

NC Department of Health and Human Services

NCOEMS Chief 101

Compliance



NCOEMS Chief 101 Program

- The goal of this program is to provide information and resource materials to current and future EMS & Rescue Squad Chiefs, administrators, managers, leaders, and officers regarding the various aspects, concepts, resources, regulations and complexities involving the administration, operations and organization of North Carolina EMS agencies and departments.
- The program consist of several topic areas but is not intended to be all inclusive of all aspects of EMS management and administration.



Goal - Compliance

- To assist EMS agencies, departments, and rescue squads in accessing and understanding information regarding the various general statutes, administrative rules, policies, protocols and associated requirements and responsibilities with coordinating and managing an EMS system in the state of North Carolina



Program Objectives

- **At the conclusion of this presentation, participants will be able to:**
 - **Discuss various components of North Carolina General Statutes as they apply to the Compliance and Enforcement component of NCOEMS;**
 - **Identify and discuss the various sections of NCAC 10A 13P rules as they apply to Compliance components and credentialing;**
 - **Using information provide identify various offenses requiring reporting to NCOEMS;**
 - **Understand the Complaint Intake Process used by NCOEMS;**



Program Objectives

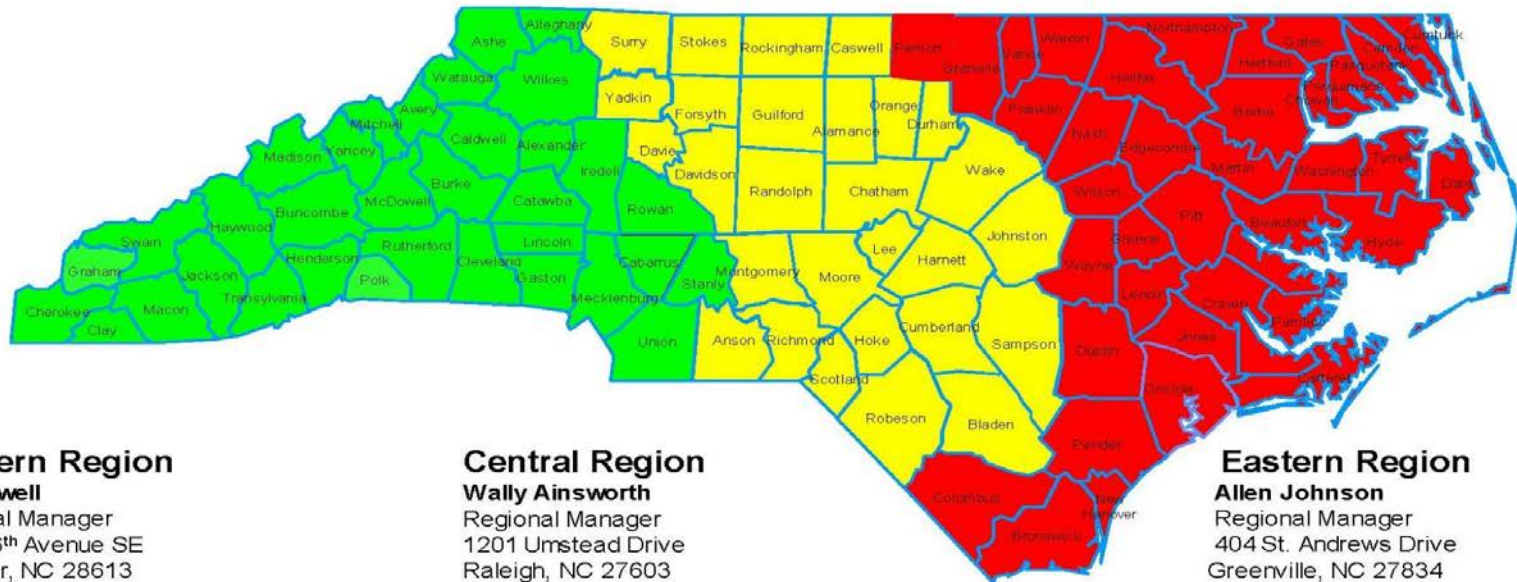
- **Identify the various elements of the Complaint Investigation Process used by NCOEMS Compliance Specialists;**
- **Recognize and discuss the composition, responsibilities and process used by the Agency Case Review Panel;**
- **Identify and discuss the composition, responsibilities and process used by the EMS Disciplinary Committee**
- **Discuss the steps of the provider Appeal Process.**



NCOEMS Regions



North Carolina Office of Emergency Medical Services



Western Region

Jeff Powell
Regional Manager
3305 16th Avenue SE
Conover, NC 28613
828-466-5548

Regional Specialist

Jim Morris – Regional Specialist (Compliance)
Jerry Ashley – Regional Specialist (Logistics)
Zachary Stutts – Regional Specialist (Education)
Paul Anderson – Regional Specialist (Systems)

Central Region

Wally Ainsworth
Regional Manager
1201 Umstead Drive
Raleigh, NC 27603
919-855-4678

Regional Specialist

Doug Calhoun – Regional Specialist (Compliance)
Vince Jordan – Regional Specialist (Logistics)
Eddie Jordan – Regional Specialist (Education)
Anthony Davis – Regional Specialist (Systems)

Eastern Region

Allen Johnson
Regional Manager
404 St. Andrews Drive
Greenville, NC 27834
252-355-9026

Regional Specialist

Rob Glover – Regional Specialist (Compliance)
Paul Allen – Regional Specialist (Logistics)
Robert Amerson – Regional Specialist (Education)
Randall Likens – Regional Specialist (Systems)



NCOEMS Regions

Three Geographic Regions:

- **Eastern Regional Office – 38 counties, 36 systems**
- **Central Regional Office – 28 counties, 27 of systems**
- **Western Regional Office – 34 counties, 35 of systems**



Oversight Authority

**North Carolina General Statute – N.C.G.S.
(State Law)**

**North Carolina Administrative Code (NCAC) –
Rule**

**– Subchapter 13P – Emergency Medical Services
and Trauma Rules**

North Carolina Medical Care Commission



Oversight Authority

North Carolina Emergency Medical Services Advisory Council:

- May advise the Secretary of the Department of Health and Human Services
 - Policy issues
 - Rules – current, revisions, and proposed



General Statute vs Rule

- **Definitions**
 - **General Statute (Law)** – A written provision passed by a legislative body.
 - **Regulation (Rule)** – A provision of general application promulgated or adopted by the agency applicable basic laws. A regulation has the force of law, affecting the rights or conduct of individuals and businesses.
- **Authority**
- **Oversight**
- **Enforcement**



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (a) An EMS credential which has been forfeited under (N.C.)G.S.15A-1331A may not be reinstated until the person has successfully complied with the court's requirements, has petitioned the Department for reinstatement, has appeared before the EMS Disciplinary Committee, and has had reinstatement approved.



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:
 1. failure to comply with the applicable performance and credentialing requirements as found in this Subchapter;
 2. making false statements or representations to the Department or willfully concealing information in connection with an application for credentials;
 3. making false statements or representations, willfully concealing information, or failing to respond within a reasonable period of time and in a reasonable manner to inquiries from the Department during a complaint investigation;



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:
 4. tampering with or falsifying any record used in the process of obtaining an initial EMS credential or in the renewal of an EMS credential;
 5. in any manner or using any medium, engaging in the stealing, manipulating, copying, reproducing or reconstructing of any written EMS credentialing examination questions or scenarios;
 6. cheating or assisting others to cheat while preparing to take or when taking a written EMS credentialing examination;



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:
 7. altering an EMS credential, using an EMS credential that has been altered or permitting or allowing another person to use his or her EMS credential for the purpose of alteration. Altering includes changing the name, expiration date or any other information appearing on the EMS credential;



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:

8. unprofessional conduct, including a failure to comply with the rules relating to the proper function of credentialed EMS personnel contained in this Subchapter or the performance of or attempt to perform a procedure that is detrimental to the health and safety of any person or that is beyond the scope of practice of credentialed EMS personnel or EMS instructors;



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:
 9. being unable to perform as credentialed EMS personnel with reasonable skill and safety to patients and the public by reason of illness; use of alcohol, drugs, chemicals, or any other type of material; or any physical or mental abnormality;
 - 10 conviction in any court of a crime involving moral turpitude, a conviction of a felony, or conviction of a crime involving the scope of practice of credentialed EMS personnel;



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:

11. by false representations obtaining or attempting to obtain money or anything of value from a patient;
12. adjudication of mental incompetence;
13. lack of competence to practice with a reasonable degree of skill and safety for patients including a failure to perform a prescribed procedure, failure to perform a prescribed procedure competently or performance of a procedure that is not within the scope of practice of credentialed EMS personnel or EMS instructors;



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:

14. performing as an EMT-I, EMT-P, or EMD in any EMS System in which the individual is not affiliated and authorized to function;
15. testing positive for any substance, legal or illegal, that has impaired the physical or psychological ability of the credentialed EMS personnel to perform all required or expected functions while on duty;
16. failure to comply with G.S. 143-518 regarding the use or disclosure of records or data associated with EMS Systems, Specialty Care Transport Programs, or patients;



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:

17. refusing to consent to any criminal history check required by G.S. 131E-159;
18. abandoning or neglecting a patient who is in need of care, without making reasonable arrangements for the continuation of such care;
19. falsifying a patient's record or any controlled substance records;



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:

20. harassing, abusing, or intimidating a patient either physically or verbally;
21. engaging in any activities of a sexual nature with a patient including kissing, fondling or touching while responsible for the care of that individual;
22. any criminal arrests that involve charges which have been determined by the Department to indicate a necessity to seek action in order to further protect the public pending adjudication by a court;



10A NCAC 13P .1507

- **EMS Personnel Credentials:**

- (b) The Department shall amend, deny, suspend, or revoke the credentials of EMS personnel for any of the following reasons:

23. altering, destroying or attempting to destroy evidence needed for a complaint investigation;
24. as a condition to the issuance of an encumbered EMS credential with limited and restricted practices for persons in the chemical addiction or abuse treatment program; or
25. representing or allowing others to represent that the credentialed EMS personnel has a credential that the credentialed EMS personnel does not in fact have.



10A NCAC 13P .1507

EMS Personnel Credentials:

- (c) Pursuant to the provisions of S.L. 2011-37, any person listed on the North Carolina Department of Justice Sex Offender and Public Protection Registry shall be denied initial or renewal EMS credentials.



10A NCAC 13P .1507

- **EMS Personnel Credentials:**
 - **(d) When a person who is credentialed to practice as an EMS professional is also credentialed in another jurisdiction and that other jurisdiction takes disciplinary action against the person, the Department shall summarily impose the same or lesser disciplinary action upon receipt of the other jurisdiction's action.**



10A NCAC 13P .1507

- **The EMS professional may request a hearing before the EMS Disciplinary Committee. At the hearing the issues shall be limited to:**
 1. whether the person against whom action was taken by the other jurisdiction and the Department are the same person;
 2. whether the conduct found by the other jurisdiction also violates the rules of the Medical Care Commission; and
 3. whether the sanction imposed by the other jurisdiction is lawful under North Carolina law.



Offenses Determined Sufficient for Administrative Action

Offenses, both administrative and criminal; including but not limited to the following:	Rationale	Possible Violations of the EMS Rules (10A NCAC 13P) or Statute	Action
<p>Sexual Offenses</p> <ul style="list-style-type: none"> ➤ Forcible Rape ➤ Sexual Assault ➤ Sexual offenses against minors ➤ Indecent exposure ➤ Crimes against nature ➤ Sexual servitude ➤ Criminal sexual harassment ➤ Sexual assault or abuse, fondling, touching, kissing of patient 	<p>Credentials EMS personnel charged or convicted under sexual offenses present an actual or potential threat to the safety and well-being of patients</p>	<p>.1507(b)(8) Unprofessional conduct; .1507(b)(9) Unable to practice, protection of public safety; .1507(b)(10) Crime involving morale turpitude, any felony conviction; .1507(b)(12) adjudication of mental competency; .1507(b)(21) engaging in activities of a sexual nature with a patient; .1507(b)(22) any serious criminal arrests pending adjudication</p>	<p>Summary Suspension w/Revocation once adjudicated.</p> <p>Track pending adjudication.</p> <p>Suspension charged but not adjudicated w/Revocation once adjudicated.</p> <p>Revocation.</p>

Offenses Determined Sufficient for Administrative Action

Offenses, both administrative and criminal; including but not limited to the following:	Rationale	Possible Violations of the EMS Rules (10A NCAC 13P) or Statute	Action
<p>Violent Offenses</p> <ul style="list-style-type: none"> ➤ Assault ➤ Battery ➤ Ethnic Intimidation ➤ Domestic Assault ➤ Discharging a weapon ➤ Possession or discharge of explosives ➤ Terrorism ➤ Arson ➤ Attempted murder, murder ➤ Manslaughter ➤ Vehicular homicide ➤ Kidnapping ➤ Stalking, Cyberstalking ➤ Human Trafficking ➤ Cruelty to animals 	<p>Credentials EMS personnel are challenged with handling stressful situations as a routine part of their duties. Because of the serious nature associated with violent offenses, the agency considers anyone charged or convicted under violent offenses as presenting an actual or potential threat to the safety and well being of patients and the general public.</p>	<p>.1507(b)(8) Unprofessional conduct;</p> <p>.1507(b)(9) Unable to practice, protection of public safety;</p> <p>.1507(b)(10) Crime involving morale turpitude, any felony conviction;</p> <p>.1507(b)(12) adjudication of mental competency;</p> <p>.1507(b)(22) any serious criminal arrests pending adjudication</p>	<p>Summary Suspension w/Revocation once adjudicated.</p> <p>Track pending adjudication.</p> <p>Suspension if charged but not adjudicated w/Revocation once adjudicated.</p> <p>Revocation.</p>

Offenses Determined Sufficient for Administrative Action

Offenses, both administrative and criminal; including but not limited to the following:	Rationale	Possible Violations of the EMS Rules (10A NCAC 13P) or Statute	Action
<p>Substance Abuse</p> <ul style="list-style-type: none"> ➤ DWI/DUI (repeat offenses >1) ➤ Theft of controlled medications ➤ Fraudulently obtaining prescription medications ➤ Possession of controlled substances ➤ Sale and/or deliver of illegal substances ➤ Testing positive for illegal substance causing impairment ➤ Altering drug screen 	<p>Credentials EMS personnel must be capable of rationale thought, control of motor vehicle – possibly under emergency response conditions, and have access to patient’s medications.</p> <p>Allowing persons with substance abuse problems to function presents an actual or potential threat to the safety and well being of patients and the general public.</p>	<p>.1507(b)(8) Unprofessional conduct;</p> <p>.1507(b)(9) Unable to practice, protection of public safety;</p> <p>.1507(b)(10) Crime involving morale turpitude, any felony conviction;</p> <p>.1507(b)(12) adjudication of mental competency;</p> <p>.1507(b)(15) positive drug screen</p> <p>.1507(b)(19) falsifying a controlled substance record</p> <p>.1507(b)(22) any serious criminal arrests pending adjudication</p>	<p>Summary Suspension w/Revocation once adjudicated.</p> <p>Track pending adjudication.</p> <p>Suspension if charged but not adjudicated w/Revocation once adjudicated.</p> <p>Revocation.</p> <p>Alternate Program for Chemical Dependency.</p> <p>Letter of Reprimand.</p>

Offenses Determined Sufficient for Administrative Action

Offenses, both administrative and criminal; including but not limited to the following:	Rationale	Possible Violations of the EMS Rules (10A NCAC 13P) or Statute	Action
Financial Fraud <ul style="list-style-type: none"> ➤ Embezzlement ➤ Extortion ➤ Identity Theft ➤ Financial abuse of the elderly 	Credentials EMS personnel have access to patient's demographic and personal finance information including full name, age, date of birth, address, social security number, health insurance information, and potentially credit card and checking account information.	<ul style="list-style-type: none"> .1507(b)(8) Unprofessional conduct; .1507(b)(9) Unable to practice, protection of public safety; .1507(b)(10) Crime involving morale turpitude, any felony conviction; .1507(b)(11) obtaining anything of value from patient; .1507(b)(22) any serious criminal arrests pending adjudication 	<ul style="list-style-type: none"> Summary Suspension if actively practicing w/Revocation once adjudicated. Track pending adjudication. Suspension if charged but not adjudicated w/Revocation once adjudicated. Revocation.

Offenses Determined Sufficient for Administrative Action

Offenses, both administrative and criminal; including but not limited to the following:	Rationale	Possible Violations of the EMS Rules (10A NCAC 13P) or Statute	Action
<p>Theft of property</p> <ul style="list-style-type: none"> ➤ Robbery ➤ Burglary ➤ Breaking and Entering ➤ Larceny ➤ Looting 	<p>Credentials EMS personnel have access to patient's property including: money, jewelry, access into people's homes.</p>	<p>.1507(b)(8) Unprofessional conduct;</p> <p>.1507(b)(9) Unable to practice, protection of public safety;</p> <p>.1507(b)(10) Crime involving morale turpitude, any felony conviction;</p> <p>.1507(b)(11) obtaining anything of value from a patient.</p> <p>.1507(b)(22) any serious criminal arrests pending adjudication</p>	<p>Summary Suspension w/Revocation once adjudicated.</p> <p>Track pending adjudication.</p> <p>Suspension if charged but not adjudicated w/Revocation once adjudicated.</p> <p>Revocation.</p>

Offenses Determined Sufficient for Administrative Action

Offenses, both administrative and criminal; including but not limited to the following:	Rationale	Possible Violations of the EMS Rules (10A NCAC 13P) or Statute	Action
<p>Obtaining EMS credential through fraud or misrepresentation</p> <ul style="list-style-type: none"> ➤ Failure to comply w/ performance and credentialing requirements ➤ Falsified or willfully withholding application information ➤ Falsification of EMS credential application ➤ Falsification of educational qualifications ➤ Tampering with a valid EMS credential (own or someone else's) ➤ Tampering with examination questions ➤ Cheating 	<p>Failure to possess the knowledge and skills identified as essential for the level of credentialing poses an immediate threat to any patient encountered by the individual with the "invalid" credential. The potential for harm exists up to and includes the death of the patient.</p>	<p>.1507(b)(1) Failure to meet credentialing requirements; .1507(b)(2) Making false statements; .1507(b)(2) falsifying records; .1507(b)(5) tampering with examination questions (copying); .1507(b)(6) cheating or helping others cheat; .1507(b)(7) altering an EMS credentialing; .1507(b)(8) unprofessional conduct; .1507(b)(13) lack of competence to practice; .1507(b)(25) representing or allowing others to represent an EMS credential not held.</p>	<p>Summary Suspension w/Revocation once immediately undertaken.</p> <p>Denial if confirmed tampering with examination questions and not already issued.</p> <p>Letter of Reprimand.</p> <p>Revocation.</p>

Offenses Determined Sufficient for Administrative Action

Offenses, both administrative and criminal; including but not limited to the following:	Rationale	Possible Violations of the EMS Rules (10A NCAC 13P) or Statute	Action
<p>Medical Malpractice / Incompetence</p> <ul style="list-style-type: none"> ➤ Performing a skill or procedure outside the approved skills set; ➤ Failure to perform a skill or procedure; ➤ Crime involving the scope of practice or credentialed EMS personnel; ➤ Abandonment. 	<p>Medical competence is essential in ensuring the health and safety of the public. The potential for harm exists up to and includes the death of the patient.</p>	<p>.1507(b)(8) unprofessional conduct; .1507(b)(9) unable to practice, protection of public safety; .1507(b)(13) lack of competence to practice .1507(b)(18) abandonment .1507(b)(19) falsifying a patient's record .1507(b)(22) any serious criminal arrests pending adjudication</p>	<p>Summary Suspension w/Suspension, Amendment or Revocation.</p> <p>Track pending adjudication.</p> <p>Suspension, Amendment, or Revocation.</p> <p>Letter or Reprimand.</p>

Offenses Determined Sufficient for Administrative Action

Offenses, both administrative and criminal; including but not limited to the following:	Rationale	Possible Violations of the EMS Rules (10A NCAC 13P) or Statute	Action
<p>Other offenses</p> <ul style="list-style-type: none"> ➤ Conviction of a felony; ➤ Currently under supervised probation; ➤ Failure to cooperate or withholding investigation information; ➤ Altering, attempting to destroy or destroying evidence; ➤ Unprofessional conduct; ➤ Adjudication of Mental Incompetence 	<p>Honesty, credibility, and integrity are essential for developing and maintaining trust in the EMS professional's ability to act morally and ethically.</p>	<p>.1507(b)(8) unprofessional conduct;</p> <p>.1507(b)(9) unable to practice, protection of public safety;</p> <p>.1507(b)(13) lack of competence;</p> <p>.1507(b)(16) disclosing patient records;</p>	<p>Summary Suspension if actively practicing w/Suspension, Amendment, Revocation once adjudicated.</p> <p>Suspension, Amendment, or Revocation if not actively practicing.</p>



Offenses Determined Sufficient for Administrative Action

Offenses, both administrative and criminal; including but not limited to the following:	Rationale	Possible Violations of the EMS Rules (10A NCAC 13P) or Statute	Action
<p>Other offenses</p> <ul style="list-style-type: none"> ➤ Performance without System or Medical Director authority; ➤ Disclosing patient records; ➤ Falsifying or altering patient records or controlled substances records; ➤ Representing or allowing others to falsely representing credential; ➤ Refusal of a criminal history check; ➤ Failure to complete Alternate Program for Chemical Dependency; 	<p>Honesty, credibility, and integrity are essential for developing and maintaining trust in the EMS professional's ability to act morally and ethically.</p>	<p>.1507(b)(18) abandonment;</p> <p>.1507(b)(19) falsifying a patient's record;</p> <p>.1507(b)(22) any serious criminal arrests pending adjudication</p>	<p>Suspension if not actively practicing, charged but not adjudicated w/Suspension, Amendment, or Revocation once adjudicated.</p> <p>Denial or revocation if refusing to submit a criminal history check.</p>

What NCOEMS Does NOT Do

NCOEMS addresses complaints and concerns involving the Agency's regulatory enforcement authority outlined within North Carolina Administrative Code (10A NCAC 13P).

- Applicants with criminal histories and pending court charges are handled by the Credentialing and Compliance Manager in Raleigh.
- **Summary Suspension** of credentials is decided by the Department of Health and Human Services.
- The NCOEMS Chief is the designated Department representative responsible for enforcing these actions. The Agency consults with the North Carolina EMS Disciplinary Committee and the North Carolina Attorney General's Office regarding all summary suspensions.



What NCOEMS Does NOT Do

- NCOEMS ***DOES NOT*** investigate criminal cases.
- NCOEMS ***DOES NOT*** investigate matters that involve non-credentialed personnel.
- NCOEMS ***DOES NOT*** take sworn testimony during investigations.
 - *NCOEMS Investigators gather and compile factual information.*



Complaint Process

- **Complaint Intake Form (CIF) completed by NCOEMS staff**
- **Assign CIF to appropriate Regional Office – Regional Specialist**
- **Discuss CIF on Investigation Team Conference call**
 - **The team is charged with reviewing all complaints received by the Agency to develop the course of action to ensure potential rule violations are addressed.**



Complaint Process

- **Determine Action**
 - No Rule/Law Violation Found
 - Additional Information Needed
 - Another Agencies Jurisdiction
 - OEMS Investigation Required
 - Determine if ***Summary Suspension*** is warranted



NCOEMS Investigation Process

- Preliminary determination of potential violation of General Statute or Administrative Law
- Investigator(s) Assigned – usually Lead Investigator is Compliance Specialist
- Fact-Finding Process
- Contact Agency Administrator & Medical Director
- Notify Individual and/or Agency of Investigation
- Provider or Agency Status changed in Continuum to “Investigation” status



NCOEMS Investigation Process

- Obtain required documents, evidence, materials, etc.
- Schedule on-site interviews
 - **Accused**
 - **Agency Administrator & Medical Director**
 - **Witnesses**
 - **Other personnel as warranted**
- Assemble Written Report
- Forward Report to Regional Manager and Compliance Manager for Review



- **Agency Case Review**

- Panel:**

- This Panel is charged with monitoring specific enforcement processes to ensure investigation reports and applicant packets receive appropriate review and direction. The Panel also ensures EMS Personnel receive due process regarding any disciplinary matters.

- **Panel membership consists of:**

- Credentialing & Compliance Manager
- Education Manager
- Operations Manager
- Compliance Administrative Assistant
- Regional Managers
- Regional Compliance Specialists
- HPP Program Representative
- Trauma Program Manager



NCOEMS Investigation Process

Agency Case Review Panel:

- **Scheduled monthly meetings**
 - **Cases are presented and discussed**
- **Recommendation made from this group**
 - **No Action Taken Against EMS Credential**
 - **Issue EMS credential**
 - **Letter of Reprimand**
 - **Forward to the NC EMS Disciplinary Committee for interview**



NCOEMS Investigation Process

NC EMS Disciplinary Committee:

- The committee is an advisory body charged with reviewing and making recommendations to the Department regarding all disciplinary matters relating to credentialing of emergency medical services personnel.

Membership of the EMS Disciplinary Committee consists of:

- Two currently practicing local EMS Physician Medical Directors
- Physician member of the North Carolina Medical Board
- EMS Administrator
- EMS Educator
- Two currently practicing and credentialed EMS personnel, one of whom shall be an EMT-Paramedic



NCOEMS Investigation Process

- **NC EMS Disciplinary Committee:**
 - Schedule case for presentation to the EMS Disciplinary Committee.
 - *The complainant is scheduled to be interviewed at this time.*
 - The accused provider(s) are provided an opportunity to produce information and answer committee's questions regarding information present, circumstances involved, as well as, investigation findings.
 - The EMS Disciplinary Committee then takes the time to additionally review the information, discussions, evidence, and responses. All elements are then considered.



NCOEMS Investigation Process

- **NC EMS Disciplinary Committee:**

- Accused Provider is notified to appear at hearing with Committee
 - Due Process
 - N.C.G.S. § 150-3(c)
 - N.C.G.S. § 143-519
 - Accused may or may not choose to appear
- Case information presented to EMSDC by Regional Specialist, Regional Manager, or Compliance Manager



NCOEMS Investigation Process

- The accused provider(s) are provided an opportunity to produce information and answer committee's questions regarding information present, circumstances involved, as well as, investigation findings.
- The EMS Disciplinary Committee then takes time to additionally review the information, discussions, evidence, and responses presented at meeting. All elements are then considered.



NCOEMS Investigation Process

- **NC EMS Disciplinary Committee:**
 - EMS Disciplinary Committee submits recommendation(s) to NCOEMS Chief:
 - Recommendations can Include:
 - ***No Action taken against EMS credential***
 - ***Letter of Reprimand***
 - ***Deny, Amend, Suspension or Revoke a credential***
 - The Department has final decision making authority regarding all cases
 - Once decision is made, the accused and agency are notified in writing of outcomes.



Procedure for Appeal

- A provider has the right to contest an action of NCOEMS within thirty (30) calendar days from receipt of the Action Order in accordance with G.S. § 150B, Article 3.
- Should the provider choose to appeal they are directed to work through the Office of Administrative Hearings at which time the dispute becomes a contested case.



Procedure for Appeal

- **First Step in Taking Enforcement Action:**
 - When the Department determines a need to take enforcement action, an individual receives a “Notice of Intent to Take Action.” Pursuant to N.C.G.S. 150B-3(B), an individual is given an opportunity to show compliance with all lawful requirements for being credentialed. An individual may:
 - Submit a written statement to the NCOEMS that clearly sets out all of the reasons they contend will demonstrate their compliance.



Procedure for Appeal

- In order to be considered, the written statement must be received by the NCOEMS within ten days after you receive this Notice.
- If the NCOEMS receives a written statement within the time frame specified, the Agency will carefully review the statement and any documents submitted with it. Following this review, the Agency will affirm, modify, or rescind its decision to take action.
- If the NCOEMS does not receive a written statement from an individual, the Agency moves toward taking final action.



Procedure for Appeal

- **Final Step in Taking Enforcement Action:**
 - When the Department issues notification of final action, an individual is provided specific details of their appeal process to include:
 - An individual has the right to contest the action within thirty (30) calendar days from mailing of the final action letter in accordance with N.C.G.S. § 150B, Article 3.



Summary & Questions

