

**EMS Licensing Commission
Meeting Minutes
Tuesday, February 7, 2023; 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 10:08 am and conducted introductions.**

Commission members in attendance:

- Andrew (Drew) Harrell, MD (Chair) Representing NM Chapter of ACEP
- Brandon Sam, EMT-B Representing NM EMT-Basics
- Mary Bailey, EMT-I (online) 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

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

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

Guests in attendance:

- a. Andrew Schwerdel
- b. Allen Sanchez
- c. Challen Cloutre
- d. Patrick Brownell
- e. Naomi LeGate
- f. Noah Berg
- g. Bridget Berg
- h. Marc Lowry

2. There were no changes to the agenda.
3. **With changes made to November 8, 2022, meetings minutes were approved by Drew Harrell, seconded by Larry Tackman.**

4. Commissioner Harrell asked for if there was any Public Comment; there was none.
5. **At 10:18 am Larry Tackman 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 Brandon Sam. There was no discussion and the motion was approved by unanimous vote.**

CLOSED SESSION

1. **At 02:48pm Mary Bailey motioned for the Commission to return to open session, seconded by Chelsea White. 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

Larry Tackman moved in the matter of Noah Berg, EMT-Paramedic; 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 suspend Noah Berg’s EMT-Paramedic license for 30 days 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)(c) NMAC, “[G]rounds for denial, suspension, revocation or other disciplinary action are: ... unprofessional conduct”. The motion was seconded by Brandon Sam. None were opposed and the motion was approved.

Larry Tackman moved in the matter of Parker Brownell, EMT-Paramedic; 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 suspend Parker Brownell’s EMT-Paramedic license for 90 days 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: ... any false, fraudulent, or deceptive statement in any document connected with the practice of emergency medical services”; and 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 by Mary Bailey. None were opposed and the motion was approved.

Larry Tackman moved in the matter of Andrew Schwerdel, EMT-Intermediate; 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 suspend Andrew Schwerdel’s EMT-Intermediate license for 30 days 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: ... any false, fraudulent, or deceptive statement in any document connected with the practice of emergency medical services”; and 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 by Brandon Sam. None were opposed and the motion was approved.

BACKGROUND CHECK VIOLATIONS

NAME	LEVEL	SUMMARY	VERIFICATION	ACTION
Naomi LeGate	EMT-B	Reciprocity license application had background check violation for multiple past felonious charges	Need more nursing board documentation	Tabled until next meeting due to pending information
Adam Santiago	EMT-P	Reciprocity license application has background check violation for new charges	No conviction at the time	Temporary license until court hearing

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
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None				
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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
Jarett Fleming	Basic	CE extension	missed deadline	Renewal is not until next year
Allen Sanchez	Intermediate	CE extension	Missed deadline	Approve
Joaquin Gonzales	Paramedic	CE extension	Not enough CE's	Denied

In the matter of Jarett Fleming, his renewal is not due until 2024 and therefore does not require a waiver.

In the matter of Allen Sanchez, Larry Tackman motioned to approve the CE extension. Seconded by Mary Bailey. None were opposed and the motion was approved.

In the matter of Joaquin Gonzales, Larry Tackman motioned to deny the CE extension. Seconded by Chelsea White. None were opposed and the motion was approved.

OFFICE OF GENERAL COUNSEL UPDATE

Chris Woodward spoke of a proposed House Bill that would allow Nurse Practitioners as EMS Medical Directors.

EMS BUREAU UPDATE

No updates at this time.

OTHER BUSINESS

No updates at this time.

The next regularly scheduled EMS Licensing Commission meeting is on May 9th, 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:

August 8, 2023

November 14, 2023.

Larry Tackman moved to adjourn the meeting at 3:00 pm, Chelsea White seconded the motion with unanimous approval.



Andrew Harrell, Chair



Date