

RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Before the Iowa Department of Public Health

<p>IN THE MATTER OF:</p> <p>Wever Fire Rescue Department 1692 354th Avenue Wever, IA 52658</p> <p>Service #: 9568500</p>	<p>Case Number: 12-04-11</p> <p>NOTICE OF PROPOSED ACTION</p> <p>CITATION AND WARNING</p>
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Pursuant to the provisions of Iowa Code Sections 17A.18, 147A.5 and Iowa Administrative Code (I.A.C.) 641—132.10(3), the Iowa Department of Public Health is proposing to issue a **Citation and Warning** to the service program identified above.

The Department may issue a citation and warning when a service program has committed any of the following acts or offenses:

Failure or repeated failure of the applicant or alleged violator to meet the requirements or standards established pursuant to Iowa Code chapter 147A or the rules adopted pursuant to that chapter.
IAC 641—132.10(3)f

Failure to correct a deficiency within the time frame required by the department.
IAC 641-132.10(3)i

Service program operational requirements. Ambulance and nontransport service programs shall:
IAC 641-132.8(3)

Utilize department protocols as the standard of care. The service program medical director may make changes to the department protocols provided the changes are within the EMS provider's scope of practice and within acceptable medical practice. A copy of the changes shall be filed with the department.
IAC 641—132.8(3)b

Ensure that personnel duties are consistent with the level of certification and the service program's level of authorization.
IAC 641—132.8(3)c

Maintain current personnel rosters and personnel files. The files shall include the names and addresses of all personnel and documentation that verifies EMS provider credentials including, but not limited to:

- (1) Current provider level certification.
- (2) Current course completions/certifications/endorsements as may be required by the medical director.
- (3) PA and RN exception forms for appropriate personnel and verification that PA and RN personnel have completed the appropriate EMS level continuing education.

IAC 641—132.8(3)d

Ensure that the appropriate service program personnel respond as required in this rule and that they respond in a reasonable amount of time.

IAC 641—132.8(3)g

Implement a continuous quality improvement program that provides a policy to include as a minimum:

- (1) Medical audits.*
- (2) Skills competency.*
- (3) Follow-up (loop closure/resolution).*

IAC 641—132.8(3)m

Equipment and vehicle standards. The following standards shall apply:

IAC 641—132.8(4)

All EMS service programs shall carry equipment and supplies in quantities as determined by the medical director and appropriate to the service program's level of care and available certified EMS personnel and as established in the service program's approved protocols.

IAC 641—132.8(4)b

Pharmaceutical drugs and over-the-counter drugs may be carried and administered upon completion of training and pursuant to the service program's established protocols approved by the medical director

IAC 641—132.8(4)c

Preventative maintenance. Each ambulance service program shall document a preventative maintenance program to make certain that:

IAC 641—132.8(5)

The exterior and interior of the vehicles are kept clean. The interior and equipment shall be cleaned after each use as necessary. When a patient with a communicable disease has been transported or treated, the interior and any equipment or nondisposable supplies coming in contact with the patient shall be thoroughly disinfected.

IAC 641—132.8(5)b

The medical director's duties include, but need not be limited to:

IAC 641—132.9(2)

Monitoring and evaluating the activities of the service program and individual personnel performance, including establishment of measurable outcomes that reflect the goals and standards of the EMS system.

IAC 641—132.9(2)c

Developing and approving an applicable continuous quality improvement policy demonstrating type and frequency of review, including an action plan and follow-up.

IAC 641—132.9(2)g

The medical director or other qualified designees shall randomly audit (at least quarterly) documentation of calls where emergency medical care was provided. The medical director shall randomly review audits performed by the qualified appointee. The audit shall be in writing and shall include, but need not be limited to:

- a. Reviewing the patient care provided by service program personnel and remedying any deficiencies or potential deficiencies that may be identified regarding medical knowledge or*

- skill performance.*
- b. Response time and time spent at the scene.*
 - c. Overall EMS system response to ensure that the patient's needs were matched to available resources including, but not limited to, mutual aid and tiered response.*
 - d. Completeness of documentation.*
- IAC 641—132.9(4)

The following events have led to this action:

The Bureau of EMS performed an on-site inspection of Union Emergency Service on February 10, 2012. At the time of the inspection, deficiencies were identified and the service was given 30 days to resolve the deficiencies. The deficiencies have not been resolved.

The service is hereby **CITED** for failing to correct service program deficiencies within 30 days. The service is hereby **WARNED** that violating the Department's rules in the future may result in further disciplinary action, including suspension or revocation of Respondent's service program authorization.

You have the right to request a hearing concerning this notice of disciplinary action. A request for a hearing must be submitted in writing to the Department by certified mail, return receipt requested, within twenty (20) days of receipt of this Notice of Proposed Action. The written request must be submitted to the Iowa Department of Public Health, Bureau of Emergency Medical Services, Lucas State Office Building, 321 E 12th St, Des Moines, Iowa 50319. If the request is made within the twenty (20) day time limit, the proposed action is suspended pending the outcome of the hearing. Prior to or at the hearing, the Department may rescind the notice upon satisfaction that the reason for the action has been or will be removed.

If no request for a hearing is received within the twenty (20) day time period, the disciplinary action proposed herein shall become effective and shall be final agency action.

Gerd W. Clabaugh
Deputy Division Director,
Iowa Department of Public Health
Acute Disease Prevention & Emergency Response

Date