

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** February 15, 2012

**SUBJECT:** EMS Peer Review By-Laws (formerly EMS Quality Management Committee)

**PRESENTER:** Rocky Hyder

**ATTACHMENTS:** EMS Peer Review Committee By-Laws, 10A NCAC 13P.0408

**SUMMARY OF REQUEST:**

The Henderson County EMS Quality Management Committee has revised the by-laws consistent with 10A North Carolina Administrative Code 13P.0408 to reflect a name change to the EMS Peer Review Committee and associated membership. The Committee request the Board review the draft by-laws and consider adopting same to facilitate ongoing information sharing between EMS stakeholders and continual evaluation toward improvement of our EMS system.

**BOARD ACTION REQUESTED:**

Review and approve the by-laws and membership of the EMS Peer Review Committee.

**Suggested Motion:**

*I move the Board approve the membership and by-laws of the EMS Peer Review Committee.*

**BYLAWS AND RULES OF PROCEDURE FOR  
HENDERSON COUNTY EMS PEER REVIEW COMMITTEE**

- I. **FORMATION.** On the 17 day of April, 2002, the Henderson County Board of Commissioners took formal action to form the Henderson County EMS Quality Management Committee and subsequently appointed members to the committee. **On the 15<sup>th</sup> day of February 2012 the Henderson County Board of Commissioners revised the by-laws and membership of this committee and created the Henderson County EMS Peer Review Committee (hereinafter referred to as “committee”) pursuant to 10A NCAC 13P.0408 and other statutes, rules and regulations pertaining to emergency medical services and to the extent that these bylaws conflict with such statutes, rules and regulations, those laws shall control.**
- II. **PURPOSE.** The purpose of the committee is to monitor and evaluate the medical and operational issues within the Henderson County EMS system and for the improvement of such system.
- III. **MEETINGS.**
- A. **MEETINGS TO BE OPEN.** It is the public policy of North Carolina and Henderson County that the hearings, deliberations, and actions of this committee be conducted openly. Except as allowed by NCGS 143-318.11, each meeting of the committee shall be open to the public and any person is entitled to attend such a meeting. The public’s right to attend such meeting does not necessary entitle the public to participate in the meeting. The committee is authorized to hold closed sessions in accordance with NCGS 143-318.11.
- B. **REGULAR MEETINGS.** The committee shall hold meetings at least quarterly. A schedule of the regular meetings of the committee shall be kept on file with the secretary of the committee and the Clerk to the Henderson County Board of Commissioners. Such schedule must include the dates, times and places of the regular meetings of the committee. The committee shall have the authority to change the schedule of regular meetings, and/or to change the date of a particular regularly scheduled meeting without the necessity of approval of the Board of Commissioners. If the committee changes the schedule of regular meetings, the secretary shall forward a copy of the new schedule to the Clerk to the Board of Commissioners at least seven (7) days prior to the first meeting held pursuant to the new schedule. If a particular regularly scheduled meeting date is changed, the secretary shall comply with the notice provisions of paragraph C below, **SPECIAL MEETINGS.**
- **The EMS Medical Director will coordinate regularly scheduled meetings with EMS to review patient care data, the information reviewed is Peer Review data and will be shared at the quarterly Peer Review meetings.**
- C. **SPECIAL MEETINGS.** The chair of the committee or the majority of the members of the committee may at any time call a special meeting of the committee by signing a notice stating the time and place of the meeting and the subjects to be considered. At least 48 hours in advance of a special meeting the notice must be:
- i. posted on the principal bulletin board at EMS;
  - ii. posted on the principal bulletin board/meeting room door located at the Meeting Room in the Cafeteria at Pardee Hospital;
  - iii. posted on the principal bulletin board/meeting room door located at the Duke Room at Park Ridge Hospital;
  - iv. mailed or delivered to the Clerk to the Board of Commissioners;
  - v. mailed or delivered to each newspaper, wire service, radio station and television station which has filed a written request for notice with the secretary;
  - vi. mailed or delivered to any entity or person that has requested to be on the committee’s sunshine list as prescribed by law; and
  - vii. delivered to all members of the committee.
- Only the business that is specified in the notice of the meeting may be transacted during a special meeting.
- D. **PRESIDING OFFICER.** The presiding officer of each meeting of the committee shall be the chair of the committee. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the committee, the vice-chair shall preside. In the event that neither the chair nor the vice-chair is available, the members of the committee, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

IV. **MEMBERSHIP.** The committee shall consist of at least nine (9) voting members and at least six (6) non-voting members. All appointments will be made by the Henderson County Board of Commissioners. **Voting members will have no term limit and non-voting members will serve a three (3) year term.** Members appointed to fill a vacancy on the committee will serve the remainder of the unexpired term. Voting membership shall consist of the following positions:

Henderson County EMS Medical Director (ex officio)  
Henderson County Assistant EMS Medical Director (ex officio)  
Henderson County EMS Nurse Liaison practicing at Pardee Hospital (ex officio)  
Henderson County EMS Manager (ex officio)  
Henderson County EMS Training Officer (ex officio)  
Emergency Dept Physician practicing at Pardee Hospital  
Emergency Dept Physician practicing at Park Ridge Hospital  
Emergency Dept Nurse practicing at Park Ridge  
Emergency Services Director  
Medical Facility Pharmacist  
Blue Ridge Community College EMS Educator Representative

Non-voting membership shall consist of the following:

EMD - Emergency Medical Dispatch Representative  
EMT - Emergency Medical Technician Representative  
**EMT - Emergency Medical Technician – Fire Service Representative**  
EMT- I - Representative  
EMT-P – Representative  
Hospital Administration Representative–Pardee (CEO or his/her designee)  
Hospital Administration Representative–Park Ridge (CEO or his/her designee)

V. **DUTIES.** Duties of committee will be as stated by applicable laws and regulations, including but not limited to 10A NCAC 13P.0408.

VI. **SELECTION OF THE CHAIR AND VICE-CHAIR.** Unless otherwise designated by the Board of Commissioners, the chair of the committee shall be the Henderson County EMS Medical Director and the vice-chair shall be the Henderson County **EMS Manager.**

VII. **POWERS AND DUTIES OF THE CHAIR AND VICE-CHAIR.** The chair shall preside at all meetings of the committee but shall also have the right to engage in discussion and vote on any matter before the committee unless otherwise excused. The chair shall have the power to call a special meeting, rule on procedural matters during a meeting, call a brief recess of a meeting at any time, and adjourn a meeting in an emergency. At any other time, adjournment shall be by motion, duly approved. The vice-chair shall have all powers and perform all the duties of the chair in his or her absence.

VIII. **DUTIES OF THE SECRETARY.** Unless otherwise designated by the Board of Commissioners, the EMS Nurse Liaison shall serve as the secretary of the committee and shall perform the following:

- A. The secretary shall keep on file a schedule of the committee's regular meetings and shall ensure that all meetings of the committee are properly noticed.
- B. The secretary shall maintain the sunshine list which is a list of those persons or entities that have filed a written request indicating a desire to receive notice of all special meetings of the committee.
- C. The secretary shall take and record the actions of the committee and draft minutes of the meetings accordingly.
- D. The secretary shall be responsible for maintaining an accurate list of members of the committee, submitting to the Clerk to the Henderson County Board of Commissioners a quarterly attendance report for its members and notifying the Clerk to the Henderson County Board of Commissioners of any resignations of any of its members, or any other change in membership of the committee.

IX. **ATTENDANCE.** All members of the committee are expected to attend the regular and/or special meetings of the committee. Any member not able to attend must notify the secretary in advance of the meeting. Any member who fails to regularly attend the meetings of the committee will be reported to the Henderson County Board of Commissioners.

- X. **REPORTS.** The committee shall make reports to the Board of Commissioners as needed or as requested. Reports shall also be made as necessary to the medical review committee associated with the Emergency Department of Margaret R. Pardee Hospital or Park Ridge Health.
- XI. **ACTION BY THE COMMITTEE.**
- B. **QUORUM.** A majority of the members shall constitute a quorum. No action of the committee may be taken at any meeting where less than a quorum is present. Once a quorum has been established, it will not be defeated if members leave.
- C. **MOTIONS.** Action of the committee may be taken upon a motion made by any member, including the chair, without the need for a second. A motion shall be adopted if approved by the affirmative vote of a majority of the voting members present and not excused after full discussion of the motion by the members.
- XII. **VOTING.**
- A. **DUTY TO VOTE.** It is the duty of each voting member, including the chair, to vote unless otherwise excused. The committee may excuse members from voting on any matter involving their own financial interest or official conduct.
- B. **ABSTENTIONS.** Should a member fail to vote on any matter before the committee, without having been excused from such vote, such abstention will not count as an affirmative vote.
- XIII. **MINUTES.** Full and accurate minutes shall be kept of all meetings of the committee. Closed session minutes shall also contain a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired. The secretary of the committee shall present minutes to the committee for approval. Minutes of the meetings of the committee shall be public records; provided, however, that closed session minutes will be considered sealed and not subject to public inspection until the committee determines by vote that the purpose of the closed session would no longer be frustrated by the release of those minutes.
- XIV. **CONFIDENTIALITY.** The committee may from time to time have a need to review medical records and/or personnel files which contain confidential information. To the extent that the members of the committee review such confidential information the members are required to keep such information strictly confidential unless such information may be released in accordance with NCGS 143-518, NCGS 153A-98, or other applicable law.
- XV. **AMENDMENTS.** The committee may amend these bylaws by action of the committee; provided however, that amendments shall not be effective until they are approved or ratified by the Henderson County Board of Commissioners.

**APPROVED AND SUBMITTED** this 11th day of January, 2012.

**EMS PEER REVIEW COMMITTEE**

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**BY: Mike Barnett, Manager HCEMS**

**APPROVED BY THE HENDERSON COUNTY  
BOARD OF COMMISSIONERS** on the

15<sup>th</sup> day of February, 2012.

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**BY: Tommy Thompson, Chairman**

<b>POSITION</b>	<b>STATUS</b>	<b>STAFF SUGGESTION</b>
EMS Medical Director	Voting	Dr. Crit Harley
Assistant EMS Medical Director	Voting	Dr. Larry Russell
EMS Nurse Liaison - Pardee	Voting	Evelyn Russell, RN
EMS Manager	Voting	Mike Barnett
EMS Training Officer	Voting	Vacant
ED Physician – Pardee	Voting	Dr. Thomas Lacy
ED Physician - ParkRidge	Voting	Dr. William Thiemkey
ED Nurse – Park Ridge	Voting	Ray Diaz, RN
Emergency Services Director	Voting	Rocky Hyder
Medical Facility Pharmacist	Voting	Kerri Hagedorn
BRCC EMS Educator	Voting	Jay Alley
EMD – Dispatch	Non-Voting	Lisha Corn
EMT- Dept Rep	Non-Voting	Mark Stepp
EMT- Fire Service	Non-Voting	<b>Robert Griffin</b>
EMT-Intermediate/ <b>Advanced</b> – Dept Rep	Non-Voting	Aaron Edney
EMT-Paramedic Rep.	Non-Voting	Mike Crosby
Hosp. Admin. – Pardee	Non-Voting	Gayle Sams
Hosp. Admin – ParkRidge	Non-Voting	Graham Fields
Regional Coordinator of State Office of EMS	Non-Voting	Jim Morris

**10A NCAC 13P .0408 EMS PEER REVIEW COMMITTEE FOR EMS SYSTEMS**

The EMS Peer Review Committee for an EMS System shall:

- (1) be composed of membership as defined in G.S. 131E-155(6b).
- (2) appoint a physician as chairperson;
- (3) meet at least quarterly;
- (4) use information gained from the analysis of system data submitted to the OEMS to evaluate the ongoing quality of patient care and medical direction within the system;
- (5) use information gained from the analysis of system data submitted to the OEMS to make recommendations regarding the content of continuing education programs for all EMS personnel functioning within the EMS system;
- (6) review adult and pediatric treatment protocols of the EMS System and make recommendations to the medical director for changes;
- (7) establish and implement a written procedure to guarantee due process reviews for EMS personnel temporarily suspended by the medical director;
- (8) record and maintain minutes of committee meetings throughout the approval period of the EMS System;
- (9) establish and implement EMS system performance improvement guidelines that meet or exceed the statewide standard as defined by the "North Carolina College of Emergency Physicians: Standards for Medical Oversight and Data Collection," incorporated by reference in accordance with G.S. 150B-21.6, including subsequent amendments and editions. This document is available from the OEMS, 2707 Mail Service Center, Raleigh, North Carolina 27699-2707, at no cost; and
- (10) adopt written guidelines that address:
  - (a) structure of committee membership;
  - (b) appointment of committee officers;
  - (c) appointment of committee members;
  - (d) length of terms of committee members;
  - (e) frequency of attendance of committee members;
  - (f) establishment of a quorum for conducting business; and
  - (g) confidentiality of medical records and personnel issues.

*History Note: Authority G.S. 143-508(b); 143-509(12);  
Temporary Adoption Eff. January 1, 2002;  
Eff. April 1, 2003;  
Amended Eff. January 1, 2009; January 1, 2004.*