

202 KAR 7:020. Board organization.

RELATES TO: KRS Chapter 13A, 311A.015, 311A.020, 311A.145

STATUTORY AUTHORITY: KRS 311A.020, 311A.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311A.020(1)(h) requires the board to establish procedures and processes for committees and subcommittees. KRS 311A.030 requires the board to promulgate administrative regulations in accordance with KRS Chapter 13A to carry out the functions of KRS Chapter 311A. This administrative regulation establishes the organization and committee structure of the board.

Section 1. Appointment of Committee Members and Committee Chairpersons.

(1) The chairpersons and members of a standing committee of the board, subcommittee of the board, and any task force shall be appointed by the board chairperson.

(2) A standing committee shall be comprised of seven (7) members, excluding the EMS-C Advisory Committee, which shall be established consistent with the EMS for Children Performance Measures: Implementation Manual for State Partnership Grantees.

(3) The executive director shall serve as an ex officio member to each standing committee. The chairperson may also appoint other KBEMS office staff members to serve as ex officio members to a standing committee.

(4) Standing committee members shall have a term that expires November 30 of each calendar year. Reappointments for subsequent terms may be made by the chairperson of the board any time after November 1 and before November 30. All appointments shall be made by November 30.

(5) Only a standing committee or task force chairperson or vice-chairperson in the absence of the chairperson may bring reports or recommendations before the board for action. All reports to the board shall be submitted in written format. The chairperson or vice-chairperson shall disclose to the board through written report any committee, subcommittee, or task force member who has resigned his or her position by virtue of missing three (3) or more meetings consistent with Section 2(10) of this administrative regulation.

(6) A task force shall be comprised of no more than five (5) members, excluding the chairperson.

(7) A task force may be created:

- (a) At the request of the chairperson of a standing committee;
- (b) At the request of the executive director; or
- (c) At the determination of the board chairperson.

(8) A task force shall cease to exist at the close of its work. A member of a task force shall not serve for a period of more than one (1) year without reappointment. A task force shall serve at the pleasure of the board. The board chairperson may dissolve a task force at any time including prior to the completion of an assigned task, subject to a majority vote of board members.

(9) When a task force is created, the board chairperson shall give a specific written charge to the task force with guidelines, as appropriate. The board chairperson may establish a reporting deadline for the completion of the specific written charge.

(10) Task Force members shall serve without compensation.

Section 2. Standing Committees of the Board.

(1) Executive committee. The executive committee shall address legislative issues and proposals and review administrative regulations for submission to the board including:

- (a) Recommending to the board promulgation of administrative regulations, amendment of administrative regulations, or repeal of administrative regulations relating to:

1. All levels of personnel licensed or certified by the board, and ambulance services licensed or certified by the board;
 2. Rules and operating procedures for the board and each of its standing committees, subcommittees, and task forces;
 3. EMS Grant Program; and
 4. EMS for Children Program;
- (b) Serving as a resource for board staff:
1. In reviewing applications regarding requests for funding under programs administered by or overseen by the board;
 2. With the development of funding programs or applications, including state and federal grants pertaining to EMS and monitoring and reviewing the grants once received by the board;
 3. With creating and recommending to the board a biennial budget for the board prior to submission to appropriate state agencies;
 4. With identifying, developing, and recommending to the board sources of funding for its programs; and
 5. In developing reimbursement programs and providing consult for emergency medical service providers.
- (c) Making recommendations to the board regarding fees to be charged by the board.
- (2) A majority of executive committee appointees shall be members of the board.
- (3) The vice-chairperson of the board shall be the ex-officio chairperson of the executive committee with full voting rights.
- (4) Medical oversight committee. The medical oversight committee shall address issues pertaining to quality assurance, medical control, scope of practice, medical standards of curricula, or other related issues as may be assigned by the board.
- (5) EMS for children committee. The EMS for children committee shall assist the coordinator and executive director of the board in achieving the mission of the program.
- (6) Data management committee. The data management committee shall be responsible for the following:
- (a) The development of a statewide plan for data collection and compliance;
 - (b) Identification of information initiatives for EMS in Kentucky;
 - (c) Identification and research of funding sources tied to EMS data collection;
 - (d) Assistance to ambulance providers with questions or other needs associated with this administrative regulation, KRS Chapter 311A, and other issues associated with the board's statutory authority to require data collection and submission; and
 - (e) Matters identified by board members, the chairperson, or the executive director that involve data collection, data submission, or information use.
- (7) Education committee. The purpose and charge of the education committee shall be to:
- (a) Assist the board in developing a strategic plan for EMS education in the Commonwealth of Kentucky;
 - (b) Act as a resource for EMS educators and EMS-TEIs in the Commonwealth; and
 - (c) Assume the lead role in formulating, drafting, and sending to the board for approval and subsequent promulgation of all administrative regulations that set the standards and requirements for EMS education in Kentucky.
- (8) The membership of each standing committee shall include one (1) member of the board or more, except as established in Section 1(2) of this administrative regulation.
- (9) Standing committees shall schedule on an annual basis at least six (6) regular meetings.
- (10) A member of a standing committee, subcommittee, or task force who is absent for three (3) or more regular meetings in a term of one (1) year shall be found to have resigned from his or her appointed position and his or her position shall be determined as vacant.

Section 3. Agendas.

- (1) A person desiring a matter to be placed on the agenda for a regular board meeting shall, not less than twenty (20) working days prior to the board meeting, submit a written request to the executive director.
- (2) The request shall contain the following information:
 - (a) The matter requested to be placed before the board;
 - (b) The action desired on the matter;
 - (c) Documentation in support of the request;
 - (d) The name, address, telephone number, and other contact methods as may be necessary to contact the person or organization submitting the request; and
 - (e) The name, address, telephone number, and other contact methods as may be necessary to contact each person requesting to speak on behalf of the request at the board meeting.
- (3) Not less than seven (7) working days prior to the board meeting, the chairperson of the board shall set the agenda and cause its publication on the KBEMS Web site at <https://kbems.kctcs.edu/> and in writing.
- (4) The submission of a request for a matter to be placed on the agenda at a regular board meeting shall not guarantee that the matter will be placed on the agenda, or the sequential order of a matter approved for the agenda on the agenda.
- (5) The board shall adhere to the published agenda at a regular board meeting, unless the board takes action to amend the agenda.
- (6) Each agenda for a regular or special meeting shall include an item to allow public comments. The chairperson may limit the time each person comments.
- (7) Nothing in the section shall prohibit or constrain any board member from requesting that an item be added to the agenda of a regular meeting. A request may be made from the floor of the meeting. This provision shall not apply to special or emergency meetings.

Section 4. Quorum.

- (1) A simple majority of sitting board members shall constitute a quorum.
- (2) A vacant position on the board shall not be counted toward the number of sitting members of the board.
- (3) A quorum shall be present in order for the board to take action, other than adjourn, or adjourn to a time certain.
- (4) The board shall transact business so long as it has convened with a quorum present. A quorum shall be presumed present until a question of "no quorum" is raised, or the absence of a quorum is disclosed by vote of the members present.
- (5) A simple majority of appointed members shall constitute a quorum for standing committee, subcommittee, and task force meetings.

Section 5. Voting.

- (1) Voting shall be accomplished by one (1) of the following methods:
 - (a) Voice vote;
 - (b) A show of hands; or
 - (c) A roll call vote.
- (2) A roll call vote shall be conducted at the call of any member of the board.
- (3) In order for the board to take action on the following matters, a majority of board members present shall have agreed to the action:
 - (a) Promulgate, amend, or repeal an administrative regulation;
 - (b) Appoint, directly, or by personal service contract, the executive director, general counsel, or medical advisor;
 - (c) Initiate a legal action on behalf of the board;
 - (d) Adopt a budget or proposed budget for the board;

- (e) Authorize the expenditure of more than \$7,500, unless the amount is a routine budgeted expenditure;
 - (f) Take action on an item added to the agenda of the board at the same meeting at which the item is added to the agenda of the board; or
 - (g) Take an action at an emergency meeting of the board.
- (4) In order for the board to take action on the following matters, two-thirds (2/3) of the members of the board that are present shall have agreed to the action:
- (a) Discipline or negative action regarding statutory employees; or
 - (b) Hire outside legal counsel to defend the board in a legal action against the board, a member of the board, or an employee of the board, or for other specified purpose.

Section 6. Attendance of Board Staff and Employees at a Board Meeting.

- (1) The following staff of the board shall attend each board meeting, unless excused in writing by the chairperson of the board or excused from the meeting by action of the board:
- (a) Executive director;
 - (b) Deputy executive director;
 - (c) General counsel; and
 - (d) State medical advisor.
- (2) An employee of the board, other than one (1) specified in subsection (1) of this section, shall attend a meeting of the board if requested to do so by a member of the board or the executive director. Board member requests for an employee to attend shall be communicated through the executive director or the deputy executive director.
- (3) An employee of the board, other than one specified in subsection (1) of this section, may attend a meeting of the board as part of their state duty time with the permission of the chairperson of the board, the executive director, or deputy executive director.

Section 7. A person aggrieved by an action of a standing committee or task force may appeal to the board by serving written notice to the board within ten (10) working days prior to a regularly scheduled board meeting.

Section 8. Incorporation by Reference.

- (1) "EMS for Children Performance Measures: Implementation Manual for State Partnership Grantees", March 2017, is incorporated by reference.
 - (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Emergency Medical Services, 118 James Court, Lexington, Kentucky 40505, Monday through Friday, 8 a.m. to 4:30 p.m.
 - (3) These materials may also be obtained online on the Emergency Medical Services for Children, Innovation and Improvement Center's Web site at <https://emscimprovement.center/programs/partnerships/performance-measures/>.
- (30 Ky.R. 144; 912; 1211; eff. 11-19-2003; Crt eff. 2-19-2019; 46 Ky.R. 1291, 2036; eff. 02-27-2020; TAm eff. 3-24-2021.)