

EMERGENCY MEDICAL SERVICES AUTHORITY – A Public Trust
Board of Trustees Meeting

Wednesday, December 14, 2011

EMSA Corporate Offices

1111 Classen Dr., OKC, OK 73103

1417 N. Lansing Ave., Tulsa, OK 74106

NOTICE AND REVISED AGENDA for the meeting of the Board of Trustees of the Emergency Medical Services Authority, a Public Trust, was posted December 13, 2011 in the offices of the City Clerk of Oklahoma City at 8:12 am, and with the City Clerk of the City of Tulsa on December 13, 2011 at 7:59 am, more than 24 hours prior to the time set for the meeting.

A quorum was present. The meeting was called to order at 1:01 p.m. by Dr. Jim Griffin.

TRUSTEES PRESENT

Mr. Phil Morgans
Dr. Jim Griffin
Dr. Jim Rodgers
Mr. Clay Bird
Mr. Gary Marrs
Dr. Ed Shadid
Dr. Tyree Seals
Dr. Jeffrey Goodloe

OTHERS PRESENT

Steve Williamson, EMSA
Kent Torrence, EMSA
Angie Lehman, EMSA
Ann Laur, EMSA
Frank Gresh, EMSA
Kelli Bruer, EMSA
Tracy Johnson, EMSA
Stephen Dean, Paramedics Plus
Lara O'Leary, Paramedics Plus
Doug Dowler, City of Oklahoma City
Ziva Branstetter, Tulsa World
Michael Kimball, Daily Oklahoman

TRUSTEES ABSENT

Mr. Joe Hodges, Mr. Larry Stevens, Ms. Lillian Perryman

CONSENT AGENDA

1. **Approval of Regular Board Minutes of October 26, 2011**
2. **Ratification of President's Action Regarding Schedule of 2012 EMSA Board of Trustee Meetings**

Consent Agenda Items were voted on separately, as follows:

Upon motion made by Mr. Marrs and seconded by Dr. Rodgers, the Board of Trustees voted to approve the Regular Board Minutes of October 26, 2011.

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AYE: Mr. Gary Marrs, Dr. Jim Griffin, Dr. Jim Rodgers, Mr. Phil Morgans,
Dr. Tyree Seals

NAY: None

ABSTENTION: None

ABSENT: Mr. Joe Hodges, Mr. Larry Stevens, Dr. Ed Shadid, Ms. Lillian Perryman,
Mr. Clay Bird

Upon motion made by Mr. Morgans and seconded by Mr. Marrs, the Board of Trustees
voted to approve the Ratification of President's Action Regarding Schedule of 2012 EMSA
Board of Trustee Meetings

AYE: Mr. Gary Marrs, Dr. Jim Griffin, Dr. Jim Rodgers, Mr. Phil Morgans,
Dr. Tyree Seals

NAY: None

ABSTENTION: None

ABSENT: Mr. Joe Hodges, Mr. Larry Stevens, Dr. Ed Shadid, Ms. Lillian Perryman,
Mr. Clay Bird

REGULAR AGENDA

1. Chairman's Report

Dr. Griffin briefly addressed two items with the board. First, he acknowledged that EMSA
has received attention in the press recently and is implementing new guidelines and
procedures to make financial information and activity more transparent. Mr. Williamson will
review these upcoming changes in his report.

Second, Dr. Griffin reported there has been a recent fatality accident in Oklahoma City
involving one of EMSA's ambulances. He noted that the attorneys for Paramedics Plus have
instructed everyone associated with EMSA to refrain from making comments regarding the
accident, due to the possibility of a potential lawsuit. Board members should refrain from
speaking to the press about the accident.

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2. Chief Financial Officer's Report

Mr. Kent Torrence presented an overview of the financial statements for the four months ending October 31, 2011. The Eastern Division had a YTD net loss of \$35 thousand compared to a budgeted profit of \$69 thousand. The Western Division had a YTD net loss of \$2,684 thousand compared to a budgeted net loss of \$2,430 thousand. The YTD collection rate for the Eastern Division was 58.0% compared to a budgeted collection rate of 60.0%. The YTD collection rate for the Western Division was 53.0% compared to a budgeted collection rate of 60.0%. The Eastern Division had 477 more emergency transports than budgeted YTD, and 346 less non-emergency transports than budgeted. The Western Division had 871 more emergency transports than budgeted YTD, and 418 less non-emergency transports than budgeted.

3. President's Report

a. Website Changes

Mr. Williamson reviewed a list of items to be placed on EMSA's website beginning in January. The changes are planned to increase transparency in several areas. Some items are already on the website, but will be made more accessible, while others will be new to the site. Items to be included in the website changes are: archived video of EMSA board meetings (accessible the day following a board meeting), information for the Silent Whistle Hotline (company used for reporting issues of fraud & abuse), disbursements over \$10,000, monthly financial statements, annual audits and the President/CEO's monthly travel expenses.

b. Reponse Time Reports

Mr. Williamson reviewed the compliance reports for the months of October and November, 2011. Response times for the both the eastern and western divisions were compliant in all categories during both October and November, 2011. There were no areas of discrimination in either division for either month.

Mr. Williamson reviewed an exclusion report provided to the board in response to Dr. Shadid's request for data regarding response time exclusions. During discussion regarding the exclusions, Dr. Rogers asked Mr. Williamson to define and explain exclusions. Mr. Williamson explained that two types of exclusions exist, exclusions for weather and exclusions for volume. Mr. Williamson asked Mr. Frank Gresh, EMSA's Chief Information Officer to explain how exclusion requests resulting from high demand (volume) are evaluated. Mr. Gresh explained that when an exclusion for system overload is requested, EMSA evaluates the number of active calls at the time the call being requested for exclusion was dispatched. That volume of active calls is then compared to the volume for the same hour of day and day of week for

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the twelve months previous. If the number of active calls meets or exceed the 90th percentile of demand for the same hour of the day and same day of the week for the prior year, the requested exclusion is granted. Dr. Shadid expressed concern that exclusions are being made for calls that are not unreasonable. Dr. Shadid then inquired as to the thresholds used for weather. Mr. Gresh stated exclusions for weather were used during measurable precipitation. Anytime a call is late and there is measurable precipitation, the call can be excluded from the response-time standard. Mr. Williamson explained that the objective of response time exclusions is to protect the safety of the unit (ambulance and its occupants) and the public.

Mr. Marrs stated that EMSA is preparing a Request For Proposal for a new contract to be approved in 2013 for ambulance service, and communities will have the opportunity to buy whatever level of response they desire. Costs will rise proportionately to an increased number of units on the streets. Mr. Williamson agreed, and informed the Board that they can request EMSA to put whatever level of service they feel appropriate in the upcoming RFP.

Dr. Rogers inquired if a difference in quality of care had been noted due to exclusions. Dr. Goodloe indicated he does not yet know the answer, as he has only seen these numbers in the last two weeks. Dr. Goodloe feels the best way to determine if exclusions have affected outcomes will be to review cases of cardiac arrest and he will start that review process. He anticipates it will take 90 – 120 days to look at the data and make that determination.

c. General Discussion

Mr. Williamson directed the Board's attention to a memo regarding the Cad2Cad upgrade project in Oklahoma City and Edmond. The update was written by Mr. Frank Gresh of EMSA. Mr. Williamson gave the Board the opportunity to ask questions regarding the update, but there were none.

Mr. Williamson informed the board that EMSA's twenty-eight policies were reviewed by legal counsel before enacted, but he plans to go over the policies with the board during the next several months. Starting in January, 2013, the entire set of policies will be made available annually to the Board and changes may be made if necessary. Policies will be placed on the EMSA website, as well.

Mr. Williamson informed the board that EMSA will soon send letters to skilled nursing facilities in the service area describing their responsibilities to pay for transports between the hospitals and the facilities, as a small number of them are not paying correctly.

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In January, EMSA will begin using an imaging program to scan all records and documents. The program will be HIPAA compliant, and will include scanning and organization of all documents in EMSA's possession dating back to the start of service in 1978.

A Legislative Update Summary is included in the Board packet for the Board's review. Mr. Williamson informed the Board that the US House of Representatives passed the bill which extends the temporary 2% Medicare increase for ambulance service in urban areas. The bill will now go to the Senate, with a decision expected after January 1st as to if the two percent Medicare pay increase will go into effect for 2012.

Mr. Williamson provided to and reviewed with the Board a comparison of ambulance service costs and revenues between Los Angeles and Tulsa.

4. Approval of Travel Policy

The EMSA Travel Policy has been amended (in Item 7) to include a per diem allowance for meals and incidental expenses during trips. Also, an addition to the policy (Item 10) makes it clear that alcoholic beverages are not reimbursable either under the per diem allowance or as an entertainment expense.

Mr. Bird suggested the phrase "unusual expenses" in Item 8 be better defined. The board agreed to consider wording which will more clearly describe which types of expenses would be considered "unusual", and a change to that wording will be added at a later date. Also, it was decided to remove the word "taxicab" in Item 8 so the item now reads: "Receipts are not required for tips, bus fare, business telephone calls or other related expenses;"... That change is being made immediately.

Dr. Shadid requested discussion regarding first class airfare being used for travel. Mr. Williamson indicated airfare is a separate item which should be discussed apart from the travel policy.

Upon motion made by Dr. Rodgers and seconded by Mr. Bird, the Board of Trustees voted to approve the EMSA Travel Policy.

AYE: Dr. Jim Griffin, Dr. Jim Rodgers, Dr. Ed Shadid, Dr. Tyree Seals, Mr. Clay Bird, Mr. Phil Morgans, Mr. Gary Marrs

NAY: None

ABSTENTION: None

ABSENT: Mr. Joe Hodges, Mr. Larry Stevens, Ms. Lillian Perryman

Mr. Williamson then began discussion regarding his personal issue of flying first class due to health reasons. It is his suggestion to provide to the Board every two years a medical letter requesting accommodations in first class. He proposes to pay for the difference in fare by using frequent flyer miles from his EMSA travel and apply them to a full fare coach seat to upgrade to first class. Mr. Williamson stated there are enough frequent flyer miles in his account to take him through the remaining year of his term as president of the American Ambulance Association if they are applied as discussed. Most of Mr. Williamson's current travel is due to his responsibilities as president of the association. His travel will most likely be reduced to twice a year once his term is up.

Dr. Shadid expressed concern that EMSA is paying for travel expenses related to the AAA. Mr. Williamson explained that Paramedics Plus has donated \$25,000 to put towards his AAA related travel, and EMSA is responsible for the remainder. Mr. Marrs stated he was chairman of the EMSA Board of Trustees when Mr. Williamson advised the Board he was considering the office of president of the AAA. The Board was supportive, according to Mr. Marrs, and aware that related travel expenses would be paid for by EMSA.

Dr. Shadid expressed his objection to EMSA paying those travel expenses, as he feels not all AAA issues benefit EMSA directly. Mr. Williamson suggested an item be put on January's agenda as to whether he should participate in AAA and if so, should EMSA pay related travel expenses. Dr. Shadid agreed, and the items will be placed on the agenda for the January 25 meeting.

5. Approval of Employee Awards Policy

Mr. Williamson reviewed two changes that were made to the EMSA Employee Awards Policy recently.

The first change in Section A of the policy, entitled "Form of Awards" makes it clear that any award given to an employee must be reported as income in accordance with IRS guidelines.

The second change in Section C of the policy, entitled "Meaningful Presentation", states the awards event or celebration must take place at one of EMSA's administrative locations, in Tulsa or Oklahoma City. It also clarifies the events must occur on an occasional basis and the costs must be reasonable, such as the costs associated with providing cake and punch.

Mr. Byrd expressed his concern regarding the most recent Tulsa World article regarding EMSA's travel and meeting expenses. Mr. Byrd explained that as a past and present board member, he felt EMSA has run a first rate organization operationally, and because of the level of efficiency in the emergency transport service, he felt a level of confidence that administrative costs did not need extensive monitoring by the Board.

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Mr. Byrd acknowledged it is good to have clear policies, but feels the policies reviewed today are reactionary, and would rather have had EMSA use appropriate discretion in the area of employee awards beforehand. He felt the money spent in this area was frivolous and excessive.

Dr. Shadid concurred, stating he felt it difficult to monitor all the expenditures, and at some point the board has to trust the internal compass of the leadership is on track. Individual expenses are a concern, and he feels they pose the question as to “what else is out there?” He asked that Mr. Williamson consider if anything else could be construed to be controversial in terms of expenditures, and if so, it be flushed out as soon as possible. Mr. Byrd acknowledged Mr. Williamson is an excellent leader, as EMSA offers the best emergency transport possible. He is of the opinion that with the caliber of members that comprise the EMSA board, they shouldn’t be required to spend their time micro-managing. Mr. Williamson apologized for the issues having reflected poorly on the board and EMSA, and for any embarrassment caused.

Mr. Williamson stated that his evaluation would be held during an executive session next month. Evaluation forms will be handed out to the Board at the end of this meeting. Mr. Williamson asked that the board fill them out and return them to Ann Laur so she can enter the results on a spreadsheet. The resulting spreadsheet will be passed out along with copies of the appraisals during the executive session. Mr. Williamson stated he will do whatever is needed to reaffirm the board’s support. Dr. Griffin reminded the board that an independent audit is done every year, during which all expenses are reviewed, with none being kept hidden.

Dr. Griffin reminded the board that a vote still needs to be taken on the Employee Awards Policy.

Upon motion made by Dr. Shadid and seconded by Dr. Rodgers, the Board of Trustees voted to approve the EMSA Employee Awards Policy.

AYE: Dr. Jim Griffin, Dr. Jim Rodgers, Dr. Ed Shadid, Dr. Tyree Seals, Mr. Clay Bird, Mr. Phil Morgans, Mr. Gary Marrs

NAY: None

ABSTENTION: None

ABSENT: Mr. Joe Hodges, Mr. Larry Stevens, Ms. Lillian Perryman

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6. Approval of Jim Orbison as EMSA's Silent Whistle Hotline (Allegiance) Representative

In answer to Dr. Shadid's request to better understand this agenda item, Mr. Williamson explained that EMSA, as a company that receives Medicare and Medicaid funds, is required by HIPAA to have a "hotline" whereby employees can anonymously report fraud and abuse. Mr. Williamson would like to make the service available to the public in a predominant place on EMSA's website.

Mr. Jim Orbison, as the Board's counsel, has agreed to be appointed as the primary point of contact for receiving alerts or other communications from calls made to the Silent Whistle Hotline, if the board agrees. Discussion ensued regarding the best procedure to follow once Mr. Orbison received notification of a call. It was agreed to have Mr. Orbison contact the chairman of the board, who in turn will decide if the matter needs to be brought before the entire board during an executive session. Mr. Williamson suggested the agenda item be amended to reflect the decision resulting from the discussion today. The item to be placed before the board for a vote will now read:

"Approval of Jim Orbison as EMSA's Silent Whistle Hotline (Allegiance) Representative, who will, as the representative, notify the Chairman of the EMSA Board of Trustees of all calls received from the Silent Whistle Hotline."

Upon motion made by Dr. Shadid and seconded by Dr. Rodgers, the Board of Trustees voted to approve Jim Orbison as EMSA's Silent Whistle Hotline (Allegiance) Representative, who will, as the representative, notify the Chairman of the EMSA Board of Trustees of all calls received from the Silent Whistle Hotline.

AYE: Dr. Jim Griffin, Dr. Jim Rodgers, Dr. Ed Shadid, Dr. Tyree Seals, Mr. Clay Bird, Mr. Phil Morgans, Mr. Gary Marrs

NAY: None

ABSTENTION: None

ABSENT: Mr. Joe Hodges, Mr. Larry Stevens, Ms. Lillian Perryman

7. Medical Director's Report

Dr. Goodloe formally apologized to the board for any inaccuracy on his part in the timely filing of fiscal year annual reports by the Office of the Medical Director on behalf of the Medical Control Board. In the process of the strategic based EMS blueprint planning for

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Tulsa and Oklahoma City, representatives from both city governments were members of the work group. During those meetings, there was substantial discussion about prior OMD annual reports not proving particularly helpful to the work of the city councils. Dr. Goodloe may have mistakenly interpreted those discussions as direction to proceed with work and keep both cities briefed as to progress. Dr. Goodloe overlooked the requirement by the City ordinances that a written report be provided annually. Dr. Goodloe recently received a call from Mr. Jim Couch, the city manager of Oklahoma City, asking for the annual reports. Those reports have now been filed and delivered to Mr. Couch and the mayors of both Tulsa and Oklahoma City, as well as to Mr. Williamson. Should any of the board members desire a copy of the report, Dr. Goodloe will be happy to provide it.

Dr. Goodloe reviewed the divert reports for the months of October and November, 2011. The numbers reflected for both Tulsa and Oklahoma City are as expected. The western division numbers are higher than the eastern, as is typical due to the fact the system serves more hospitals in the west.

Dr. Goodloe then reviewed the Clinical Quality Improvement summary reports for October and November. He is slightly concerned, clinically, about the airway management numbers, as performance in that area has been down in the past three months. Typically, as a system, EMSA has had airway intubation success in the 85% plus range. Numbers are now down into the 70% range. Dr. Goodloe believes some of the decrease is clinically appropriate due to training medics have received during the last three months in the importance of appropriate cardiac arrest resuscitation. Part of the emphasis has been that intubation does not save patients, rather it is a mechanism of oxygenation and ventilation. What saves patients in cardiac arrest is good quality chest compressions and timely defibrillation when warranted. Dr. Goodloe believes part of the decrease in intubation success is reflective of increased emphasis on the things that make the biggest difference in cardiac arrest survival. However, Dr. Goodloe has tasked the system's educators in all fire departments and within EMSA to develop specific intubation focused education in the first quarter of 2012.

Dr. Goodloe emphasized to the board that, most importantly to him as the Medical Director, he has yet to be aware of a case in which a patient was not able to be oxygenated and ventilated through some means, such as a backup airway system or through standard bag valve mask ventilation.

The Medical Control Board met in November, and continues to promulgate updates to protocols. Since 2009, all of the MCB administrative protocols have been updated, all pharmaceutical formulary protocols have been updated, 90% of treatment protocols and many of the procedural protocols have been updated. Many of the protocols before the recent updates dated back to 1998, so substantial improvements have been made in advancing clinical care in the system.

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Dr. Goodloe personally recognized Mr. T.J. Reginald, the OMD and MCB Director of Research and Clinical Standards Development, Mr. David Howerton, the Director of Clinical Affairs for the western division, and Mr. Jim Winham, the Clinical Director for the eastern division, who is currently out on a work assignment. He noted that in the last 90 days, these three gentlemen have personally trained, on a one-on-one basis, almost 3000 individuals in our EMS system on the mechanics of chest compression. By the end of January, all remaining personnel will be trained. The training was done in addition to their usual and customary duties and Dr. Goodloe has no doubt the work they have done will save lives.

The second phase of CPR training will commence in February, and will be focused on a more choreographed, pit crew type approach.

Dr. Goodloe has received a number of invitations recently to make educational presentations. Last month he was present at the Texas State EMS Conference. In 2012, he will be at a national conference in Dallas and then at both the Missouri and Kansas State EMS conferences presenting work from our system. He will also be presenting research at the Annual National EMS Physicians' conference in February. Dr. Goodloe's travel expenses are provided by the associations who issue invitations to him or by the University of Oklahoma as a part of his full time academic appointment there.

Dr. Goodloe informed the board of print articles appearing in December's *Journal of Emergency Medical Services* (JEMS), and advised them another article will be in February's issue. Also, Dr. Goodloe has been asked to author a chapter on operational performance measures in a new textbook to be titled EMS Medicine. The textbook will assist EMS physicians in preparation for board certification.

Lastly, Dr. Goodloe has been invited to a research presentation tomorrow in Minneapolis to review new and innovative pharmaceuticals that may be used in cardiac arrest resuscitation. It is his goal to have our system be one of the first in the nation to take part in this trial of pharmaceuticals.

6. New Business

None.

8. Trustees' Reports

None.

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9. Next Regular Meeting

The next meeting of the EMSA Board of Trustees will be on Wednesday, January 25, 2012 at 1:00 pm via video conference at the EMSA Administrative Offices, 1111 Classen Drive, Oklahoma City (Western Division) and 1417 N. Lansing Ave., Tulsa, OK (Eastern Division).

9. Adjourn

The meeting was adjourned at 2:55 pm.

Ann C. Laur, Secretary

Date: