MDHHS Michigan Department of Health & Human Services | Bureau of Emergency Preparedness, EMS and Systems of Care

QUALITY ASSURANCE TASK FORCE
Minutes
February 28, 2025
10:00 a.m.
VIRTUAL ONLY
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Attendance:
Member Roll Call:
Dr. Edwards-chair, L. Weber, L. Martin, Dr. Wise, Dr. Noel, Dr. Domeier, Dr. Fales, Dr. Paul.
Absent:
D. Wagner, B. McDavid.
MCA Representatives:
Rob Warnemuende and Dr. Wagner, Saginaw-Tuscola; John Theut, Bonnie Kincaid and Dr. McGraw, Oakland County MCA; Lea Lentz, Sanilac MCA; Bruce Trevithick, Genessee County MCA; Kevin Henderson, Dr. Hunt, and Dr. Smith, Washtenaw Livingston MCA; Bill Brodin, Northwest Regional MCA; Bob Miljan and Richard Inman, Wayne County MCA/HEMS.
Hearing Representatives:
Debbie Condino, Katie Donovan, Dr. Feld, and Marilyn Kropp, Macomb County MCA; Orlando Blanco for T. Dean; Trevor Dean, self.
Guests:
Karyn Belanger, Tri-Hospital EMS; Hollie Pykonen, GMR; Dr. Shanley, UM; Jason Bestard, Detroit Fire; Mike Bentley and Megan Richardson, Region 5; Dr. Krohmer, Region 6; Kolby Miller, Medstar; Vince Waryas, Allied; Kristin Patterson, Medic 1; Dr. Mastenbrook, WMed; Jesse Hogue, Bronson; Christina Simon, STFD; Mike Becker, HTFD; Bill Priese, Tri-County MCA.
Bureau Staff:
Babb, Kuhl, Piette, Baker, Bergquist, Corey, Kerr, Rudzki, Minaudo, Flory, Pantaleo.

Call to Order: The meeting was called to order at 10:03 a.m. by Dr. Edwards.

EMSCC Appeal Hearing:
Trevor Lee Dean v. Macomb County MCA File #2401854

Dr Edwards read the opening statement:

> *This appeal hearing today is in the matter of **TREVOR DEAN v. MACOMB COUNTY MCA**. At the Department's request, the Emergency Medical Services Coordination Committee (EMSCC) has scheduled this hearing in which **TREVOR DEAN and MACOMB COUNTY MCA** will have an opportunity to present oral testimony. The EMSCC has appointed the Quality Assurance Task Force (QATF) to review all appeals and to provide a summary and recommendation to the EMSCC. Since this matter involves, among other things, an appeal request, the QATF will serve as the EMSCC's investigatory body. A hearing is scheduled for today, which we are here and present for.*

In accordance with section 20919(4) of the Public Health Code, the purpose of this hearing is to determine whether the actions or decisions of the Medical Control Authority were in accordance with their department-approved protocols and state law. Five (5) business days before the hearing, the parties were requested to provide a short statement outlining their respective positions and all written material supporting their respective positions. No additional material will be accepted after the matter has been presented to the QATF.

The parties may be represented by an attorney or representative at the hearing today. If either party fails to appear at the proceeding scheduled today, a decision may be entered against that party.

*The QATF will provide an opportunity for **TREVOR DEAN and MACOMB COUNTY MCA** to provide oral testimony. Testimony is limited to 15 minutes for each side to allow sufficient time for the QATF to complete the review.*

If any of the members have questions, they will be asked after both parties have presented. The order will go as follows:

***TREVOR DEAN** Presentation*
***MACOMB COUNTY MCA** Presentation*
QATF Questions

Mr. Blanco presented on behalf of Mr. Dean:
Mr. Blanco advised he had previously appeared before this committee on behalf of another client with similar circumstances. In this case, an Order of Disciplinary action (ODA) was issued on October 11, 2024, without any prior notice to Mr. Dean, who was not aware that he was being investigated or of any complaint filed against him. He received a notice that his MCA privileges were suspended for six months. They are claiming there are two protocols that were violated. The first protocol violated is the **Complaint Investigation Resolution Protocol (8-24)**, Section 4 - Investigation of a complaint and there are two parts. This protocol provides for a formal notice (subsection A3 of Section IV). Formal notification of the subject licensee will occur if the MCA quality improvement Actions, formal inquiry, or sentinel events are indicated. There's no question in this case that it involved a sentinel incident because the ODA states it was a sentinel incident, so he should have been given notice of the initial complaint given the opportunity to request the complaint and view that and to be heard. And then secondly, section 5 in that same protocol is the due process which states various things about what is supposed to occur four business days prior to the hearing by the PSRO. The licensee is to get notice, is to be provided a copy of the complaint, given the materials, and have an opportunity to be heard. Then later, the licensee has a right to request an appeal. But in this case, specifically, Mr. Dean was not given any notice of this, as shown in the papers submitted to QATF. Mr. Blanco advised the MCA has never heard Mr. Dean's side. He also said there is a policy with Sterling Heights Fire Department that allows what Mr. Dean is accused of. In this

case, if they had given Mr. Dean an opportunity to be heard, they would see that and spoke about that briefly. Mr. Blanco reiterated the opportunities that were denied Mr. Dean that are provided for in the protocol. Mr. Blanco said the **Disciplinary Action Appeal Protocol (8-25)** was also violated. It defines the steps that should be taken for an appeal. Mr. Blanco said they violated the protocol right from the get go, and described. They did allow him to go in front of the board but did not allow him representation, and didn't tell them that until the day of the appeal. Mr. Blanco stated he was entitled to representation because it was an open meeting. Mr. Blanco then discussed the MCA's response. He said the MCA wrongfully assumed the fire department had provided the notice, and he said it is the MCA's responsibility to provide it. He presented the timeline in his exhibits submitted to QATF and discussed. Mr. Blanco discussed the statutory framework that provides an enforcement provision in section 20919, subsection 4, and in 20916 of the Emergency Medical Services Act. Specifically, 20916, subsection F, says that the state Emergency Medical Services Coordination Committee, created under 20915, may issue opinions on appeal of MCA decisions under 20919 and make recommendation based on those opinions, and then subsection K says the QATF shall report the decisions, findings and recommendations to the EMSCC, the enforcement by the state if the EMSCC determines, in its opinion, the actions of the MCA are not in accordance with MCAs approved protocols or state law, they shall recommend that the department take enforcement action under this code. Mr. Blanco said that's directly from the statute, and in this case, he thinks that's what needs to happen. He said MCAs cannot continue this. This man has been a paramedic since 2016, loved what he did and had no disciplinary history at all on his record. In this case, he was not given the opportunity to be heard, wasn't given the protocols that he was supposed to be given, wasn't given a chance to defend himself. Mr. Blanco then said when Mr. Dean hired a lawyer to do that for him, he wasn't allowed representation. Those are all violations of the protocols, and this body should reverse that, and the state should take enforcement action in that regard, as he has stated.

Mr. Dean then spoke briefly on his own behalf. He thanked everybody for their time here today and their participation and said everybody's efforts are appreciated. He said to add to Mr. Blanco's statements, he is an employee that always wants to improve and be better. He said one month before this incident came to light, he had requested documentation training knowing that there were cultural issues within the fire department, and he wanted to be better. Those requests were ignored by the fire department, the MCA wasn't aware of it, and he feels that's a point that's been missed. He thanked the QATF again.

Ms. Condino presented on behalf of Macomb County MCA:

Ms. Condino advised everyone should have received documents related to this incident and the MCA's position on this, and she will just reiterate it is the MCA's position that they followed all applicable established protocols and state laws during the investigation of this complaint that was filed against Mr. Dean. This led to the decision to suspend privileges in Macomb County for Mr. Dean for a period of six months due to this particular infraction in violation of MCA protocol. She said it is also our position that this matter includes Mr. Dean's admission and deliberate disregard of established protocols and his repeated falsification of patient signatures

and that is why we decided to suspend his privileges. She advised they were originally contacted by the agency, Sterling Heights, around August 21. There was an incident that occurred on July 23rd. She said the incident involved poor treatment by paramedic Dean and also an investigation into an allegation of falsification of signature. She advised a formal incident report was submitted to the MCA on August 30th, but they were informed by the agency that an investigation began on August 29th. Ms. Condino stated that on August 30th, she had phone calls with the with the agency and at that time was informed that the agency had a meeting with Mr. Dean and assistant chief Mike Armino, and they informed him for the first time of this matter and discussed the case with him. She said that they told the MCA that this was the first time that he was notified of this complaint. The MCA was also told during this meeting that he was emotional and admitted to signing the patient care record on this patient and others. She said he stated he started doing this during the period of COVID and this practice just continued. She said it was discussed with him that this was a very serious matter and that this could affect his licensure, and he said he understood that. He was also informed for the first time at that time that this matter, depending on their investigation, was going to be reported to the MCA and also to the state. There was another meeting that took place around that time and Mr. Dean was placed on administrative leave. Ms. Condino said that was on August 29th. She said Mr. Dean was informed that all communications would continue and that everything would be routed through his Union Rep., whose name is Lance Stevens.
The MCA was also told that while Mr. Dean was on a leave, Mr. Stevens was informed all along the way about any information that they were doing related to this investigation and that the MCA was being notified for a potential policy violation for their review by PSRO. She said Mr. Stevens was informed throughout this matter and it was confirmed that he had discussions with Mr. Dean. Once received by the MCA, they were required, per protocol, to conduct an investigation. She said there is nothing specific that says in the protocols how they conduct this investigation, and she said that the City of Sterling Heights did a very, very thorough investigation, including hundreds of documents supporting their position on training and on communications, all of which were submitted to QATF. The MCA received all of the documents. Their initial investigation included review of all of that between Ms. Condino and medical director, Dr. Mike Feld. Ms. Condino advised this matter went to the PSRO on September 26th, which was the next meeting, and at that time, they went through a just culture process for reviewing this complaint. She said Information was presented from the very thorough independent investigation that was conducted by an attorney. She advised Mr. Dean was very cooperative with this investigation, and he was very forthright with his answers. It was all summarized in a document, and in that session, he admitted not only to the situation that originally brought this matter forward, but also to over 53 or 58 other times that they had known about at that time based upon reviewing the previous 90 days, she believes.
She said he never denied any of it and he affirmed it, and based upon all of the information and the supporting documentation, he was well aware of what he needed to do for documentation, he was well aware that when a patient refused to sign or for whatever reason, couldn't sign what he was supposed to do because he had done it before. He had chosen not to do it, and even by admission of the investigator, he acknowledged being just complacent, cutting corners,

and gave that for the reason why he did it. She said the PSRO follows a just culture process when reviewing cases and there are four specific questions that are asked. She said the first question "Was the protocol known to the provider?" and all of the protocols in this matter were sent into QATF. Ms. Condino advised that when the original incident report came over to the MCA, the department indicated a potential violation of policy Protocol 8-13, which doesn't indicate anything about a Level 1 infraction. It was about documentation electronic documentation, so until they got into all of this, the MCA did not know that this matter was as serious as it was, and upon review and going through this process, that's when it was determined. She advised the answer to the protocol question was yes, and stated he should know all of the protocols, he has been a paramedic for a long time. She advised the next question was "Was it possible for him to follow the protocol?", and the answer was yes, it was possible for him to follow that protocol. The next question was "Did the provider knowingly violate the protocol?" She said in the PSRO, she believes he did say yes, he knowingly did violate the protocol. She said he knew what it was, and he chose to put an X in the signature line and do that. And then the last question was "Did the provider have a good faith but mistaken belief that there was a violation, and it was insignificant?" She said the answer to that was no. His behavior, because he deliberately did it, was considered reckless and serious enough to have an order of disciplinary action imposed in this situation. She said Mr. Blanco has stated numerous times that the MCA did not follow their own internal protocols, and they strongly disagree with that. She reiterated there is nothing that specifically says how the MCA should do an investigation. She said they took all of this information and there was never a denial on anything that was alleged, as a matter of fact, it was all confirmed Informally, with the department, and formally with the investigation that took place. She said as far as due process, this process is due process. If Mr. Dean never shared when we got to the next step of the process which went to the Board of Directors, never even talked about anything related to the infraction. Only that he believed he wasn't given due process. She said he never spoke about what that meant, all he said was that he wasn't given due process there all along the way.
As far as the issue relating to Mr. Blanco's allegation about the right to be represented by Council, Ms. Condino stated there is nothing in their established protocols or in any administrative rule that she found that even speaks to this specifically. She said she thinks it's not clearly established in statute or in their protocols, and it was their position when we did take this matter up to their Board of Directors for appeal that if Mr. Blanco wanted to speak during public comments, he could, but the MCA wanted to speak directly to the provider about this incident. He never denied anything other than he kept saying he did not receive due process but didn't submit any other information. Ms. Condino reiterated this situation of a sentinel event was not indicated up front prior to the review of the incident report. The MCA believes that Mr. Dean did receive due process. She said he was given an opportunity and the MCS course corrected, because originally we were going to have the PSRO hear the appeal on December 19th, but prior to that date, Mr. Dean was informed that the MCA course corrected and he could share with the Board of Directors anything new, consistent with the protocol, that he wanted considered in this matter.
She said we should not forget the reason why we're here today. This is a very serious matter.

The MCA did everything we could to give Mr. Dean an opportunity to present his case. He chose not to share anything. She said they believe that their position is that they followed their protocols and based upon the seriousness of this offense and the fact that we followed our protocol, the MCA would like the QATF to support the decision of the PSRO, and the Board of Directors on appeal, to uphold the decision to suspend privileges in Macomb County for six months.

Dr. Feld briefly spoke. He expressed appreciation for the time today. He said he thought Ms. Condino did a very good job succinctly summarizing this. He advised the concern was brought forward from the agency to the MCA and the results of a very thorough investigation determined that the provider admitted to falsification of records. The PSRO committee review, discussed the case and determined a protocol violation did occur. He said that applying just culture recommended the ODA. He said it was a great concern that if, from the PSRO perspective, that if falsification occurred, even on signatures, could anything else within the medical record be trusted and or was it accurate as it was reported. He said the ODA was communicated. It was enacted. He said the MCA did allow due process to play out in accordance with our established protocols. Appeal was received and the appeal hearing occurred where the decision was made by the Board of Directors to affirm the decision made by the PSRO and ultimately according to due process, and that was appealed to the EMSCC and QATF. He advised this is his version of what happened, which aligns with what Ms. Condino presented.

Questions:

- Lisa Martin asked Ms. Condino if Mr. Dean was present at the PSRO where the ODA was issued? Ms. Condino answered that he was not. Ms. Martin asked why, and Ms. Condino advised it is not in their process to bring in a provider to PSRO. She said when the complaint is received, they investigate directly with the provider or take the information they have related to this investigation and present it to PSRO, so he was not there.
- Dr. Fales asked for clarification on Mr. Blanco not being permitted to represent Mr. Dean at the hearing and if the meeting was conducted under the OMA and Mr. Blanco could comment during public comment. Ms. Condino confirmed. He also referenced the Sterling Heights FD policy for obtaining signatures and discussed and asked if there is an agency concern rather than just a provider. Ms. Condino advised that she was not aware of this policy preciously and discussed. She said SHFD's investigation did not conclude this was a problem at the agency. Dr. Fales asked Mr. Blanco about the timing of the guideline that was submitted versus what was in effect at the time of the incident. Mr. Blanco did not have the answer to that.
- Dr. Wise asked what date Mr. Dean was informed of complaint and investigation by PSRO. Ms. Condino advised the MCA did not inform him and that he was informed by his department.
- Dr. Edwards asked what date Mr. Dean was informed of the ODA. Ms. Condino advised October 11. He then asked Mr. Blanco specifically thought was violated in the MCA's protocols. Mr. Blanco advised the Due Process clause (Section 5) and discussed. He then

asked to MCA to verify that section, letters A, B, and C. Ms. Condino answered. He then asked about the timing of Mr. Dean receiving the protocol and Ms. Condino answered.

Dr. Edwards read the closing statement:

Upon review of all written materials, oral testimony, and questions, the QATF will deliberate and issue a written summary and opinion. The written summary and opinion will be sent to the EMSCC for consideration at their next regularly scheduled meeting on ***March 21, 2025****. The EMSCC will review the opinion of the QATF and issue a formal recommendation to the Department. The schedule and location of these public meetings may be obtained from the Bureau of Emergency Preparedness, EMS and Systems of Care website at: www.michigan.gov/ems.*

Motion to go into closed session at 10:55 a.m. (Paul, Martin). Approved.
Motion to return to open session at 12:05 p.m. (Paul, Domeier). Approved.

Minutes and agenda: Motion to approve the agenda and the minutes from 01/24/2024 (Paul, Weber). Approved.

BUSINESS:

1. **SPECIAL STUDY REPORTS**
   a. **NORTHWEST REGIONAL MCA**
      - STEMI with heparin
      - Stroke BEFAST VAN
      - Ultrasound
        - Bill Brodin went over the reports for the group. Dr. Fales spoke about their stroke study and congratulated them on theirs. He asked about training.

   b. **OAKLAND COUNTY MCA**
      - Comms E-Bridge Special Study
        - John Theut went over their report for the group. This study has been going on since 2020.

2. **CONSENT AGENDA – Motion to accept the consent agenda as presented (Domeier, Paul). Approved. Domeier abstained for Washtenaw Livingston.**
   a. **GENESEE COUNTY MCA**
      - 1.1 General Prehospital Care
      - 8.1 Cancellation of Dispatched EMS
      - 8.26 EMS Provider Criminal Charges

   b. **OAKLAND COUNTY MCA**
      - 8.18 Agency and EMS Personnel Criteria for Participation
      - 8.27 PSRO Responsibilities, Structure and Operational Policy

   c. **SANILAC MCA**
      - 7.30 Spit Hood

d. **WASHTENAW LIVINGSTON MCA**
   - 8.9 Air Ambulance Field Operations

3. **<u>MCA AGENDA</u>**

a. **GENESEE COUNTY MCA**
   - 5.5 Chest Pain – **motion to approve the protocol until the state protocols are adjusted and would recommend training first (Fales, Martin). Approved.**
   - 8.17 EMS Agency Responsibilities – **motion to approve the protocol with changes (Paul, Domeier). Approved.**
   - 8.18 EMS Personnel Responsibilities– **motion to approve the protocol with changes (Paul, Domeier). Approved.**
   - 8.19 On-Scene Physician Interaction - **motion to approve the protocol (Paul, Domeier). Approved.**
   - 8.25 Appeals Process – **Motion to approve (Paul, Domeier). Approved.**
     - Bruce Trevithick went over the changes for the group.
     - 8.17 and 8.18: **Action item: add "due regard" to both protocols in the section addressing speed.**
     - 8.25 Adjudicating was discussed.

b. **SANILAC MCA**
   - 8.24(s) Complaint Investigation and Resolution – Supplement. (8.24 is included for QATF reference) – **Motion to approve with change (Paul, Weber). Approved.**
     - Lea Lentz went over the protocol for the group.
     - **Action item: Change the sentinel event wording, Krisy will reach out offline.**

e. **SAGINAW-TUSCOLA MCA**
   - 2.14 Hemorrhagic Shock - **Motion to approve (Martin, Paul). Approved.**
     - Rob Warnemuende and Dr. Wagner spoke about the request.

c. **WAYNE COUNTY MCA HEMS – Motion to table (Paul, Weber). Approved. Wise and Martin abstained.**
   - 12.1 USAR General Treatment
   - 12.1(S) USAR CQI/PSRO Reporting Policy
   - 12.2 USAR Medical Team &Medical Specialist Paramedic Training
   - 12.3 USAR Medical Director Policy
   - 12.4 USAR Dispatch Policy
   - 12.5 USAR Medication Box and Exchange Procedure
   - 12.5(S) USAR Medication Box Contents
   - 12.6 USAR Airway Dust Impaction
   - 12.7 USAR Blast Injury
   - 12.8 USAR Compartment Syndrome
   - 12.9 USAR Crush Injury/Syndrome
   - 12.10 USAR Ocular Trauma

- 12.11 USAR Broad Spectrum Antibiotics
- 12.12 USAR Prehospital Amputation
- 12.13 USAR Rapid Sequence Intubation
- 12.14 USAR Blood Draw
- 12.15 USAR Field Fasciotomy

4. State Protocols/Bylaws:

a. **READY TO VOTE**

- 2.4 General Crush Injury – skipped.
- 2.12 Head Injury Moderate and Severe TBI - **Motion to approve (Wise, Martin). Approved.**
- 4.8 Safe Transportation of Children in Ambulances TBI - **Motion to approve (Paul, Martin). Approved.**
- 7.16 Patient Restraint TBI - **Motion to approve (Paul, Martin). Approved.**
- 7.23 Vascular Access and IV Fluid Therapy TBI - **Motion to approve (Paul, Martin). Approved.**
- 9.2 Medication Substitution (Eliminate Protocol) TBI - **Motion to remove protocol (Domeier, Paul). Approved.**
- 9.3 Medication Shortage TBI - **Motion to approve (Paul, Martin). Approved.**
- 9-8 Naloxone Leave Behind Medication Kit Contents and Distribution Procedure TBI - **Motion to approve (Paul, Martin). Approved.**

b. **READY FOR DISCUSSION**

- 7.5 Continuous Positive Airway Pressure Administration
- 7.13 Pain Management
  - The group discussed.

c. **READY FOR PUBLIC COMMENT (for information only)**

- 2.10 Heat Emergencies
- 2.11 Hypothermia/Frostbite
- 2.13 Bleeding Control
- 4.3 Newborn/Neonatal Assessment and Resuscitation
- 4.5 Pediatric Respiratory Distress, Failure, or Arrest
- 5.1.1 Cardiac Arrest – CPR Addendum
- 7.1 12-LEAD ECG
- 7.5 Dead on Scene & Termination of Resuscitation
- 7.8 Electrical Therapy
- 7.8(S) Electrical Therapy Double Sequential Defibrillation (MCA Optional)
- 7.26 Interfacility High Flow Nasal Oxygen (HNFO) (MCA Optional)
- 8.2 Patient Prioritization and Use of Lights and Sirens
- 8.15 Inter-Facility Patient Transfers
- 9.1 Medication Administration

5. **Other Matters:**
   a. **Glucagon – agenda addition.**
      - Krisy explained that there needs to be changes around glucagon and this is going to change four other protocols. She discussed the changes. She also discussed MI-MEDIC. The protocols affected and being voted on are:
        - Adult Seizures
        - Pediatric Seizures
        - Adult Altered Mental Status
        - Pediatric Altered Mental Status
      - **Motion to approve (Paul, Weber). Approved.**

6. **Next Meeting: March 28, 2025**

7. **Adjournment: Motion to adjourn at 3:07 p.m. (Domeier, Martin). Adjourned.**