

RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Before the Iowa Department of Public Health

IN THE MATTER OF: Olin Ambulance Service 105 W Cleveland St PO Box 301 Olin, IA 52320 Service #: 2530500	Case Number: 12-05-12 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.

LAC 641—132.10(3)f

Failure to correct a deficiency within the time frame required by the department.

LAC 641-132.10(3)i

Service program levels of care and staffing standards:

c. 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 service's communications equipment. Training in emergency driving techniques shall include:

1. A review of Iowa laws regarding emergency vehicle operations.

2. A review of the service program's driving policy for first response vehicles, ambulances, rescue vehicles or personal vehicles of an emergency medical care provider responding as a member of the service. The policy shall include, at a minimum:

- Frequency and content of driver's training requirements.*
- Criteria for response with lights or sirens or both.*
- Speed limits when responding with lights or sirens or both.*
- Procedure of approaching intersections with lights or sirens or both.*
- Notification process in the event of a motor vehicle collision involving a first response vehicle, ambulance, rescue vehicle or*

personal vehicle of an emergency medical care provider responding as a member of the service.

IAC 641—132.8(1)

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.

IAC 641—132.8(3)d

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

(2) Skills competency.

(3) Follow-up (loop closure/resolution).

IAC 641—132.8(3)m

Document an equipment maintenance program to ensure proper working condition and appropriate quantities.

IAC 641—132.8(3)o

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

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 exchange, 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—132.8(4)e

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

IAC 641—132.8(5)

Soiled supplies shall be appropriately disposed of according to current biohazard practices.

IAC 641—132.8(5)i

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

c. 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)

Supervising physicians, physician designees, or other appointees as defined in the continuous quality improvement policy referenced in 132.9(2)"g" may assist the medical director by:

a. Providing medical direction.

b. Reviewing the emergency medical care provided.

c. Reviewing and updating protocols.

d. Providing and assessing continuing education needs for service program personnel.

IAC 641—132.9(3)

A service program shall:

b. Submit reportable patient 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)

The following events have led to this action:

The Bureau of EMS performed an on-site inspection of Olin Ambulance Service on January 31, 2012. At the time of the inspection, deficiencies were identified and the service was given 30 days to resolve the deficiencies. The deficiencies identified above were not corrected within 30 days.

After the 30 day period, Olin Ambulance Service resolved the following deficiencies;

- IAC 641—132.8(3)"m"(3) corrected on February 29, 2012
- IAC 641—132.8(5) corrected on March 6, 2012
- IAC 641—132.8(3)"c" corrected on March 11, 2012

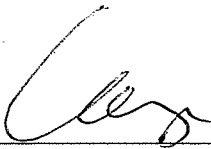
- IAC 641—132.8(1)"c"(2) and 132.8(4)"c" corrected on March 12, 2012
- IAC 641—132.8(4)"e" corrected on March 27, 2012
- IAC 641—132.8(3)"o", 132.9(3) and 136.2(3)"b" corrected on April 10, 2011
- IAC 641—132.9(2)"c" corrected on April 13, 2012
- IAC 641—132.8(3) "b" and "d" corrected on May 4, 2012.

Olin Ambulance Service has failed to correct the following deficiencies; IAC 641—132.8(3)"m"(2), 132.8(4)"b" and "d" as of the date of this notice.

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

6-7-12

Date