

**RESTRICTED DELIVERY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF:  Melcher Dallas Emergency Response PO Box 548 Melcher, Iowa 50163-7776  Service #: 2630400	Case Number: 13-08-20  NOTICE OF PROPOSED ACTION  <b>CITATION AND WARNING</b>
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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*

*An ambulance or nontransport service in this state that desires to provide emergency medical care, in the out-of-hospital setting, shall apply to the department for authorization to establish a program utilizing certified emergency medical care providers for delivery of care at the scene of an emergency or nonemergency, during transportation to a hospital, during transfer from one medical care facility to another or to a private home, or while in the hospital emergency department and until care is directly assumed by a physician or by authorized hospital personnel. Application for authorization shall be made on forms provided by the department. Applicants shall complete and submit the forms to the department at least 30 days prior to the anticipated date of authorization.  
IAC 641—132.71(a)*

*A service program seeking ambulance authorization shall:  
IAC 641—132.8(1)*

*Provide as a minimum, on each ambulance call, the following staff:*

- (2) One currently licensed driver. The service shall document each driver's training in CPR (AED training not required), in emergency driving techniques and in the use of the services communications equipment.*

*IAC 641—132.8(1)c*

*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*

*Seek approval from the department to provide nontransport coverage in addition to or in lieu of ambulance authorization.*  
IAC 641—132.8(1)f

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

*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 completion/certifications/endorsements as may be required by the medical director.*

IAC 641—132.8(3)d

*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

*All drugs shall be maintained in accordance with the rules of the state board of pharmacy examiners.*

IAC 641—132.8(4)d

*Accountability for drug exchanges, distribution, storage, ownership, and security shall be subject to applicable state and federal requirements. The method of accountability shall be described in the written pharmacy agreement. A copy of the written pharmacy agreement shall be submitted to the department.*

IAC 641—131.8(4)e

*Preventative maintenance. Each ambulance service program shall document a preventative maintenance program.*

IAC 641—132.8(5)

*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)

*A service program shall:*

IAC 641—136.2(3)

*Submit reportable data identified in 136.2(1) via electronic transfer. Data shall be*

*submitted in a format approved by the department.  
IAC 641—136.2(3)a*

*Submit reportable data identified in 136.2(1) to the department for each calendar quarter. Reportable patient data shall be submitted no later than 90 days after the end of the quarter.  
IAC 641—136.2(3)b*

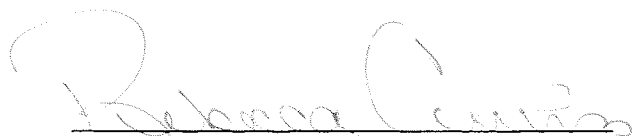
The following events have led to this action:

The Bureau of EMS performed an on-site inspection Melcher Dallas Emergency Response on June 27, 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 12<sup>th</sup> 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

9/6/13  
Date