



Monroe-Livingston REMAC Meeting Minutes

December 20, 2021 5pm

<https://urmc.zoom.us/j/219219351>

Roll Call Attendance – Ben Sensenbach

Agenda Review – Erik Rueckmann, MD

- Additions to the agenda
- Minutes Review & Approval
 - Minutes – Motion to approve the October 2021 meeting minutes by Lee Collier. Seconded by Dr. Dorsett. No discussion. All in favor? Any opposed? None. Motion carries.

State Actions – Ben Sensenbach

- Center for Allied Health Education
 - Assessed a civil penalty of \$2,000.
 - For violations of 10NYCRR 66.3(d) (reference: <https://www.greenegovernment.com/nys-law-on-face-coverings-10-nycrr-subpart-66-3>)
 - “...Any person over two years of age and able to medically tolerate a face-covering must wear a face-covering when in public and unable to maintain social distance. Passengers over the age of two and able to tolerate a face-covering must wear a mask or face covering when on public transport or private for-hire transport. Drivers or other employees of transportation carriers must wear a mask or face-covering if there are paying passengers on such transport. Any employee present in the workplace must be provided a mask or face-covering and must wear it when in contact with customers or the public, or unable to socially distance. Business operators and business owners must deny entry and/or remove any person who fails to comply with the face-covering requirements. Adequate face coverings include cloth masks, surgical masks, N-95s, and face shields. To maintain social distance, persons must keep at least 6 feet away from any other person, other than their own family members...”
- Kevin Mckeon
 - Certification suspended for one year effective 10/22/21. The suspension is stayed.
 - Placed on probation for three years effective 10/22/21.
 - Assessed a civil penalty of \$2,000.
 - For violations of 10NYCRR Part 800.3(am) and 800.16(a)(11).
 - “...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 upon 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...”
 - “...has abandoned a patient, as patient abandonment is defined in Section 800.3 of this

web www.mlrems.org
phone (585) 463-2900
fax (585) 473-3516

office
44 Celebration Drive, Suite 2100
Rochester, NY 14620

mailing
601 Elmwood Avenue, Box 655
Rochester, NY 14642



Part...”

- Giovanni Gavia
 - Certification revoked effective 10/22/21.
 - Assessed a civil penalty of \$2,000.
 - For violations of 10NYCRR Part 800.16(a)(4).
 - “...has abused a patient, as patient abuse is defined in Section 800.3 of this Part...”
- Ambulance Service of Fulton County, Inc.
 - Certification revoked effective 10/27/21.
 - Assessed a civil penalty of \$4,000.
 - For violations of Public Health Law Article 30 Section 3012 (1)(f).
 - “...has discontinued operations for a period in excess of one month...”
- Johnstown Area Volunteer Ambulance Corps, Inc.
 - Certification revoked effective 10/27/21.
 - Assessed a civil penalty of \$4,000.
 - For violations of Public Health Law Article 30 Section 3012 (1)(f).
 - “...has discontinued operations for a period in excess of one month...”
- Robert Gala
 - Certification revoked effective 10/27/21.
 - Assessed a civil penalty of \$2,000.
 - For violations of 10 NYCRR 800.16(a)(8), 800.16(a)(11) and 800.16(a)(9).
 - “...has responded to a call, provided patient care, or driven an ambulance or other emergency medical response vehicle while under the influence of alcohol or any other drug or substance which has affected the certificate holder’s physical coordination or intellectual functions...”
 - “...has abandoned a patient, as patient abandonment is defined in Section 800.3 of this 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...”
- Matthew Martinez
 - Certification suspended for one year effective 10/29/2021. The suspension is stayed pending no further violations for three years.
 - Assessed a civil penalty of \$2,000.
 - Provide proof of remediation
 - For violations of 10 NYCRR 800.16(a)(2), 800.16(a)(3).
 - “...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 been incompetent in the performance of his/her EMS duties and practice, as incompetence is defined in Section 800.3 of this Part...”



- Jon Cinelli
 - Certification suspended effective 11/2/2021. The suspension is stayed for one year pending no further violations for three years.
 - Assessed a civil penalty of \$2,000.
 - For violations of 10 NYCRR 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..."
- John Henderson
 - Certification revoked effective 2/3/2021.
 - For violations of 10 NYCRR 800.15(a)(2), 800.16(a)(9) and 800.3(am).
 - "...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..."
 - "...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..."
 - "...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 upon 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..."
- Pamela Aschendorf
 - Certification revoked effective 2/3/2021.
 - For violations of 10 NYCRR 800.15(a)(2), 800.3(m) and 800.3(al).
 - "...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..."
 - "...Emergency ambulance service vehicle means a vehicle that is owned or operated by an ambulance service that is used to transport emergency medical personnel and equipment to sick or injured persons..."
 - "...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..."



New Business – Jeremy Cushman, MD & Mark Philippy

- RSI Program – administrative adjustment request.
 - Motion to allow the Program Agency to adjust the credentialing expiration for RSI providers plus or minus six months from the original expiration with notice to the credentialed provider by Dr. Cushman. Seconded by Tim Frost. Discussion: This body approved the original policy which expires exactly after the four years that it expires. For a lot of different administrative and logistical reasons, it makes it difficult for recertification (retesting). We have also recognized that we need to update some other sections of the policy as well to bring forward to this group at the next meeting in February. When we began this four years ago, we did two rounds of testing. Subsequently, we found we only need to do this testing once a year, which brings about this request. No further discussion. All in favor. No opposed, no abstentions, motion passes.
- Medication formulary
 - Ask of the REMAC to perform a cursory review of the formulary to reflect an updated date to ensure it reflects the current medicine. The Program Agency will do the first pass and bring forward changes to this group for discussion.

Tim Czapranski and Dr. Jay Schueckler have joined.

Medical Director Report – Jeremy Cushman, MD

- Next SEMAC is two weeks from tomorrow. Some of our regional policies will be brought forth for approval.
- Council approved a motion earlier regarding the Program Agency's ability to share de-identified patient and agency data to share with other stakeholders as it relates to mental health uses of services and ED drop times. If the physicians have areas of interest, let us know.
- Most of you were not here when the REMAC used to use the process of diversion. We rescinded that practice a decade ago. Both systems have advocated very strongly on the EMS behalf that diversion is not the answer. This is being used in our neighboring counties routinely. Wanted to check in that this body is still comfortable with the REMAC's previous position that diversion to only be used in cases of internal disaster or utility disruption affecting an emergency department, precluding its ability to provide care and that boarding or other staffing shortages are not an appropriate use of diversion in our region. Thankful to all of the ED Directors for their avoiding using the Diversion processes. Motion by Dr. Cushman to reaffirm that the Monroe-Livingston REMAC position that diversion should only be used in cases of internal disaster, utility disruption and not for boarding or staffing challenges. Seconded by Dr. Rueckmann. Other discussion? None. All in favor. No opposed, no abstentions, motion passes.
- Program agency office will be closed 12/22-1/3. Ben and Mindy will be taking some time off. Dr. Cushman will be available for any pressing issues. Wishing everyone a happy and healthy new year and a wonderful holiday.

Program Agency Report – Benjamin Sensenbach

- Updates to the NYS data dictionary that is taking place after the Christmas holiday with the new year. It's extremely hard to predict what validation issues our providers may encounter. All of the vendors have been provided copies of the NYS schematron. The Bureau of EMS has had a meeting with each ePCR vendors to ensure that they did not have any questions. We should be



in a better position than the June updates. Ben will be ready to address issues as they come in, please contact Ben with any issues your providers encounter.

- Because of that, for the ED docs – last time this happened, there were significant chart lock delays. That may happen. If there are issues, contact Ben or Dr. Cushman.

Patient Safety Subcommittee – Aaron Farney, MD

- Soliciting membership for 2022. In need of a diverse group of folks interested in patient safety. Looking for EMTs, Paramedics, first responders. Urban/Suburban. Also diversity in experience, veterans and new folks. Communication will be coming out – if you have folks at your agencies that would be interested, please share this with them.
- Quality academy met today. Looking forward to working with our colleagues on planning interventions.

Council (MLREMS) – Mark Philippy

- Council met in special session just before REMAC for West Webster Fire District transfer of operating authority to the Penfield Volunteer Emergency Ambulance. Motion passed.
- Motion and approved for information sharing and collection by Program Agency. Letters will be going to Agency Leaders to inform them and have the option to opt out.
- Motion put forward and approved to support renewal of course sponsors for Monroe Community College, Livingston County EMS, Rochester Fire Department and the MLREMS Council.
- Motion put forward and approved by Council to write letter of support for the Nurse Navigation Program.
- Motion put forward to support the 911 Nurse Navigation Program
 - Background: The City of Rochester and AMR signed an agreement in which this Nurse Navigation was part of it. AMR would offer to the City and County of Monroe the system for Nurse Navigation. Take low acuity calls (alpha and omega call types under EMD BLS - D) those certain calls would be diverted to a Nurse who would be connected with the caller and conduct a secondary triage process and determine if there's a need for an ambulance, a tele-health visit or patient is sent to an alternative destination (i.e. Urgent Care, Primary Care, etc.) – patient would be sent via ride share service.
 - This project was supported by the EMS Advisory Board in June. Looking to go live on January 3, 2022. We expect that we're talking about a fairly small number of calls that would be eligible. A letter was sent to every elected official in Monroe County supporting the Nurse Navigation program and advising them of the Program start. Working on some public education.

State Council Meetings –Mark Philippy / Jeremy Cushman, MD



- State Council Meetings January 4th and 5th
 - Number of items from Monroe-Livingston for review and approval.

Regional Trauma Advisory Committee –Ben Sensenbach

- Working on analysis of the profound increase in violent trauma. It is obviously taxing the trauma system.
- Looking to get back out to do their rural trauma training course.
- Bill Hallinan has stepped down as the Trauma Program Manager. Frank Manzo is acting in a temporary capacity for that role.
- New injury prevention coordinator: Adam Oplinger

Individual Hospital Reports

Rochester Regional

RGH – Connie Verneti, MD

- No Report. Same boarding pattern everyone else is. Trying to make it work.

Unity/St. Mary's – Tony Katsetos, DO

- No Report

UR Medicine

SMH/Strong West – Erik Rueckmann, MD

- No Report

Highland – Jay Schueckler, DO

- No Report

Noyes – Aaron Farney, MD

- No Report

Severe blood shortage. If any of the local agencies are having blood drives, it would be much appreciated.

Old Business

- Current project with Rochester Regional Health and AMR – transports to the Behavioral Health Access Crisis Center. There haven't been many transports by EMS.



- Idea of pursuing the ability of our field providers to offer vaccinations on the spot. Does it make sense to open this up that we as a region may allow for EMTs and Paramedics to administer vaccinations in the home as part of their patient contact? It will take a lot of work – with the COVID vaccines, there are storage issues, there are some operational, logistical and legal considerations. Dr. Rueckmann and Mark to talk offline and come back to the group.

Motion to adjourn by Bill Comella.

Second by Dr. Maia Dorsett.

Next Meeting is February 28, 2021 at 5pm PSTF: 1190 Scottsville Road, Rochester, NY 14624.

Link for full meeting video: <https://youtu.be/fl8wPPw77sc>