

NEW HAMPSHIRE FIRE STANDARDS & TRAINING COMMISSION

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MINUTES OF MEETING

March 3, 2016

(Not Approved)

Voting Members Present:

Commissioners:

Richard C. Bailey, Jr., Robert M. Buxton, William Campbell, Stephen Carrier (Chair), Justin Cutting, Michael Joyal, Peter Lennon, Richard McGahey, Kevin Pratt, Brad Simpkins, Nancy J. Smith, Esq., and Jeremy Thibeault (Vice Chair)

Voting Members Absent:

Commissioners:

William J. Degnan and Kerry LeBlanc

NHFSTEMS Staff:

Jeffrey Phillips, Bureau Chief of the Bureau of Fire Standards and Training (BFTA); Nick Mercuri, Bureau Chief of the Bureau of EMS (BEMS); and June Connor, Administrative Assistant (minutes)

NOTE: "Action" items are in bold red.

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, March 3, 2016 at the Richard M. Flynn Fire Academy, 98 Smokey Bear Blvd., Concord, NH. A quorum was present with 12 voting members in attendance.

The Pledge of Allegiance was led by Commissioner Joyal.

II. APPROVAL OF MINUTES

Chair Carrier stated that both the public and non-public minutes from the last FST Commission meeting need to be voted upon.

A motion was made by Commissioner Smith; seconded by Commissioner Thibeault - to approve the public session minutes from the meeting on January 7, 2016; passed unanimously with an abstention from Commissioner Simpkins.

A motion was made by Commissioner Thibeault; seconded by Commissioner McGahey – to approve the non-public session minutes from the meeting on January 7, 2016; passed unanimously with abstentions from Commissioners Joyal and Simpkins.

III. CHAIR'S REMARKS

Chair Carrier introduced DOS Assistant Commissioner Richard C. Bailey, Jr., who will be the new Department of Safety designee on the FST Commission.

IV. COMMITTEE REPORTS

Item 1. Emergency Medical Services (BEMS Bureau Chief, Nick Mercuri)

Legislation update:

HB 1594 – This bill has moved through the House of Representatives. It includes the following changes:

- updating our definition of patients to align with actual calls and support Mobile integrated Healthcare (MIH),
- expand the locations where EMS can work by using a more inclusive definition of a healthcare facility,
- align EMS with healthcare's understanding of ethics with a definition used in nursing and medicine in New Hampshire,
- removing the statement of 'in the practice of his or her profession' regarding knowingly making misleading, deceptive, untrue, or fraudulent representations,
- adding a penalty for falsely accusing an EMS provider of wrongdoing or providing knowingly false information during an investigation,
- replacing an exemption for the Division and the Police Academy that was inadvertently removed last year, and
- instituting an FBI fingerprint criminal background check for certain EMS providers. This would only cover a small list of providers including initial licenses, late renewals, or reinstating a provider's license after formal license action has been taken. The majority of

providers will not have to submit a background check for licensure. This helps filter out providers with significant criminal records from coming to New Hampshire to escape issues in another state.

- No changes will take place until January 2017.

House Resolution 4365 (Federal law regarding standing orders for narcotics):

The FDA has realized that EMS has been using standing orders to administer narcotics. The FDA feels this is not covered under the current law, despite almost 50 years of this practice occurring. H.R. 4365 has been filed to fix this issue on a federal level and has been endorsed by a number of national organizations, including the American Ambulance Association, the National Association of State EMS Officials, and the American College of Emergency Physicians. This is a nation-wide EMS issue. Bureau Chief Mercuri assured the FST Commission that departments and agencies should continue “business as usual” at this point in time.

Elite upgrade for the new TEMSIS system – Pilot testing is being done, and services will be brought online in a stepped process. By the end of March, it is hoped that the entire state will be up and running on this new system. Training videos made by ImageTrend are proving to be helpful.

Mobile Test Lab – This is being taken off the road for the month of March. Some providers are having a hard time getting into Pearson VUE, so the lab will be set up at the Fire Academy.

Transition for AEMT’s – This is still on track. Approximately 500 people are left who still need to or are in the process of transitioning.

Mobile Integrated Healthcare (MIH) – This went into effect in September, and we have received 2 applications, one of which has been approved.

Trauma Registry – This is up and running, and approximately 60 patients are already in it.

American College of Surgeons (ACS) review – A team of 11 professionals from the ACS visited in February and did a review of New Hampshire’s trauma system. They will send a draft report in 6 weeks, and the final report will be ready in 2 months. This will give the state the ability to determine how to proceed and will help with strategic planning.

EMS Rules – These are moving forward, and a few changes were made in January. These have been approved by the EMS Coordinating Board, and David Hilts should be filing them soon.

QUESTIONS FOR BUREAU CHIEF MERCURI:

from Commissioner Joyal:

Q: Regarding HB 1594, are there criteria in place to determine who would be rejected or suspended for a license?

A: Criteria from medicine and nursing will be copied for this purpose.

Q: If someone is licensed and a conviction occurs, is the person's license suspended?

A: This process is already in place. The state has the ability to do an investigation; a license may or may not be suspended, depending on the circumstances.

Q: Is this self-reported, or is there a requirement for this to be reported?

A: There is no requirement right now.

Q: There is no onus on the service to report?

A: Not right at the moment, but the subject is being discussed.

Q: Is the AEMT transition deadline this year?

A: One of the deadlines is this year for those who are "up" in an even year, and the next one is in 2017. National Registry policies tend to change, however.

Q: With the pass rate at 65%, does this translate into our having lost 35% of our EMT-I/Advanced?

A: This is hard to correlate because there are instances in which people do not pass until the third time. Some loss is due to attrition while others drop because they do not need to be advanced in order to perform their jobs. Though the state can come up with a number of those who have "dropped off", it is difficult to determine the reasons why.

Item 2. Fire Marshal's Office (Fire Marshal J. William Degnan)
Commissioner Degnan was not present, and no report was submitted.

Item 3. Forest Protection Bureau (Chief Brad Simpkins)

- **Spring training announcement** – This was sent out a few weeks ago and includes 19 different training sessions set up across the state. Topics include agency updates, pumps and hose layouts, and lessons learned (regarding burn injuries).
- **Annual wildland fire crew safety refreshers** – 3 sessions have been scheduled in March, including a rookie class. Pack tests will be held in April.
- **Forestry training truck** – This will be relocated from the Academy to the north country training facility.
- **Permits** – 200 have been issued since January 1st, and we are working with the Fire Marshal's Office on PR regarding the dangers of using accelerants.

- **Wildland instructors needed** – We will be meeting with the Academy to work on this.
- **Fire weather predictions** – These started this morning. Given the long-range forecast, we expect the fire season to start within the next couple of weeks. This information can be sent via text, email, or fax.

QUESTIONS FOR COMMISSIONER SIMPKINS:

from Commissioner Joyal:

Q: When will the fire towers be up?

A: Green Mountain, Prospect (Weeks State Park in Lancaster), and Warner Hill in Derry capital improvements have been completed. Federal Hill and Pawtuckaway are next on the list, so these towers may not be up for a couple of months. Nearby towers will be staffed and air patrol will be used in the meantime.

from Chair Carrier:

Q: What is happening with the fire bill issue?

A: No meeting date has been set up yet.

Item 4. Curriculum Review (Bureau Chief Jeffrey Phillips)

Program update:

- Spring Fire I and II programs – These are starting
- Instructor I – Just finished one at the Academy.
- Instructor II/III – Just started one in Dover.
- Fire Officer – A class in New London started in January, and one is scheduled for April in Epping.
- Fire Inspector II – scheduled this month in Epping

The goal is to be able to forecast out programs 12 – 18 months in advance.

Other items:

- Under “New Business” on the agenda, Item 4 can be removed; an Airport Firefighter (NFPA 1003) visiting committee was approved during the May, 2015 FST Commission meeting, but it has not yet been established. (A Fire Officer III visiting committee was also approved.) These committees will be getting established within the next few weeks.
- **Online modules** – A building construction online module has been completed and released. A fire service communications module is near completion and will be integrated with interoperability. We are working with DHS and the Police Academy to use the same training. A haz mat awareness online module is underway, and we are very close to finishing an EMS in the Warm Zone online program. After this, we will begin

working on an operations level online program for warm zone training which will be followed by a full day practical.

- **Teleconferencing equipment** – The 45th parallel and the Academy are online, and there will be a site in Gorham. A third set will eventually be set up in Bethlehem. Programs will be able to be streamed over the internet. We will not be able to give viewers credit for taking a course, however.

Curriculum Approval Guide:

- This guide is for visiting committees, and the last time it was updated was in 2002/2003. The focus of the guide is for visiting committees that are choosing pre-packaged/canned programs. Once a visiting committee has picked a curriculum, it is supposed to meet with the FST Commission's Curriculum sub-committee. Historically, this has not happened, other than a quick meeting held just before a FST Commission meeting. Once the sub-committee has gone back and forth with the visiting committee, it is then that a representative from the visiting committee presents the findings in a formal FST Commission meeting so that it can be approved for pilots.
- Administratively, there is no true tracking of what the FST Commission has actually approved. "Curriculum information sheets", already used by the Division, should be presented to the FST Commission for formal approval. The members of the visiting committee should be validating exam questions, and the FST Commission should be making decisions about how many questions should constitute an exam for a particular course, especially given that the certificates given out are from the FST Commission. The FST Commission should also be given more information about "skills/job sheets", which outline objectives that are tied to specific physical tasks/skills. (Many of these changes are as a result of the ProBoard visit.) Class minimums and maximums and pre-requisites should be clearly established during this process, and everything should be carefully documented.

Q: (Pratt) Will "Explorers" be able to test for Firefighter I?

A: They have never been able to do so. What they can do is receive a junior firefighter certificate upon successful completion of the course. When they turn 18, they can bring their certificates to the Academy and have them exchanged for Firefighter I certificates.

Q: (same) Does this guide conform to our fire standards rules as well as satisfy ProBoard requirements?

A: Yes. (Fire 402.03, Minimum Information Required for Approval) **Bureau Chief Phillips will verify this.**

Q: (Pratt) On the ProBoard requirements, is there a book or guidelines that can be used?

A: The FST Commission has to decide if a curriculum is going to be submitted to ProBoard and will have access to ProBoard requirements. Not all programs are ProBoard certified - Example: Confined Space does follow an NFPA standard but is not ProBoard certified. To keep all of the programs consistent, it should not matter if a curriculum is being submitted to ProBoard or not; we should be following all of the same procedures for doing tests and developing curriculums. NOTE: The person who is hired to take over Captain Pragoff's job will be required to do a lot with curriculum and certification testing; will be attending all visiting committee meetings; and will ensure that ProBoard standards are being followed. SECOND NOTE: ProBoard says we have to do certain things, but they do not dictate how we have to do them. How programs are processed (procedures, etc) at the Academy together with the FST Commission's rules are how we meet ProBoard standards.

Q: (Joyal) Why would we not want all of our certifications to be ProBoard?

A: Chair Carrier answered that through the visiting committee process, the FST Commission has been convinced that certain things need to be in the curriculum to meet NH's needs. Bureau Chief Phillips added that if NH's needs go above the ProBoard standard, that is fine. He also stated that all of the technical rescue programs need to go to visiting committee because, at this point, they all follow NFPA 1006, but they are not certified through ProBoard. Commissioner Thibeault pointed out the example of the swiftwater course; to be a swiftwater technician, you have to be a rope technician to the standard, which is specifically spelled out in NFPA 1006. This explains why the commission went with level II and not "technician".

Bureau Chief Phillips would like to use the new guide for the EVDT/DOAV visiting committee. **He will meet with the FST Curriculum Sub-Committee in May and then, with their approval, bring it to the FST Commission meeting in June.**

Item 5. Academy Awards

Chair Carrier deferred this topic to the Director's Report below.

V. REPORT OF THE DIRECTOR

Director Pendergast was not in attendance, and Bureau Chief Jeffrey Phillips presented her written report:

Facilities

- We are working with a rebate program through Unitil and replacing all of our parking lot fixtures and bulbs with a more energy efficient LED lighting for cost savings.
- In the spring, we will be working on a tree clearing project on the drill yard in the area of the maintenance building. This will give us a greater storage area for larger props, for example extrication vehicles, and get them away from the area of the yard we use for training. This will be safer and more organized.

Apparatus

- The bid spec for our full sized pumper is complete and the State posted the bid.
- There is a committee working on the spec for our new grant funded mobile simulation training ambulance. That is nearly complete and will go to bid shortly.
- Our aerial ladder is currently out of service. We are working with KME to get it tested in the next week or so. The last section of the ladder is slightly “warped” and rubbing. We want to be sure it is safe.

Budget

- We put in a 2015 AFG grant application for just under \$400,000 for EMS training equipment and a new propane fired prop, to replace our partially out of service and outdated system. It will include a fuel spill, pressurized vessel, car fire, dumpster fire and pipeline leak. PGane has offered to install the new system for us for no charge. Also, we are looking to get a new compressor and air fill system.
- Initial budget figures from the Fire Fund newly released show a 3% increase in revenues. This is good news, and though this is the first increase in several years, we are still faced with budget challenges.

Programs

- With the hard work of Chief Phillips, Deputy Chief Anderson and several of our captains, we received our re-accreditation certificate from PROBOARD at the end of January. This included an extensive application process, a site visit, and a screening of our teaching, testing, and certification process.

- We continue to have good compliance with our medical sign off policy for our physically demanding training classes. We have been somewhat liberal in allowing students to enter the classroom without the certificate on the first day of class, but on July 1, this will change to a mandatory part of the application process.
- Application period is open for CPAT. The deadline is Friday, March 4.
- As of March 1, the Active Shooter Awareness program will be ready for Beta testing and by March 15, should be ready for full release. This is based on the program out of Texas State University and mirrors the CRASE program, the ALERT program and the ATIRC program.
- A conversation that started at the FST Commission about the Academy Awards Ceremony and the possibility of combining this with the Committee of Merit ceremony has taken place. The COM was on board with making it one annual ceremony, however they expressed their interest in keeping it at the Concord city Auditorium. Feedback from Chief's Association? (NOTE: see discussion below)

Grant information

- Finally, I was contacted by Senator Shaheen's Office to advise us that the 2015 SAFER Grant period is now open. Anyone that will be applying should begin the application. I will be happy to assist any department with a review of your application before submittal.

Discussion regarding the Director's Report:

Academy Awards - Chair Carrier informed the commission members about his conversation with Director Pendergast regarding the Academy Awards. If we combine with the Committee of Merit awards program, we could not give out as many awards. Perhaps there should only be an "Academy Award" and an "Award of Excellence". The ceremony would also be held at the Concord Auditorium. **Chair Carrier urged the commission members to give this some thought and be ready to discuss this idea at the next meeting.** (This should be left under "Committee Reports" for the next meeting.)

QUESTIONS FOR BUREAU CHIEF PHILLIPS ABOUT THE DIRECTOR'S REPORT:

Q: (Campbell) CPAT enrollment numbers are very low – Is this because of the 26 month validity period?

A: Bureau Chief Phillips said he did not know, adding that there is a 30% no-show rate, with people paying the \$150.00 fee and then not showing up.

(CPAT is the required practical entrance exam; some departments require that their members take it every year.)

Q: (Pratt) If people are working a total of 40 hours by working for several departments, is the CPAT time limit extended?

A: By Administrative Rule, if they are working on multiple departments over 30 hours a week, they are actually in violation of the rule because they should have CPAT before breaking the 30 hours/per week threshold. It is also impossible to know how many hours people are working when they work for multiple departments. This issue has come up when people who work more than 30 hours for multiple departments go on to get hired by one department and expect to be a lateral transfer; this is against Administrative Rule. (Lateral transfers are not required to meet the CPAT requirement because it is assumed that they have already done so in their previous full time job.)

Q: (Joyal) Are we marketing the CPAT exam?

A: Yes. We advertise on our website, send it out on our list serve, send it out to all of the NH fire chiefs, and advertise in 6 newspapers for a week's time frame. We have not done media releases or generated publicity.

Commissioner Thibeault added that anyone trying to get hired knows about the test; furthermore, this test can be taken in other states and is accepted in NH.

Commissioner Joyal commented that given the lack of police and fire candidates, it might be worthwhile to spread the net a bit farther.

A discussion ensued about how long the 26 month validity period has been in place. Chair Carrier thought that it was put into place to accommodate those who are deployed in the military services, giving them time to get back from duty and still be able to be hired.

VI. OLD BUSINESS

Item 1. Hiring Practices

Fingerprint and National Criminal Record Check rule check language -

The wording for fingerprints and national criminal record checks is still with David Hilts. **Commissioner Bailey advised that a way to speed things up is to consult with Jeff Kellett, the head of Criminal Records; he is an expert on this topic.** (The FBI is the authorizing agency for fingerprint-based background checks; they look for very specific language.) The submission to David Hilts could then be updated.

General Finding Letter – This was approved by the FST Commission during the September 3, 2015 meeting. **(It should be removed from the next agenda.)** NOTE: A copy of this letter has been added to the commission members' manuals.

Q: Commissioner Thibeault asked if the hiring issues for 2 departments in 2015 had been resolved.

A: Bureau Chief Phillips did not know and will follow up with the Director on this.

Retirement System:

Commissioner Joyal asked if there had been any follow up with the Retirement System regarding their ceasing of communication with the Division about hiring requirement verification.

Processing system prior to 2014:

- The Retirement System would regularly send letters to the Division listing the names of new and transfer firefighters who had been enrolled as members of NHRS Group II; they would also send copies of “Acknowledgement of Enrollment” forms for each person.
- It was the task of the Division to verify on these forms whether or not the named people had met the hiring requirements and then communicate that information back to the Retirement System. Copies of received Form A’s were also sent to NHRS along with letters of explanation.
- Once the status had changed for a firefighter who did not meet the hiring requirements, the Division would then inform NHRS that the person was eligible for enrollment.

The problem with the above system was that there was no follow up to see what NHRS actually did with the information we sent them. The Division understood that those who did not meet full time firefighter hiring requirements were not enrolled in the retirement system but had no way of confirming that.

The above system does not happen today; there is no communication at all between the NHRS and the Division. The major problem with this is that the Division has no way of knowing if it is receiving the correct number of Form A’s. Working with the Retirement System used to provide a good double-checking system. A discussion ensued as to how to go about resolving this situation. It was suggested that NHRS might be open to a more streamlined way of working together. **Before the next meeting, the FST Commission asked that Director Pendergast communicate with the NHRS director in writing and ask for an explanation as to why they no longer work cooperatively with the Division.** If there is no response, then at that point, the DOS would reach out to the Attorney General’s Office because this would constitute a policy change. **(This topic should be put under “Old Business” at the next meeting in May.)**

In the meantime, if the Division gets inquiries as to the penalty for non-compliance, the answer should be that there will be findings against the offending departments and their insurance companies will be notified that they have non-certified firefighters working for them.

Item 2. Report from the EVDT/DOAV Visiting Committee

This was discussed at the end of the discussion of the curriculum approval guide in IV, Item 4. Bureau Chief Phillips hopes to have something for the curriculum committee in May.

Item 3. Budget report – Fire Academy and Fire Fund

Bureau Chief Phillips offered to meet with Commissioner Joyal after the regular meeting. (NOTE: Commissioner Pratt also attended.)

Item 4. FST Commission Nominating Committee Report

(This item was not discussed and should be removed from the May agenda.)

Item 5. Physical requirements prior to training (added by Chair Carrier)

- Though this item was voted upon during the January 7th meeting, enough concerns were expressed by PFFNH to warrant it being discussed again. (Jan. 7, 2016) “A **motion** was made by Commissioner Cutting; seconded by Commissioner Pratt – to place the student medical release form policy on hold for 18 months, and, in the meantime, utilize the process that is outlined in the rules..... The motion failed with 2 in favor and 7 opposed. The policy, as it exists, will stand.”
- In post meeting discussions with PFFNH, President David Lang explained that though his organization is in favor of the policy, it feels as though towns could benefit from having an implementation period during which they would have time to work this into their budgets and be able to pay for physicals for those firefighters who would need them in order to be able to complete the “Student Medical Release” form. President Lang also indicated that PFFNH is not concerned with Firefighter I and II because most full time firefighters who get hired already have these certifications; the policy should remain in place for these programs. His concern, however, is with the other programs, such as Firefighter III and Haz Mat.

- A discussion ensued about how long the extension should last. A 12 month period would allow enough time for this issue to be put on town meeting agendas.

A motion was made by Commissioner Joyal; seconded by Commissioner Thibeault – to extend the physical requirements for training implementation for 12 months. (See below for a rewording of the motion after the discussion.)

Discussion:

- The commission discussed whether or not Firefighter I and II should be included in the implementation extension. Most students who take Firefighter I pay for it themselves, so from a municipality point of view, including this program in the extension is not as important. This is also the program that results in the most number of injuries. In addition, people who take FFI and II are just coming into the profession, and departments want to know that they are physically fit to do the job, so it is important that the requirement stay in place for them. It is also important to remember that this is not a full physical but rather a form that indicates that a person is capable of performing the job tasks related to fire fighting.
- There are people who have been rejected from classes who have not submitted “Student Medical Release” forms. What we do not know is how many have not bothered to apply, knowing that they would not be able to produce a signed form.
- **If this extension is approved, a letter would have to go out to the fire service from Director Pendergast.** The commission members suggested that the letter should state that the form would still be accepted from students even though they were not required, as such, to do so. It would also have to make clear when the “drop dead” date would be. Nancy Smith suggested some wording:
“We recently sent out the announcement about the student medical release requirement. With the exception of Firefighter I and II, while the requirement remains in place, no one is going to be prevented from attending a class based on not having the form until April 1, 2017.”
Commissioner Cutting expressed concern as to whether or not this was going to create a more complex issue by saying that it is required but we’re not going to enforce it. He felt the Director should make a clearer delineation between Firefighter I/II and the other programs, stating that the form is required for the former and not required for the latter until April 1, 2017. Commissioner Buxton suggested that the letter be shared with Chair Carrier prior to being sent out.

- Commissioner Joyal wanted to be sure that making this exception would comply with the rules. Commissioner Smith and Chair Carrier stated that this issue does not need to go through a more formal process because it is about a prerequisite and therefore, not part of the rules.

A motion was reworded by Commissioner Joyal; seconded by Commissioner Thibeault – to defer implementation of the “Student Medical Release” requirement until April 1, 2017 for all classes except for Firefighter I and Firefighter II; the motion passed with 11 in favor and 1 opposed.

VII. NEW BUSINESS

Item 1. Fraudulent certificate issue (This item was moved to the end of this section.)

Item 2. CPAT medical clearance

- Bureau Chief Phillips summarized that CPAT requires a medical clearance form that is different from the “Student Medical Release” (SMR) form discussed above but, like the SMR, it is based off of the 13 basic job functions of a firefighter. Bureau Chief Phillips asked if just one form could work for both CPAT as well as the requirement for Firefighter I and II.
- Right now, CPAT requires that the form be submitted every time a person takes the test. (So, if a person takes CPAT three years in a row, for example, he/she has to submit a CPAT medical form each year.) The Division has received queries from people who are confused about the two different forms and want to know why one form can’t be used for both things.
- Should CPAT medical forms be good for three years rather than one year? Commissioner Campbell pointed out that CPAT requires an intense exertion over a short period of time versus exertion over a much longer period of time when taking a course. For this reason, he was concerned about the CPAT medical requirement being good for 3 years. The group discussed using the same form for both, but indicating on the form that the CPAT sign off would only be good for one year.

A motion was made by Commissioner Thibeault; seconded by Commissioner Joyal - to adopt one form for all physical sign-offs. (motion was withdrawn after discussion)

Discussion:

- Commissioner Thibeault followed up his motion by saying that the rules do not have to be changed in order to use the same form for both CPAT and course requirements. The form, however, will need to be revised to accommodate the two different time frames. This will result in a lot less customer confusion. Commissioner Smith suggested that because the SMR was approved by the FST Commission at a previous meeting, proper procedure would be for the Division staff to present the revised form to the FST Commission at the May meeting so that it can be approved or sent back for more revision.
- Bureau Chief Phillips asked if the CPAT medical forms that are coming in right now can be used for those applying for Firefighter I and II; similarly, can student medical release forms being submitted now from people applying for courses be used to satisfy the CPAT medical requirement? Currently, the two forms are not interchangeable and this is what Bureau Chief Phillips is trying to fix.
- Commissioner Joyal said the FST Commission should only be concerned with policy and not forms. The issue to be concerned with is if the medical requirements for CPAT and course entry should be the same or different.
- Clarification from Bureau Chief Phillips: The underlying reason for both medical forms being combined is the list of the 13 basic job functions of a firefighter, but the list is not sent to the doctor in the CPAT orientation packet. Two questions need to be answered:
 1. Can we use the same medical sign-off for CPAT as we do for FFI and II courses?
 2. In the transition period, can we use this year's CPAT medical clearance to fulfill the medical requirements for classes, moving forward?

A motion was made by Commissioner Joyal; seconded by Commissioner Buxton – *that the administration has the discretion to make necessary amendments to the current student medical release form provided that it honors the policies for the already established requirements for course entry and CPAT;* passed unanimously.

Commissioner Simpkins asked if revised or new forms have to be put in Administrative Rule and be given a specified number. Commissioner Smith answered that forms having to do with courses do not have to go through this rule making process, according to the Fire Standards Statute.

Item 3. Scheduling of May FST meeting to include legislative visit

Members of the Criminal Justice and House Judiciary Committees will be here at the Academy on May 5, 2016. Traditionally, the FST Commission meeting gets out a bit early. The visitors are given a tour and then have lunch in the dormitory day room with the members of the commission and the senior staff of the Fire Academy. After lunch, the Director entertains a question and answer period.

Item 4. NFPA 1003 Airport Firefighter Visiting Committee
(Removed from the agenda.)

Item 1. Fraudulent certificate issue (NON-PUBLIC session)

VIII. GOOD OF THE ORDER

- Commissioner Joyal spoke about his understanding the Police Standards and Training is having discussions with the legislature about being funded out of the General Fund. Representative Lou D’ellandro has put this on the legislative agenda. Currently, PST is funded from a surcharge on tickets that are issued, and this is a significantly dwindling resource. This potentially big change is why Commissioner Joyal is trying to fully understand how the Division is funded. The legislative visit could be a good opportunity to ask about the funding issue.
- Bureau Chief Phillips was contacted by a student who failed the Firefighter I exam twice and did not want to take the entire program again. He has a learning disability but chose to not inform the Division of this prior to testing. According to 403.07, he has taken his exam twice and failed and so has to take the course again. The bureau chief asked the commission if it would entertain a petition from the student to have another chance at the exam. **The student will be told that he cannot go forward without re-taking the entire program, but he does have the right to petition the commission.**
- On a larger scale, the bureau chief spoke about how those who take EMS exams and fail are able to go back and take a refresher program and then test again; is this something that should be entertained on the fire side? Should a “refresher” sub-set of modules be created? Commissioner Cutting asked how many times students fail the Firefighter I exam; his concern is that doing this properly would be a lot of work, and a

determination needs to be made about where this stands on the priority list. Bureau Chief Phillips answered that this comes up once or twice per year; he is not advocating creating a new program, but rather a compilation of portions of existing Firefighter I modules. When students take the practical exam, if 3 or more stations out of 5 are failed, the entire practical has to be taken over again; if the same thing happens again, then Firefighter I must be taken all over again. However, if a single station is failed multiple times, then only the accompanying module has to be taken again followed by a re-test of the practical station. This does not really fall in line with what we should be doing because our practical exams are a random sub-set of the Firefighter I skills, and all of them are supposed to be passed. It should be that if a student fails any or all of the practical stations, the entire course should be taken again.

- Bureau Chief Phillips informed the commission about Gary Johnson, a long-time instructor for the Academy, has received a very serious cancer diagnosis. For those who would like to visit him, please call first. **(June will send out contact information.)** Cards and notes and pictures drawn by children would be very much appreciated. **The Division will send out notice for fundraisers that will be held in support of the Johnson family.**

IX. ADJOURNMENT

A motion to adjourn at 11:45AM was made by Commissioner Buxton; seconded by Commissioner McGahey; passed unanimously.

2016 FST Commission meeting remaining schedule:

May 5, 2016 (next meeting / Legislative visit)

June 2, 2016

September 8, 2016

November 3, 2016

Respectfully submitted,
Deborah A. Pendergast, Director

Prepared by June Connor, Administrative Assistant I