

**NH Fire Standards and Training Commission****MEETING MINUTES** *(Not Approved)***September 7, 2017**

9:00AM

Richard M. Flynn Fire Academy, Classrooms 5 & 6, Dormitory Building  
98 Smokey Bear Boulevard  
Concord, NH 03301

**FST Commission members present:**

Jeremy Thibeault (Chair), Robert Buxton (Vice Chair), Richard Bailey, Jr., Justin Cutting, J. William Degnan, Kerry LeBlanc, Richard McGahey, Kevin Pratt, Steven Sherman, and Nancy Smith **(10)**

**FST Commission members not present:**

William Campbell, Stephen Carrier, Amy Clark, Michael Joyal, and Peter Lennon **(5)**

**Division of Fire Standards and Training & EMS Staff:**

Assistant Director Jeffrey Phillips, Chief Nick Mercuri, and June Connor (Administrative Assistant) **(3)**

**Guest:** Tracey Marcus – during the discussion of retraining for additional testing

**NOTE: "Action items" are in bold red.**

**I. CALL TO ORDER**

The meeting was called to order at 9:00AM; a quorum was present with 8 in attendance at that time. Two other members arrived later on in the meeting.

Commissioner McGahey led the Pledge of Allegiance.

NOTE: In order to accommodate those who were in attendance for hearings as well as a commission member who had to leave early, the agenda items were taken out of order.

**II. APPROVAL OF MINUTES**

Item 1. (Buxton/McGahey) – **motion made to approve the minutes from the June 1, 2017 public FST Commission meeting;** passed with an abstention from Commissioner Sherman.

Item 2. (Cutting/Buxton) – **motion made to approve the minutes from the June 1, 2017 non-public session;** passed with an abstention from Commissioner Sherman.

Item 3. (Smith/Buxton) – **motion made to approve the minutes from the June 27, 2017 special meeting;** passed with an abstention from Commissioner Sherman.

### III. NON-PUBLIC SESSION

The FST Commission members voted to go into non-public session to deliberate over 2 exam retake waiver requests.

### IV. NEW BUSINESS (VI, Item 3 on the agenda)

Item 3. Retraining for additional testing

**The Division's recommendation regarding refresher training after a failed exam in FFI and FFII (presented by Assistant Director Jeffrey Phillips):**

- Following the model of the way EMS deals with refresher programs, the Division recommends that a student failing 2 attempts at a written exam would have to attend the classroom portions of all of the modules. The refresher program would be about 38 hours, calculated based on the modules in NFPA1403.
- The same approach would be taken with a failure of 2 attempts at the practical exam, involving 82 hours in the refresher program.
- In addition, if the refresher training is not completed within a 12 month period, then the student would have to take both portions of the exam again.

**The reasoning behind this recommendation has to do with the way exams are created.**

- The exam is intended to be a snapshot of firefighter skills; modules are not weighed consistently from one exam to another. The reasoning is that if one is not proficient in one particular skill, then the chances are high that the same would be true for other skills.
- If a student receives refresher training just on the specific modules they did not get correct on the exam, there is no guarantee that they would do any better on the next exam due to the randomness of the questions.
- **Challenges:**
  - \* **Scheduling & Availability** – It will not always be easy for students to attend classes to re-take modules based on the number and location of available classes.
    - **Possible solution** – If Jones and Bartlett can give the Division their online material, students will be able to do their refresher training online. (Online training done by the Division is not available for all firefighter modules at this time.)
  - \* **Additional costs?** – Assistant Director Phillips answered Commissioner Buxton's question about extra costs involved by explaining that it is not uncommon for students who need to retake a missed module to join another class and that historically, this has not been an issue in terms of costs involved.
  - \* **Software for doing exam analyses** – not the most current; much of the work has to be done manually.
- **Statistics:** (POST MEETING NOTE: This information was checked after the meeting.)
  - \* 2017 – 9 requests to retake an exam for the 3<sup>rd</sup> time
  - \* 2016 – 4 requests to retake an exam for the 3<sup>rd</sup> time

Commissioner Cutting stated that more time is needed to determine if a broad one-size-fits-all policy needs to be adopted or if refresher programs should be determined on a case by case basis.

Commissioner Smith agreed that more time is needed but that something should be done to help the 2 people who requested waivers during today's non-public session and were denied because of the new rule stating that the commission could not grant waiver requests for third attempts at tests. Several options were discussed. Assistant Director Phillips recommended that the Division coordinate with the individuals who have requested exam retake waivers; they will each be assigned an instructor who will come up with an 8 – 16 hour review session that will cover the topics from their respective programs; after completion of their review sessions, they will be allowed to test for 2 more times.

(Cutting/Pratt) – **A motion was made to direct the Director to develop individualized retraining not to exceed 8 hours of staff time for each for the 2 pending retest cases;** passed unanimously.

**A request was made to have the Division present at the next meeting a report of what would be involved in a "one size fits all" retraining policy and how long it would take for its implementation.** Assistant Director Phillips also explained that he wants to make sure everyone understands what is involved with doing test analyses. The way testing is done also needs to be examined. A plan also needs to be in place for what happens when students fail after retraining. Commissioner Degnan suggested that educational experts be consulted.

Items will be put on the November agenda for discussions about testing and retesting.

#### **V. REPORTS (IV, Items 2 and 1 on the agenda)**

Item 1. Forest Protection Bureau – Chief Sherman

Out-of-state mobilizations have occupied much of the bureau's time. The bureau is working with the Seacoast IMT and Homeland Security in getting their people on board as employees. Assistant Director Phillips cautioned that some of these people may already be employed by the state and will need waivers.

Item 2. Fire Marshal's Office – Director Degnan

HB 168 – Fire Code sub-committee meeting held; one of the main stumbling blocks is the protection of lightweight construction.

#### **VI. NEW BUSINESS (Continued – item added to the agenda at the meeting.)**

Item 4. Academy Awards

Commissioner Buxton announced that Ty Gagne, CEO of Primex, has opted to decline the Award of Excellence and will not accept the nomination.

#### **VII. REPORTS (Continued – Items 3, 4, and 5 on the agenda)**

Item 3. Assistant Director Phillips went over the following curriculum review report:

#### **Curriculum Review – September 2017**

Current visiting committees approved (most all visiting committees were idle over the summer break):

- Hazardous Materials Decontamination: currently reviewing curriculum to ensure it meets the NFPA standard
- Fire Officer III & IV: Visiting committee has held its third meeting. The general consensus of the groups is to go with the IFSTA program. We are currently evaluating copies of other State approved programs.
- Airport Firefighter: A couple meetings have taken place. IFSTA is the only program available and are currently reviewing the skills and evaluation tools.
- Fire Investigator: currently working through ProBoard requirements. The test bank has been validated in conjunction with the Fire Marshal's office. They are currently attempting to finalize the practical skill evaluations.

Current ProBoard certification Profile:

Standard	Level	Edition	Current NFPA Ed	Next Edition
472	Hazardous Materials First Responder at the Awareness Level	2013*	2018	*2017
472	Hazardous Materials First Responder at the Core Operations Level	2013*	2018	*2017
472	Hazardous Materials First Responder at the Operations Level: Personal Protective Equipment Mission Specific Competency	2013*	2018	*2017
472	Hazardous Materials First Responder at the Operations Level: Product Control Mission Specific Competency	2013*	2018	*2017
472	Hazardous Materials Technician	2013	2018	*2017
1001	Fire Fighter I	2013	2013	2018
1001	Fire Fighter II	2013	2013	2018
1002	Driver/Operator of Fire Apparatus Equipped with a Fire Pump	2017	2017	2022
1002	Driver/Operator of Fire Apparatus Equipped with an Aerial Device	2017	2017	2022
1003	Airport Firefighter	2015	2015	2019
1021	Fire Officer I	2014	2014	2020
1021	Fire Officer II	2014	2014	2020
1031	Fire Inspector I	2014	2014	2021
1031	Fire Inspector II	2014	2014	2021
1041	Fire Instructor I	2012	2012	2019
1041	Fire Instructor II	2012	2012	2019
1041	Fire Instructor III	2012	2012	2019
1051	Wildland Fire Fighter I	2016	2016	2020
1051	Wildland Fire Fighter II	2016	2016	2020
1072	Hazardous Materials, Awareness, Ops, Decon and Tech	****	2017	2022
	*Will need to transition from NFPA 472 to NFPA 1072			

Current programs in development for online delivery:

- EMS in the Warm Zone Operations level
- EMS Protocol roll out
- Fire Mobilization plan

Item 4. EMS Coordinating Board

There was no official meeting of the CB on May 18, 2017 because a quorum was not present. The next meeting of the CB will be on Thursday, September 21, 2017.

Here is the link to the CB minutes on the web:

<https://www.nh.gov/safety/divisions/fstems/ems/boards/coordinating/cbminutes.html>

Item 5. FST & EMS Director's Report

Chief Mercuri spoke about the town hall meetings being held across the state through September; 23 dates were scheduled, and 18 have been held so far.

**A presentation of the results of the feedback received at these meetings should be ready for the November FST Commission meeting.**

Assistant Director Phillips went over Director Pendergast's report:

**Facilities:**

Auditorium seating is scheduled to be replaced in the beginning of November. This will increase the capacity from about 110 to 140 people.

**Budget:**

The Fire and EMS fund was up over 8% for last fiscal year, however based on current appropriations the fund is still not sustainable. Department of Safety continues to work on alternative funding solutions for the fund.

**Programs:**

- CPAT: The Statewide Entrance list was distributed with the results of April and June. There is another test scheduled for September with 103 people scheduled.
- Scott Doherty was recently promoted to Deputy Chief and Captain Laurie Miller transferred into his old position which is responsible for the Instructor and Inspector programs. We currently have the Southeast Field Captain position posted and are accepting applications.

**VII. OLD BUSINESS (V on the agenda)**

Item 1. Administrative Rules sub-committee

Commissioner Smith stated that the SC will get started with phase 2 of the rules revision in October.

Item 2. Saf-C 6200 rules on administrative fees

The rules were submitted and the Office of Legislative Services had some questions which Chief Mercuri went over with the commission members.

Item 3. Statewide training needs assessment for fire and EMS

No one answered the RFP. Some changes will be made to it, and it will be re-issued.

Item 4. Update on Epsom case – Calligandes CPAT

Mr. Calligandes has until September 30<sup>th</sup> to comply with the CPAT requirement; there is no update of his status at this time.

Item 5. PFOA testing update

Assistant Director and a couple of other staff members met with DES; they walked the drill yard and explained the history of how the Fire Academy was built. A letter of recommendation is expected from DES by the November FST Commission meeting.

**VIII. NEW BUSINESS (VI on the agenda)**

Item 1. Live fire training in acquired structures

Assistant Director Phillips asked the members of the commission for their input as to whether or not the commission should get into the issue of live fire training in acquired structures.

Currently, there are no requirements about doing this kind of training; the Academy does not endorse doing live fire training; it is a local decision.

After discussion, Assistant Director Phillips suggested that the Division could come up with some resources to be made available regarding this topic. The commission members felt that there were already enough guidelines for people to follow and that it was not necessary for them to take any further action regarding live fire training.

Item 2. FST Commission representative to EMS Coordinating Board

(Smith/Pratt) – **A motion was made to re-appoint Jeremy Thibeault as the Fire Standards and Training Commission's representative to the EMS Coordinating Board;** passed unanimously.

Item 3. (covered in these minutes on pages 2-3)

Item 4. FST Commission support for grant

Assistant Director Phillips asked for the support of the commission members regarding the awarding of grant money to fund a standardized statewide fire data reporting version of TEMSIS.

(Pratt/McGahey) – **A motion was made to draft a letter of support from the commission for the grant application for funding for an initial fire version of TEMSIS;** passed unanimously.

Item 5. Sub-committees

Chair Thibeault asked the commission members to take a look at the current sub-committee list and think about their preferences, including being visiting committee liaisons. **(Let June Connor know so that the nominating committee can be informed before the November meeting.)** June will send the list to the members.

Commissioner Smith informed the group that sub committees, because they are public bodies, are subject to 91-A and must have a quorum when they meet. Sub-committee meetings also need to be posted.

91-A:1a, VI (c)

I. "Public body" means any of the following:

(c) Any board or commission of any state agency or authority, including the board of trustees of the university system of New Hampshire and any committee, advisory or otherwise, established by such entities.

A "working group" can be an alternative to a sub-committee when Division staff is involved in helping **one** commission member do committee work and then make recommendations to the full commission.

**Commissioners Smith and Thibeault will work with Director Pendergast to figure out what should be done with standing committees;** in the meantime, the FST Commission members should still think about their preferences.

NOTE: A nominating sub-committee meeting will be posted for 8:45AM prior to the November FST Commission meeting.

Item 6. FST Commission Chair and Vice Chair

These votes must be taken at the November meeting; Chair Thibeault and Vice Chair Buxton are interested in continuing on.

**Anyone else who is interested or who wants to nominate someone else should let June Connor know before the November meeting.**

#### **IX. GOOD OF THE ORDER (VII on the agenda)**

Item 1. FST Commission update

The Governor and Council voted to confirm the re-nominations for Commissioners McGahey, LeBlanc, and Campbell. We are still waiting on confirmations for Commissioners Pratt and Lennon.

Governor Sununu requires that resumes now be submitted along with nomination letters.

Item 2. Schedule

The 2018 draft schedule was distributed to the members. It will be voted upon at the November meeting.

Item 3. Awards presentation

The NH Fire Service and Emergency Medical Services Committee of Merit Award Presentation is at 6:30PM on Monday, September 25, 2017 at the Concord City Auditorium.

Item 4. Carfentinil guidance

Chief Mercuri distributed information on carfentinil.

#### **X. ADJOURNMENT (VIII on the agenda)**

(McGahey/Cutting) – A motion was made to adjourn the meeting at 11:30AM; passed unanimously.

**LAST MEETING FOR 2017: NOVEMBER 2, 2017**