



Government Information Committee

October 12, 2015

NASEMSO Fall Meeting, Louisville, KY

MEETING RECORD

Attending: Jim DeTienne, Chair (MT), Kyle Thornton, Vice Chair (NM), Dale Adkerson (OK), Chris Bell (VT), Michael Berg (VA), Gary Brown (VA), Wayne Denny (ID), Ernie Doss (GA), Joe House (KS), Steve McCoy (FL), Tom Mitchell (NC), Paul Patrick (UT), Tony Spector (MN), Donna Tidwell (TN), Keith Wages (GA), Alisa Williams (LA), Donnie Woodyard (LA), Ritu Sahni (NAEMSP), Mary Hedges (NASEMSO)

Welcome and Roll Call – Jim DeTienne called the meeting to order at 10:35 AM EDT.

Review and Approval of July 21st Meeting Record – The July 21st meeting record was approved without changes.

REPLICA Update – Dia Gainor reported that the Board of the Council of State Governments has endorsed REPLICA. Two states (Colorado and Texas) have enacted REPLICA legislation during 2015. Eleven states are planning on introducing the model interstate EMS licensure act during the next legislative session, either initiated by the state EMS office, a state EMS association, or a legislator. Two states (Missouri and Wisconsin) have recommended the state EMS office not pursue the REPLICA legislation. Dia indicated that the IAFF has been distributing incorrect information about REPLICA. However, in Colorado the IAFF supported the bill. Paul Patrick stated that the IAFF in Utah is supporting the bill and a third party will be introducing it. Gary Brown described Virginia's failed attempt to get the legislation enacted during the last session, but he believes it will be successful this next year. Ritu Sahni said he believes that REPLICA will have better luck in Oregon with NAEMSP support. Jim DeTienne suggested that copies of REPLICA testimony be shared with states that are trying to get REPLICA passed.

DEA Issues / Collaboration with NAEMSP & ACEP – Ritu Sahni, the Immediate Past President of the National Association of EMS Physicians (NAEMSP), provided background information on the DEA issue. The federal Controlled Substances Act (written in the 1970s) does not address EMS, nor is there any reference to EMS in DEA regulations. This has created a problem for EMS in various parts of the nation, given the differing interpretations of DEA agents in various regions of the country, and puts the medical director's license at risk. In essence, standing orders for

controlled substance administration by EMS providers are illegal. DEA officials attended and spoke at the NAEMSP meeting in January 2015. They are well aware of the problems but are powerless to do anything without changes to the Controlled Substances Act. They noted, however, that no one in EMS has ever been prosecuted for this. NAEMSP has taken the lead with their lobbying firm. Representative Richard Hudson (R), North Carolina, has agreed to sponsor the bill and be its champion. ACEP EMS Committee has been at the table with NAEMSP. The language will create a “carve out” for EMS in the Controlled Substances Act, which has been done for other medical providers that were not originally included. The intent is to allow administration of controlled substances by EMS in the field by standing order and provide for the EMS agency to be the registron (obtain the DEA number) rather than the medical director, provided the EMS agency has a medical director. Senator Grassley has supported NAEMSP initiatives in the Senate and will hopefully be supportive of this.

WorkPlan - Jim briefly reviewed the Committee Workplan and asked members for input about potential changes in the future. Hearing none, he concluded that we will continue to move forward.

Federal Legislation of Interest -

Field EMS Bill (HR 2366) – Jim reported that he has written a summary of the Field EMS Bill which he will make available for Board members to help to decide whether to support the legislation. The lead federal agency is identified as a health care agency, which is problematic for the fire lobby. The state EMS offices are no longer mentioned in the bill. The proposed funding mechanism is still the tax check off. Funding is proposed for NEMSIS grants but through an agency that is unfamiliar.

Adjournment – The meeting adjourned at 12:08 PM EDT.

Next Meeting – November 17, 3:00 PM EST.

The meeting record was respectfully prepared by NASEMSO Program Manager Mary Hedges.