

**EMS Licensing Commission
Meeting Minutes
Tuesday, November 8, 2022; 10:00am
NM Gaming Control Board
4900 Alameda Blvd NE | Albuquerque, NM 87113
Microsoft Teams Hybrid Meeting**

1. **Commissioner Harrell called the meeting to order at 10:04 am and conducted introductions.**

Commission members in attendance:

- Andrew (Drew) Harrell, MD (Chair) Representing NM Chapter of ACEP
- Mary Bailey, EMT-I Representing NM EMT- Intermediates
- Chelsea White, MD Representing NM Chapter of ACEP
- Aaron Teague Britnell Representing NM EMT-Paramedics
- Larry Tackman Representing the Public

Commission members absent:

- Vacant Representing NM Physicians
- Vacant Representing NM EMT-Basics

Department of Health (DOH) Staff present for the meeting were:

- Chris Woodward, Office of General Counsel
- Solange Pihut, EMS Program Manager
- Peggy Ann Griego, EMS Licensing Manager

Guests in attendance:

- a. Michael Earnest
- b. Sean Berger
- c. Ching Lu

2. There were no changes to the agenda.
3. **With changes made to August 8, 2022, meetings minutes were approved by Drew Harrell, seconded by Aaron Britnell.**
4. Commissioner Harrell asked for if there was any Public Comment; there was none.
5. The Confidentiality Statements were reviewed and signed by Commission Members and DOH Counsel, Chris Woodward, and EMS Program Manager, Solange Pihut.

6. **At 10:10 am Mary Bailey motioned to close the meeting, pursuant to Section 10-15-1 H (1) NMSA 1978 of the New Mexico Open Meetings Act, to discuss matters pertaining to the suspension, denial, renewal or revocation of individual EMS licenses, seconded by Aaron Teague Britnell There was no discussion and the motion was approved by unanimous vote.**

CLOSED SESSION

1. **At 11:25 am Mary Bailey motioned for the Commission to return to open session, seconded by Larry Tackman. There was no discussion, and the motion was unanimously approved. The Commission returned to open session to consider matters concerning individual licensure and to hear staff reports. The matters discussed in the closed session were limited only to those specified in the matters for closure.**

OPEN SESSION

INVESTIGATIONS

Mary Bailey moved in the matter of Michael Earnest, EMT-Paramedic; that a Letter of Concern be sent out to licensee. The motion was seconded by Aaron Teague Britnell. None were opposed and the motion was approved.

Mary Bailey moved in the matter of Ching Lu, EMT-Basic; that the Commission, pursuant to its authority under NMSA 1978, § 24-10B-5.1, authorized the EMS Bureau of the New Mexico Department of Health (“DOH”) to issue a Notice of Contemplated Action (NCA) to revoke Ching Lu’s EMT-Intermediate license in the state of New Mexico. The grounds for the NCA are found in the following DOH rules: DOH Rule 7.27.2.14 (G)(3)(e) NMAC, “[G]rounds for denial, suspension, revocation or other disciplinary action are: ... negligence in the delivery of emergency medical services”. DOH Rule 7.27.2.14 (G)(3)(n) NMAC, “[G]rounds for denial, suspension, revocation or other disciplinary action are: ... performing duties as a licensed EMT without being licensed by the Bureau to perform the authorized scope of practice for a level of licensure”. DOH Rule 7.27.2.14(G)(3)(c) NMAC, “[G]rounds for denial, suspension, revocation or other disciplinary action are: ... unprofessional conduct”. The motion was seconded Aaron Teague Britnell. None were opposed and the motion was approved.

BACKGROUND CHECK VIOLATIONS

NAME	LEVEL	SUMMARY	VERIFICATION	ACTION
None.				

No action was necessary by the EMS Licensing Commission.

PARENTAL RESPONSIBILITY ACT

The following individuals have been sanctioned for non-compliance with the Parental Responsibility Act:

NAME	LEVEL	ACTION	ACTION DATE	SUMMARY
None.				
CERTIFICATE OF COMPLIANCE RECEIVED				
None.				

No action was necessary by the EMS Licensing Commission.

NON SUFFICIENT FUNDS CHECKS

NAME	LEVEL	ACTION	AMOUNT Owed	SUMMARY
None				

No action was necessary by the EMS Licensing Commission.

APPLICATION FOR LICENSURE

No action was necessary by the EMS Licensing Commission.

WAIVER REQUESTS

NAME	LEVEL	REQUEST	SITUATION	EMS BUREAU RECOMMENDATION
None.				

OFFICE OF GENERAL COUNSEL UPDATE

No open case or updates at this time.

EMS BUREAU UPDATE

No updates at this time.

OTHER BUSINESS

The EMT-Basic Commissioner position has been filled by Brandon Sam, EMT-B, and a Letter of appointment is pending signature. Mr. Sam will attend his first Licensing Commission meeting during the 1st quarter meeting of 2023.


The next regularly scheduled EMS Licensing Commission meeting is on February 14th, 2023 at NM Gaming Control Board, 4900 Alameda Blvd NE | Albuquerque, NM 87113. The rest of the year's meetings are as follows with location to be determined:

May 9, 2023

August 8, 2023

November 14, 2023.

Mary Bailey moved to adjourn the meeting at 11:39 pm, Aaron Teague Britnell seconded the motion with unanimous approval.



Andrew Harrell, Chair

14. Feb 23

Date