

Memorandum



CITY OF DALLAS

DATE September 10, 2021

TO Honorable Members of the Public Safety Committee

SUBJECT **Dallas Fire-Rescue's EMS Quality Assurance Program and Update on State Investigations**

Last week, Dallas Fire-Rescue (DFR) provided you information regarding active investigations by the Texas Department of State Health Services (DSHS) involving DFR and some of our employees. DFR strives to constantly explore ways to improve all aspects of our organization. Regarding Emergency Medical Services (EMS), the level of care we provide our patients is of paramount importance. The way improvements in this area are achieved is multifaceted. This memo is an update regarding the investigations and provides a deeper explanation of recent DFR initiatives to improve our efficiency, effectiveness, and level of service delivery.

DSHS investigatory process:

As part of its regulatory function, DSHS investigates, inspects, and surveys DFR, and investigates complaints against individual license holders. These investigations are common because DSHS is responsible for investigating any complaint it receives against entities and individuals who hold licenses issued by them. Paramedic and Emergency Medical Technician (EMT) certifications are held by the individual and not by the agency that employs them, so at times investigations of our licensed paramedics or EMTs occur without DFR being notified, unless the investigation results in action on the individual's license status.

In connection with its investigations, sometimes DSHS requests additional information from DFR or takes a corrective action that affects an employee's ability to function within DFR. In these cases, DFR cooperates with DSHS by providing requested information regarding the employee and the incident involving the employee. If DSHS's investigation of DFR results in a finding that DFR violated any state rules and regulations under DSHS's regulatory oversight, it may propose penalties against DFR, including fines or probation of DFR's EMS provider license, via a Notice of Violation (NOV). If the outcome of DSHS's investigation results in a suspension or probation of an employee's paramedic or EMT license, DFR modifies the employee's job functions as required. Having an active paramedic license is a condition of employment for employees engaged in EMS, and disciplinary action may be taken against any employee whose on-duty conduct results in a limitation or restriction of the employee's paramedic license. In addition to appropriate disciplinary action, corrective actions may include remedial training, additional oversight in the field, and regular evaluations. Also, DFR's Office of the Medical Director (OMD) may suspend or revoke an employee's credentials to work in the DFR EMS system. The OMD may also place the member's credentials on probation.

DATE September 10, 2021

SUBJECT **Dallas Fire-Rescue's EMS Quality Assurance Program and Update on State Investigations**

As outlined last week, DFR received two NOV's from DSHS in 2020, which were consolidated into a third NOV issued on January 6, 2021, alleging 17 violations, and proposing a total fine of \$217,500.

DFR's quality management improvements and initiatives:

As part of DFR's ongoing performance improvement process and in response to the NOV from DSHS, DFR implemented numerous organizational, procedural, and training changes in the last year to provide the highest quality of service to our customers and to address any clinical concerns. These changes include reassignment of a Section Chief to the EMS Division to oversee paramedic performance and implement changes to improve service delivery. Also, the job duties of the quality management Lieutenant were redefined to increase the quality of medical care provided by DFR. This position now focuses solely on identifying opportunities for improvement and coordinating the implementation of quality improvement plans. The QM Lieutenant partners with the OMD, the Quality Management Team, and Brookhaven College to fulfill this function.

DFR reassigned three Lieutenant positions to create additional EMS field supervision on each shift. The locations of all EMS field supervisors were adjusted to provide better coverage and response times. The DFR response model was also changed to automatically dispatch an EMS field supervisor to critical incidents, such as unconscious persons and people pinned in motor vehicle collisions. These calls are more likely to result in high acuity patients. The new response model provides paramedics additional on-scene assistance and guidance.

DFR has redeveloped and refined its Quality Management Program (QMP). The Quality Management Program developed into a Quality Management Team (QMT), under the guidance of the OMD, which proactively reviews 100% of the following call types:

- Cardiac Arrests
- "Not a Sick or Injured Person" (NASIP)
- RIGHT Care Responses
- Administration of Controlled Substances
- Airway Management Cases
- Deceased patients
- Pediatric patients

Additionally, the QMT provides reports on paramedic adherence to established treatment guidelines and individual performance concerns. When sentinel events or serious deficiencies are identified, paramedics' credentials to work under the license of the DFR OMD are suspended. Remedial training and performance improvement plans are utilized to assist paramedics in reaching acceptable performance. Targeted continuing education is created based on quality management reviews and a process for "Just in Time" training have been developed when issues are critical or time sensitive. Finally, the QMT and

DATE September 10, 2021

SUBJECT **Dallas Fire-Rescue's EMS Quality Assurance Program and Update on State Investigations**

OMD have designed and are piloting a documentation peer review program to allow field training officers at the station level to become involved in quality management.

DFR has recently administered a Clinical Practice Guideline Knowledge Assessment in order to establish a baseline for provider knowledge. The information from this assessment will be used to adjust department-wide continuing education and address any areas of deficiency identified by the assessment. If necessary, individual training plans will be developed for paramedics based on results of the assessment. Moving forward, this assessment will be the basis for regular examinations required of all DFR employees engaged in EMS.

DFR places excellent service delivery at the forefront of our priorities and constantly reevaluates all aspects of its response model, including protocol adherence, patient complaints, patient outcomes, and system response times. Great care is taken to establish and modify procedures, training, and education to ensure the highest quality of care is provided to the residents of Dallas. Investigatory staff at DSHS have responded favorably to DFR's ongoing quality management improvements and initiatives.

Current status of NOV against DFR:

Following an informal conference with DSHS on July 21, 2021, DSHS amended its NOV, which DFR received on September 8, 2021. The amended NOV reduced the number of alleged violations from 17 to 9 and proposed a settlement of the NOV. If DFR rejects the proposed settlement, the NOV will move forward to the State Office of Administrative Hearings for an evidentiary hearing, in which DSHS will have the burden of proving the alleged violations before an administrative law judge. DFR is considering DSHS's settlement proposal, and this matter will be briefed in executive session on September 13, 2021.



Jon Fortune
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney
Mark Swann, City Auditor
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager

Majed A. Al-Ghafry, Assistant City Manager
Joey Zapata, Assistant City Manager
Dr. Eric A. Johnson, Chief of Economic Development and Neighborhood Services
M. Elizabeth Reich, Chief Financial Officer
M. Elizabeth (Liz) Cedillo-Pereira, Chief of Equity, and Inclusion
Directors and Assistant Directors