

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

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| IN THE MATTER OF: Whiting Volunteer Fire PO Box 167 Whiting, Iowa 51063 Service #: 2670800 | Case Number: 13-12-11 NOTICE OF PROPOSED ACTION CITATION AND WARNING |
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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

Specifically:

A service program seeking ambulance authorization shall:

IAC 641—132.8(1)

Submit an EMS contingency plan that will be put into operation when coverage pursuant to the 24/7 rule in paragraph 132.8(1)“b” is not possible due to unforeseen circumstances.

IAC 641—132.8(1)d

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

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)

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

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.

IAC 641—132.9(4)

The following events have led to this action:

The Bureau of EMS performed an on-site inspection of Whiting Volunteer Fire on October 26, 2013. At the time of the inspection, deficiencies were identified and the service was given 30 days to resolve the deficiencies. The service failed to correct the deficiencies identified above within 30 days.

The service is hereby **CITED** for failing to correct service program deficiencies within 30 days. The service is hereby **WARNED** that failing to correct deficiencies or 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.



Rebecca Curtiss
Bureau Chief
Iowa Department of Public Health
Center for Disaster Operations and Response

1/7/14
Date