



Westchester Regional EMS Council

General Meeting Minutes

Date: November 19, 2009
Time: 6:00 P.M.
Location: Westchester County Department of Emergency Services

OFFICERS
Daniel J. Blum, Chair
James O'Connor, Vice Chair
Cesar Perez, Treasurer
Dr. Tim Haydock, Secretary

MEMBERS

NAME		AFFILIATION	
Barca	Joseph	Yonkers Police Department	Present
Blum	Daniel	Chappaqua VAC	Present
Briggs	Susan	Nursing Association / Westchester Medical Center	Present
Burke	Alison	Greater New York Hospital Assoc	Present
DeRobertis	Nicholas	St. Joseph's Medical Center	Present
Faucher	Roland	Mohegan Vol. Fire Assoc. VAC	Present
Haydock	Timothy	White Plains Hospital Center	Present
Jackson	John	Westchester County Dept of Emergency Services	Excused
Kalish	Chris	Tarrytown VAC	Present
Kelly	Eugene	Yonkers Fire Department	Present
Labriola	Luci	Armonk Independent Fire Company	Present
Lazar	Eliot	General Public	Excused
Liverzani	Michael	Town of Mamaroneck Amb District	Present
Malone III	Eugene	Fairview Fire Department	Present
McGurty	John A.	Hudson Valley Hospital Center	Excused
Meade	Jeffrey	Phelps Memorial Hospital (ELSP)	Present
Mettler	Lorene	Ossining VAC	Excused
Minerva	Daniel	Empress EMS	Present
Nechis	Alex	Eastchester VAC	Present
Nechis	Barry	New Rochelle Fire Department	Excused
O'Connor	Charles	Croton Fire Patrol	Present
O'Connor	James	TransCare	Present
Parsons	David	Harrison VAC	Absent
Perez	Cesar	Katonah-Bedford VAC	Present
Simpkins	Gilbert	Vista FD	Present
Straub	Frank	White Plains Department of Public Safety	Excused
Thomas	Ted	Elmsford Fire Department	Present
Varlese	Doris	General Public	Excused
Volk	Michael	Westchester County Dept of Emergency Services	Present

GUESTS

Adam	Ochs	Association of Fire Districts
Timothy	Curran	Sleepy Hollow Ambulance
Anne	Boyd	Chappaqua VAC
David	Dawson	TransCare
Cheryl	Borelli	Chappaqua VAC
Gail	Oestreicher	Chappaqua VAC
Daniel	Olmoz	WC Dept. of Emergency Services / Program Agency
Sutton	Anthony	WC Dept. of Emergency Services

Chair, Daniel Blum called the meeting of the Westchester Regional EMS Council to order at 6:10 P.M.

DES Commissioner Anthony Sutton was asked to lead the meeting attendees in the Pledge of Allegiance.

Secretary, Dr. Tim Haydock conducted the roll call and determined that the attendance (22) did meet the quorum requirement of sixteen (16) delegates.

The minutes of the September 24, 2009, annual meeting were previously disseminated to the members. The minutes were approved without change.

CHAIR'S REPORT – Chair, Daniel Blum reported on the following: *I would say that the past couple of months have really been consumed really in its entirety between the Program Agency staff as well as the executive officers trying to wade through this process to correct CONs where there's been a mismatch of what's on certain agencies' operating certificates as opposed to what they have traditionally been responding to. At the outset, we established a draft policy. Many people here were instrumental in assisting the draft of that policy. We did submit it to the New York State Department of Health along with questions that we had related to the policy. It's unfortunate but subsequent to adoption of the policy the state has continued to come back with additional information. As you all might remember, we had representatives from the State Department of Health here with his throughout that period. We have been in more of, I guess, a responsive mode to their request to make additional modifications to the policy. So tonight, we will have a public hearing related to four CONs that have come before the Council, and there will be some modifications to the treatment of those CONs. I don't think that it will result in a material difference of the group that previously went through versus this group. But I will say that I'm impressed with the diligence that the Program Agency staff has undertaken in processing the CONs. I also apologize to the agencies that have gone through in this round and the previous round where the process has been modified and materials have gone back to them. It's a laborious effort for the Program Agency and for the provider agencies. Ultimately, I think that it's the right thing to do, and I applaud everybody for being flexible.*

A couple of other sobering thoughts that I just wanted to share with the Council. We all know that there have been newly elected officials specifically a County executive. We know that there are budgetary issues for our County. We also know that the New York State Budget is really problematic. The Program Agency has been the recipient of communication from the State Department of Health Bureau of EMS. It speaks to specific challenges that the Department foresees in the near term future. The EMS Director Ed Wronski has stepped down and retired. The Associate Director has also moved into a different position at the New York State Department of Health, and Lee Burns who was the Director of Operations is now in an acting capacity to fulfill her role as well as the two roles where there has been attrition. So staffing is an issue for the Bureau. Funding is an issue as well as discretionary funds, whatever those are considered to be have been sort of ratcheted back. We understand that there could be a problem with distribution of PCR's to agencies those that are on a paper copy of the PCR, and more word will be forthcoming. If the current supply of PCR's is exhausted it comes to pass that PCR's are not available to provider agencies. In that case, the State is actually undertaking a contingency plan right now. The contingency plan will probably relate to photocopying so the extension which we all need to be vigilant and be aware of not discarding valid link copies of PCR's and not being diligent with safeguarding PCR's. You might need to try and nurse your volume of PCR's out for some period of time. So this will be a challenge. Let's hope that it doesn't come to pass. It does argue for our continued pursuit of an EPCR system that would be as much as possible standardized throughout our region. So we discussed in executive committee, the continued need for us to look at the more aggressively. This provides a little bit of an impetus to do it quicker.

That being said, the other budgetary concern that we're aware of is that some of the program agencies are in dire need of funding. There is a delay, at the very least a delay of funds for program agencies across the State, and we have received word, and perhaps some of you have as well, that certain program agencies are planning to actually cease their activity. We do not anticipate that we will be in that position here within the Westchester region. Other regions have released sort of what you might want to call a doomsday plan where they literally cease functioning, and they have postulated that in that scenario without them undertaking their activities, ALS providers would not be credentials, protocols would not be advanced. But we here within the Westchester region are closely monitoring this and monitoring our neighboring regional entities to understand how this could impact us, and we will see as time marches forward in the short term how this may or may not impact us. Frankly, we're looking at all opportunities that we can to bring in additional revenue into the Council and the program agency, the REMAC, in order to ensure that we can do our business.

It was mentioned that the State EMS Council will now meet only 3 times per year.

VICE CHAIR'S REPORT - None

TREASURER'S REPORT – Cesar Perez reported the following - *we have received our Tax Report that we just need to sign and send in. Also we have received a Compilation Report from our accountants. It was pretty basic. If anyone wants to see it, feel free to see me afterwards.*

It was also mentioned by D. Blum that as a not-for-profit entity, the Council still has to file a return. *There's an expanded 990 that not-for-profit entities are now required to file, and in addition we elect to have a Compilation Report done each*

year. The Compilation Report is not what I would call and audit. It certainly isn't what an accountant would call an audit but it is a representation of our financial transactions throughout the year. So they receive our books and records and the accounting firm, the certified public accounting firm then consolidate a statement. Again, it is a public record and anybody is welcome at any time to review that.

SECRETARY'S REPORT – None

STANDING COMMITTEES

Communication – Chief Volk reported on the following: *I don't have any updates on the radio system. One update I have is the hospital diversion site has been updated. It actually has bed status that identifies the number of critical patients or non-critical patients that can be accepted. They're all listed with default numbers right now and if a hospital can't accept that specific number, they can go in and change it just like it would go on a diversion. That information will be available to EMS staging officers or transportation officers who usually require the Communication Center to call all of the hospitals to get those numbers and report back.*

Disaster TAG – no report

Finance – see Treasurer's Report

Legislation and By-Laws – D. Blum reported the following on behalf of Doris Varlese: *Legislative and Bylaws I'm happy to report that our member, Doris Varlese, who had been heading up that area as of I think yesterday, tells me that she now has a temporary position with the New York State Department of Health. And Doris is in the process of waiving a conflict to sit on the Council and also be employed at least on a temporary basis with the Department. So she's not here this evening. I will tell you that over the last two weeks Doris did a review of some of our bylaws and policies and procedures, and she has submitted some suggestions on modifications and will be undertaking those hopefully on a day that we're not completely besieged by CON activities.*

Nominating – Phyllis Smalley reported the following: *there are eight council members whose terms are expiring. The following members are Dr. Timothy Haydock, who represents hospitals, Dan Minerva, EMS Commercial, Dr. Nicholas DeRobertis, Hospital, Alex Nechis, EMS Volunteer, Barry Nechis, Career, Fire, Jeff Meade, Course Sponsor, Frank Straub, Police, and Dave Parsons, EMS Volunteer. We received only one person who declined to be re-nominated and that was Dave Parsons. But in the meantime we did get an application from Jeff Casas from Port Chester Ambulance. He asked that he be considered for the position. We do have also applications again from Dr. DeRobertis, Dr. Haydock, Alex Nechis, Barry Nechis and Frank Straub. They all asked to retain their positions here on the Council. We do have a contested position and that is EMS Commercial. We have two individuals who have requested to be considered for the position and that is Dan Minerva from Empress, and Malcolm Dixon from TransCare. So at this time, we will have an election.*

Jeff Meade expressed his interest in remaining on the council since there was some confusion with the submission of his paperwork.

A question was posed regarding a recent newspaper article that indicated the Frank Straub resigned from his position as Police Commissioner. It was determined that since no official notification was received from Mr. Straub that the vote continue.

Ballots were distributed to the members and were collected upon completion. There were 20 voting members for the EMS Commercial Service contested position. The tally was as follows: Dan Minerva 14 votes; Malcolm Dixon, 5 votes; and one abstention.

Jeff Casas replaced Dave Parsons in the EMS Volunteer Independent seat. All other incumbents were re-elected.

Policy & Procedures – none.

Public Information & Education – none

REMAC - Chair Dr. DeRobertis reported that the REMAC had met on November 16, 2009. *As said before about finances, we also ourselves are unsure about what's going to happen at the REMAC level itself because we do depend on the County. This was clearly evident on the Hudson Valley Regional Trauma Advisory Committee, which hasn't met in a while and which has now become a non-funded committee. The participation and obviously direction of that committee is going to have some difficulty. Where a number of years ago when it was supported by the State, it was a very strong committee and it does include the whole Hudson Valley. So we're hoping that that gets resurrected but we'll follow that as it goes through.*

Certainly, my conversation about the H1N1, the vaccine, there is still some at the county level still and they're trying to swap some around so we can get our EMS providers all vaccinated if possible.

There was an addition to the 405 Regulations for Hospitals that involve EMS in reference to having written agreements now for STEMI and acute care patients that need to be transferred out. So those now have to be written. I guess I would just also note that the 405 Regulation also requires hospitals to integrate their QI Plan somehow with the EMS community. So if any EMS agency does happen to get contacted by their local hospital they are actually in that new 405 Regulation supposed to be integrating some of the QI with EMS.

Training and Education – Alex Nechis reported on the following: *Our next meeting is on December 5th. We were planning on having a CIU in December but due to circumstances beyond our control, we're going to move that probably to the end of the first quarter of 2010. So we're looking like March/April.*

Transportation - Chair, Joe Barca reported on the following:

CON Hearing – *Okay, just to refresh everybody's memory, the whole purpose that this procedure was even started was because it was determined by New York State Department of Health that certain agencies might have been responding to areas outside of their certificate of need as stated on their Operating Certificate. The purpose here is to correct what we've labeled as an administrative omission on the part of either New York State Department of Health or the individual ambulance corps when they made initial application way back when. The Transportation Committee met on November 10th to discuss the four applications. They will be taken in alphabetical order except for this first one which is Mount Kisco. We're taking this off the table at this time because the F&C Report, the Fitness and Competency Report from New York State Department of Health has not been resolved as of this afternoon. And so by statutory regulations we're not allowed to bring this to a vote. The next three we will be taking in alphabetical order. Instead of reading the entire report into the minutes, the written copies of it have been submitted to the stenographer. I'm basically going to give you a brief synopsis of it. If anybody requests that the entire or sections of the report be revealed tonight, by all means when we come to questions and answers please ask and we will certainly accommodate you. New York State Department of Health has been guiding us, if you want to use the word "guiding" on how these hearings should be held because basically we're in uncharted territories and Westchester being the youngest REMSCO in the state has also blazed the most trails in this last year. I am going to be asking representatives from the ambulance corps that are here tonight some questions. They've already been told ahead of time what these questions are and they should be prepared to respond to them.*

Role call was taken. It was noted that Susan Briggs, Roland Faucher, John Jackson, Eliot Lazar, John McGurty, Lorene Mettler, Barry Nechis, Jeff Casas, Frank Straub, and Doris Varlese were not present. However, a quorum was present.

Chair, D. Blum reviewed the procedures for the hearing. The conflict of interest statement was read into the record.

For the purposes of gathering the additional ambulance certificate related information recommended by NYSDOH, the following questions were posed to each applicant:

1. Has your agency previously applied to either the regional council and / or NYS DOH for a territory determination for all or any portion of the territory requested in the current application?
2. Has your agency ever received notice from any entity, including NYSDOH, that the service should not serve geography not listed on its ambulance or ALSFR certificate? If so, when, and what action if any did the agency take at the time of such notice?

3. Has your agency any documentation or evidence that its service certificate has been changed or administratively "altered" in any way since first issued.
4. Please describe the administrative actions taken by your agency at any time during the past 15 years upon receiving the attached DOH notice of certificate renewal and issuance each time the service applied for renewal. (See attached certificate issuance form letter. This formal notice, with the text body unaltered since first used in March 1995, has been included with each EMS agency certificate upon renewal.)

J. Barca presented the Transportation Committee's reports for the following applications and each one was voted on accordingly:

- **Chappaqua VAC**; A motion was made by Lt. Barca to approve the Chappaqua Volunteer Ambulance Corps application for an expansion of operating authority to include Town of New Castle and the portions of the New Castle Fire District outside the Town of New Castle. The motion was seconded and a roll call vote held. The expansion of operating authority was approved: 18 yea, 0 nay, 0 abstention, 10 absent, 2 vacant seats.
- **Sleepy Hollow Ambulance Corps**; A motion was made by Lt. Barca to approve the Sleepy Hollow Ambulance Corps application for an expansion of operating authority to include Village of Sleepy Hollow and the Pocantico Hills and Archville Fire Districts in the Town of Mount Pleasant West Ambulance District. The motion was seconded and a roll call vote held. The expansion of operating authority was approved: 18 yea, 0 nay, 0 abstention, 10 absent, 2 vacant seats.
- **Tarrytown Volunteer Ambulance Corps**; A motion was made by Lt. Barca to approve the Tarrytown Volunteer Ambulance Corps application for an expansion of operating authority to include The Tarrytown Fire District and Village of Tarrytown, Interstate 87 between mile marker 10.3 and 14.9 including exit 8 interchange to Interstate 287 mile marker 0.2, area north of Taxter Road between Route 9 and Interstate 87 cross-over, area east of Saw Mill River Parkway between mile marker 11.5 and 13.5, and the southern most 1000 feet of Lake Avenue in the Town of Mount Pleasant. The motion was seconded and a roll call vote held. The expansion of operating authority was approved: 18 yea, 0 nay, 0 abstention, 10 absent, 2 vacant seats.

NEW BUSINESS –

Gene Kelly commented as follows: *I just wanted to real quickly express a thank you to so many members. On October 2nd there was an unspeakable tragedy. We lost firefighter Patrick Joyce from Rescue Company 1 in a fire. He was a husband, father of two, 16 years on the job and on behalf of the Commissioner and Chief Bill Fitzpatrick, I just wanted to thank Commissioner Sutton and the staff of DES, and some of the other departments' efforts, for their help. And St. Joe's. They were just unbelievable. We really appreciate it from the bottom of our hearts.*

D. Blum mentioned the following: *The Executive Committee has continued to meet to talk about strategy. I think that tactically the issues of CON have been overwhelming for the Program Agency staff, and the Executive Committee as well. As we look to get beyond correcting people's CONs, the challenges that are ahead of us now financially and otherwise might present some opportunities as well. So the two primary areas that we have been talking about a little bit are number one creating a system wide and region wide STEMI system tagging onto what REMAC is doing and creating essentially a product or a service for reception of 12 lead ECGs at each hospital facility. And that would be a collaborative approach with a manufacturer and each of the participating 911 receiving hospitals. And we think that the Council could receive some revenue as it relates to that, and also fulfill some of our obligations related to quality. Moreover, being the recipient or having access to each of the 12 ECGs. You know, we're presented with this really terrific opportunity to have a data warehouse of all of these cases. So not only could it provide some revenue, but also really improve quality of care. The second approach that's kind of more strategic that we've been talking about for a while is a region wide EPCR solution. The thing that we don't want to do is dislocate any existing EPCR systems that are in place. The majority of agencies don't currently have an EPCR up and running. So what we have considered doing is creating a request for proposal or an RFP, and submitting that to qualified vendors. And we think probably we don't want to be in the business of creating a data warehouse but we would try and go for an ASP model where a third-party vendor essentially sells and there are different ways of doing it, clip fees, subscription fees, sales to service. And again, the REMSCO would be kind of the central agent related to that. We want to communize as much as possible and through a joint purchasing initiative we would hope that we could lower the cost for participating agencies. We hope that we could assure better adoption of the EPCR, better upfront design, and provide something of a safety net for the agencies as they look to adopt this technology.*

D. Blum commented as follows: *on behalf of the Council I want to acknowledge Commissioner Sutton for all that he has done for us and hopefully will continue to do for us and with us. The evolution of EMS and the technology that's been delivered to all of these agencies within the County is significant. There's been a very significant evolution under your watch and your leadership and guidance and your vision. So I would just like to say on behalf of myself and the Executive Committee of the Council, thank you for all that you've done and hopefully will continue to do. Obviously, nobody does this kind of stuff on their own and it's because there's a great theme and because it is supportive ... You know, the outgoing County executives and the Board of Legislators that we were able to make such great strides. So the future is full of possibilities and it's a little cloudy at the moment, but hopefully we'll have some good weather in the near future and be able to continue to be with you here. So thank you.*

Next Meeting – The next REMSCO meeting will be on January 28, 2010, at 6:00 PM.

Meeting adjourned at 7:45 P.M.

Respectfully submitted by D. Olmoz for Dr. T. Haydock.