

NEW HAMPSHIRE FIRE STANDARDS & TRAINING COMMISSION

Location: 98 Smokey Bear Blvd, Concord, NH
Mailing Address: 33 Hazen Drive, Concord, NH 03305
Telephone: 603-223-4200
Toll Free: 1-800-371-4503
Fax: 603-271-1091

MINUTES OF MEETING **January 8, 2015** *(not approved)*

Members Present: Stephen Carrier, Michael Brown, William Campbell, Timothy Carney, George Klauber, Kerry LeBlanc, Peter Lennon, Kevin Pratt, Brad Simpkins, Jeremey Thibeault

Members Absent: David Lindh, William Degnan, Michael Joyal, Richard McGahey

Others Present: *Division of Fire Standards & Training and Emergency Medical Services*—Deborah Pendergast, Director; Jeffrey Phillips, Bureau Chief; June Connor, Administrative Assistant

I. CALL TO ORDER

Item 1. Call to Order. The meeting of the New Hampshire Fire Standards & Training Commission was called to order by Chair Carrier at 9:00AM on Thursday, January 8, 2015 at the Richard M. Flynn Fire Academy, 98 Smokey Bear Blvd., Concord, NH.

The Pledge of Allegiance was led by Commissioner Carrier.

II. APPROVAL OF MINUTES

Approval of the minutes from November 20, 2014; **motion made by Commissioner Thibeault; seconded by Commissioner Klauber; abstention by Commissioner Brown; passed unanimously.**

III. CHAIR'S REMARKS

Chair Carrier did not have any opening remarks.

IV. COMMITTEE REPORTS

Item 1. Emergency Medical Services. Commissioner Thibeault reported that there were no changes due to the fact that the Trauma Coordinating

Board met immediately before the last Commission meeting. The CB meets again on January 15, 2015.

Director Pendergast added that **Narcan use** is continuing to be monitored. The average at the end of 2014 was 350 – 400 doses per month; this figure represents a doubling of Narcan doses from the beginning of 2014. Though Manchester and Laconia have the highest numbers, doses are also increasing for the smaller towns that do not necessarily have easy accessibility to Narcan because they did not anticipate such a great need.

Investigations: Over the last year, the Coordinating Board has been focusing on how the Bureau of EMS investigates complaints that range from minor to serious in nature. Shortcomings were identified, and a draft written by the CB is now in the Commissioner's hands. On January 15, 2015, the Coordinating Board will be looking at the draft that the Commissioner puts forward and will be voting on it. The sticking point centers around who gets notified when an infraction arises, especially when the accused person uses his/her license in more than one agency. The NHAFC's position on this issue is that all agencies should be notified. Commissioner Klauber expanded on this topic by questioning if the CB has considered what should happen when someone is accused of something that does not necessarily affect licensing; for example, domestic violence or shoplifting. Commissioner Thibeault stated that the Bureau can open license investigations in these types of situations, but it is very difficult to move anywhere with them. When these types of non-work related issues arise, counsel is sought from the Attorney General's Office. Commissioner Brown explained that most licensing boards have some authority regarding conduct outside of work, and public protection must be weighed against a person's right to due process. Frequently, when notice is provided to all agencies connected with the accused, the result is that the person is suspended from all agencies. People have constitutional protections relating to their right to earn a living. When this right is withdrawn, there are certain due process requirements that need to be put into play. Director Pendergast explained that the draft written by the CB includes a "triage" of offenses, from minor to very serious, that require different kinds of actions taken by agencies. Chairman Carrier added that at the Chiefs' Board of Directors meeting, there was a discussion about every department having to have a policy that requires notification in the event of a license investigation, regardless of whether or not the accused person was working for the department at the time of the alleged incident.

Item 2. Fire Marshal's Office. Director Degnan was not present, and no written report was submitted.

Item 3. Forest Protection Bureau. Chief Simpkins was present and gave a report. No written report was submitted.

Item 4. Curriculum Review. Bureau Chief Phillips gave an update. No written report was submitted.

Item 5. Academy Awards. Chair Carrier reminded the Commission that it is their responsibility to put forth nominations, and this should be completed by June or July, 2015. (Note: A list of past recipients was emailed to the Commission members on January 12th.)

Item 6. Nominating Committee. New Nominating Committee Chair and Vice Chair for the 2015 slate of officers: Stephen Carrier (Chair) and Jeremy Thibeault (Vice Chair). Commissioner Klauber made a motion to accept the recommendation of the Nominating Committee; this motion was seconded by Commissioner Brown; passed unanimously.

V. REPORT OF THE DIRECTOR

Director Pendergast was present and gave a report. A written report was submitted and is attached to these minutes.

After the Director's report on hiring issues and the ensuing discussion, the Commission decided to **re-activate the Hiring Practices Subcommittee** (Commissioners Brown, McGahey, Simpkins and Commissioner Klauber's replacement) which will focus on finding better and more regular ways of communicating hiring information to fire chiefs throughout the state, defining and clarifying hiring requirements, and addressing the use of background checks in the hiring process.

(The Hiring Practices Committee will take the place of the Nominating Committee (IV, Item 6) on the agenda for themeeting.)

Action items:

- **Director Pendergast will send out a letter to the fire chiefs regarding CPAT and Firefighter II hiring requirements.**
- **The NH FSTEMS staff will meet with the NH Retirement System to see if they have any ideas how the process can be cleaned up.**
- **A member of the subcommittee should contact Police Standards to obtain a copy of their book about hiring practices, including background checks.**

VI. OLD BUSINESS

Item 1. Medical Requirements for Training

A draft policy, "Medical Clearance for Students", drawn up by Director Pendergast, is being finished. The projected completion date is July 1, 2015.

Item 2. ADA/EEOC – Rules Subcommittee Recommendation

At the Nov. 20, 2014 meeting, Commissioner Klauber distributed a document drawn up by the subcommittee (Commissioners Klauber, Joyal, McGahey, and Brown). This needs to be sent off for a legal review.

Item 3. FFII Skills Review Committee

Bureau Chief Phillips addressed that concern expressed in the last Commission meeting regarding curriculum changes being made prior to the Commission's approval; he explained that although the NH FSTEMS staff was making plans to run a Firefighter II course in Lebanon without the skills review on Sept. 4, 2014, in anticipation of the Commission's approval, the instructors were not made aware of this until the course was posted on September 14, 2014. Most of the students who took the FFII class in Lebanon had just completed their FFI course, so no significant difference was noted.

Chief Phillips went on to explain that this is a cost versus benefit decision. Running skills reviews is very expensive, and he feels that it is more important to spend the money on other programs, like Company Officer. He also reminded the Commission that money availability is declining; the fire fund currently has 10.3 million dollars in appropriations and will be sustained until fiscal year 2017. In the last two years, the fund has brought in 8.3 million each year. At this rate, the fund will be in the negative after FY17.

Chairman Carrier reiterated that the focus of the Commission is on the curriculum and establishing what needs to be delivered. The staff then has to prioritize what they want to deliver. Using the Lebanon class as an example in which the skills review was not necessary because of the makeup of the class, Chairman Carrier stated that including the skills review piece of Firefighter II is a decision that should best be made on a class-by-class basis, depending on the needs of the students. The Commission members emphasized, however, that it is important for the majority of firefighters to master the basic skills which requires several repetitions.

Another aspect of the discussion centered on the quality of instruction for the skills reviews and the lack of consistency in how they are taught. (The instructor program is being completely revamped at the Academy, and will be the major responsibility of the newly hired Instructor/Coordinator Program Coordinator.) **Bureau Chief Phillips called for an active member of the Commission to participate in the meetings at the Academy regarding the new instructor process.**

At the end of this discussion, a **motion was made by Commissioner Thibeault to re-establish the Level I/Level II Visiting Committee to examine the Firefighter II skills review issue; seconded by Commissioner Campbell; passed unanimously.** In the meantime, skills reviews will continue to be scheduled for all Firefighter II courses.

VII. NEW BUSINESS

Commissioner George Klauber announced his resignation. This meeting is his last one. Chairman Carrier thanked the Commissioner for his service and congratulated him on his retirement.

Commissioner Michael Brown also announced his resignation. This meeting is also his last one, and his replacement will be attending the next FST Commission meeting in March. Chairman Carrier thanked the Commissioner for his service and wished him well as he leaves the State for a position in the private sector.

VIII. GOOD OF THE ORDER

Public Hearing: An evening hearing needs to be scheduled sometime during the last week of January/beginning of February. It must be held after 5:00PM. It was decided that the location for the hearing should remain at the Academy.

IX. ADJOURNMENT

Motion was made by Commissioner Klauber; seconded by Commissioner Brown, to adjourn the meeting at 11:10AM.

Remaining 2015 schedule:

9:00AM meetings: March 5, May 7, June 4, and September 3, 2015. The November 5, 2015 meeting will begin at 3:00PM and be followed by the Academy Awards Ceremony at 7:00PM.

Respectfully submitted,

Deborah A. Pendergast, Director

Prepared by June Connor, Administrative Assistant I