

**EMS Licensing Commission
Meeting Minutes
Tuesday, May 9, 2023; 10:00am
NM Gaming Control Board
4900 Alameda Blvd NE | Albuquerque, NM 87113
Microsoft Teams Hybrid Meeting**

1. **Commissioner Harrell called the meeting to order at 10:07 am and conducted introductions.**

Commission members in attendance:

- | | |
|-------------------------------------|------------------------------------|
| • Andrew (Drew) Harrell, MD (Chair) | Representing NM Chapter of ACEP |
| • Brandon Sam, EMT-B (online) | Representing NM EMT-Basics |
| • Mary Bailey, EMT-I | Representing NM EMT- Intermediates |
| • Chelsea White, MD | Representing NM Chapter of ACEP |
| • Aaron Teague Britnell | Representing NM EMT-Paramedics |

Commission members absent:

- | | |
|-----------------|----------------------------|
| • Larry Tackman | Representing the Public |
| • Vacant | Representing NM Physicians |

Department of Health (DOH) Staff present for the meeting were:

- Kyle Thornton, EMS Bureau Chief
- Chris Woodward, Office of General Counsel
- Solange Pihut, EMS Program Manager

Guests in attendance:

- a. Dong Tran
- c. Bryan Picchione
- d. David Ryan

2. There were no changes to the agenda.
3. **November 8, 2022, meetings minutes were approved by Mary Bailey, seconded by Brandon Sam.**
4. Commissioner Harrell asked for if there was any Public Comment; there was none.
5. **At 10:16 am Mary Bailey motioned to close the meeting, pursuant to Section 10-15-1 H (1) NMSA 1978 of the New Mexico Open Meetings Act, to discuss matters pertaining to the suspension, denial, renewal or revocation of individual EMS**

licenses, seconded by Chelsea White. There was no discussion and the motion was approved by unanimous vote.

CLOSED SESSION

1. At 11:29am Mary Bailey motioned for the Commission to return to open session, seconded by Aaron Teague Britnell. There was no discussion, and the motion was unanimously approved. The Commission returned to open session to consider matters concerning individual licensure and to hear staff reports. The matters discussed in the closed session were limited only to those specified in the matters for closure.

OPEN SESSION

INVESTIGATIONS

Mary Bailey moved in the matter of Dong Tran, EMT-Intermediate; that the Commission, pursuant to its authority under NMSA 1978, § 24-10B-5.1, authorized the EMS Bureau of the New Mexico Department of Health (“DOH”) to issue a Notice of Contemplated Action (NCA) to revoke Dong Tran’s EMT-Intermediate license in the state of New Mexico. The grounds for the NCA are found in the following DOH rules: DOH rule 7.27.2.14 (G)(3)(c) NMAC, “[G]rounds for denial, suspension, revocation or other disciplinary action are: ... unprofessional conduct”; DOH Rule 7.27.2.14 (G)(3)(n) NMAC, “[G]rounds for denial, suspension, revocation or other disciplinary action are: ... performing duties as a licensed EMT without being licensed by the Bureau to perform the authorized scope of practice for a level of licensure”. DOH Rule 7.27.2.14(G)(3)(c) NMAC, “[G]rounds for denial, suspension, revocation or other disciplinary action are: ... unprofessional conduct”. The motion was seconded Aaron Teague Britnell. None were opposed and the motion was approved.

Mary Bailey moved in the matter of Bryan Picchione, EMT-Intermediate; that a Letter of Concern be sent out to licensee based on DOH Rule 7.27.2.14(G)(3)(c) NMAC, “Unprofessional Conduct.” The motion was seconded by Chelsea White. The motion was approved.

BACKGROUND CHECK VIOLATIONS

NAME	LEVEL	SUMMARY	VERIFICATION	ACTION
Naomi LeGate	EMT-B	Reciprocity license application had background check violation for multiple past felonious charges	Need more nursing board documentation	Tabled until next meeting due to pending information

No action was necessary by the EMS Licensing Commission.

PARENTAL RESPONSIBILITY ACT

The following individuals have been sanctioned for non-compliance with the Parental Responsibility Act:

NAME	LEVEL	ACTION	ACTION DATE	SUMMARY
None.				
CERTIFICATE OF COMPLIANCE RECEIVED				
None.				

No action was necessary by the EMS Licensing Commission.

NON-SUFFICIENT FUNDS CHECKS

NAME	LEVEL	ACTION	AMOUNT Owed	SUMMARY
None				

No action was necessary by the EMS Licensing Commission.

APPLICATION FOR LICENSURE

No action was necessary by the EMS Licensing Commission.

WAIVER REQUESTS

NAME	LEVEL	REQUEST	SITUATION	EMS BUREAU RECOMMENDATION
None				

No action was necessary by the EMS Licensing Commission.

OFFICE OF GENERAL COUNSEL UPDATE

Chris Woodward spoke of Parker Brownell, who is appealing the decision to have his EMT-Paramedic license suspended for 90 days. Date has not yet been decided as a new hearing officer is being sworn in.

EMS BUREAU UPDATE

Kyle Thornton spoke about administrative issues and regional contracts, and a potential at the Bureau for a contracted investigator position. He reports that a lot of the EMS Bills have failed and there is a lot of conflation of Fire and EMS. There is a possibility of a call center as a transfer station for hospitals. This is still

being addresses with selecting a vendor via RFP. This could be in collaboration with Southwest Call Center. Kyle has discussed with Deputy Cabinet Secretary a possibility of a state-run EMS that provides critical care services. This is still in the works but is supported.

OTHER BUSINESS

No updates at this time.

The next regularly scheduled EMS Licensing Commission meeting is on August 8th, 2023 at NM Gaming Control Board, 4900 Alameda Blvd NE | Albuquerque, NM 87113. The rest of the year's meetings are as follows with location to be determined:
November 14, 2023.

Mary Bailey moved to adjourn the meeting at 11:43am, Chelsea White seconded the motion with unanimous approval.

Andrew Harrell, Chair

Date