 NYCRR Part 800.3(am), 800.3(al) and 800.15(a)(2).
 - “...Negligence means a failure to perform, on one or more EMS calls, as an ordinary, reasonable, similarly situated certificate holder certified at the same level would, based on the standard of care in the region, as delineated in controlling protocols, curricula, and policies, and as demonstrated by an ordinary, reasonable certificate holder’s general standards of practice...”
 - “...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...”

- "...comply with prehospital practice standards, applicable for the geographic region of the State in which the individual is practicing, as established by: state-approved protocols developed by State and/or Regional Medical Advisory Committees pursuant to sections 3002-a and 3004-a of the Public Health Law..."
- Christopher Kitchens
 - Revoked effective 7/13/22.
 - For violations of 10 NYCRR Part 800.15(a) and 800.16(a)(1), (2) and (13).
 - "...comply with prehospital practice standards, applicable for the geographic region of the State in which the individual is practicing..."
 - "...has failed to comply with the requirements of Section 800.15 of this Part..."
 - "...has been negligent in the performance of his/her EMS duties and practice, as negligence is defined in Section 800.3 of this Part..."
 - "...has held him/herself out as being certified at a higher level than actually certified, or has exceeded his/her authorized scope of practice as that term is defined in Section 800.3 of this Part..."
- Matthew Miller
 - Surrendered effective 7/28/22.
 - For violations of 10 NYCRR Part 800.16(a)(10).
 - "...has misappropriated any money or any property from any source during the course of any EMS duty and/or practice, irrespective of whether such misappropriation is prosecuted as a crime..."
- Joshua Feldman
 - Suspended for one year effective 8/9/22. The suspension is stayed.
 - Placed on probation for three years effective 8/9/22.
 - Assessed a civil penalty of \$500.
 - For violations of 10 NYCRR Part 800.15(a), 800.3(ap)(1) and 800.16(a)(2).

- "...comply with prehospital practice standards, applicable for the geographic region of the State in which the individual is practicing, as established by..."
- "...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, including but not limited to the following: 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, or 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..."
- "...has been negligent in the performance of his/her EMS duties and practice, as negligence is defined in Section 800.3 of this Part..."

- Michael Septoff

- Revoked effective 9/2/22.
- Assessed a civil penalty of \$2,000.
- For violations of 10 NYCRR Part 800.16(a)(4).
- "...has abused a patient, as patient abuse is defined in Section 800.3 of this Part..."

●Adjournment

- **Motion made by Sam Tinelli to adjourn, seconded by Tim Kelly.**
- **Motion 1 - Passed**
- **Next Meeting: Monday July 18th, 2022 at the Public Safety Training Facility, 1190 Scottsville Rd, Room 117, Rochester, NY 14624.**

Link for full meeting video:



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[Full June 2022 MLREMS Meeting](#)