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1                   **INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE**  
2                   **RULES COMMITTEE MEETING – VIA PHONE/WEB**

3  
4                   **January 30, 2018**

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6                   **Attendance:** Wayne Denny (Idaho), Chair; Jeanne-Marie Bakehouse (Colorado), Andy Gienapp  
7                   (Wyoming), Guy Dansie (Utah).

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9                   **Excused:**

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11                  **Guest:** Rick Masters, Special Counsel, NCIC

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13                  **Meeting called to order by Chairman Denny at 4:00 p.m. EST**

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15                  Andy Gienapp made a motion to accept the minutes of the January 23, 2018 meeting. The motion  
16                  was seconded by Guy Dansie.

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18                  **Motion Passed 4-0**

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20                  A brief discussion was initiated on how to manage the work session during the Tennessee  
21                  meeting. No decisions were made, discussion to be continued.

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23                  Rick Masters, Special Counsel for the National Center for Interstate Compacts (NCIC) joined the  
24                  call to review the Compact rulemaking process, his comments included:

- 25
- 26                  • Rulemaking is an art not a science. Members of the Commission have experience writing
  - 27                  rules in each of their states, this is an advantage to the process.
  - 28                  • Only perform rulemaking where the Compact clearly calls for it and when a rule will bring
  - 29                  clarity to an area of the Compact.
  - 30                  • First steps involve reviewing the Compact and pulling out the areas where the document
  - 31                  clearly calls for rulemaking (Step already completed and attached).
  - 32                  • Don't go beyond legal limitations of the Compact, the Commission and the Rules Committee
  - 33                  setting up the possibility of creating of conflicts.
  - 34                  • Develop a flow chart, a visual that shows how rulemaking will support the limited focus of
  - 35                  the Compact's authority in cross-border movement of personnel.
- 36  
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1 **Discussion on Section 3. HOME STATE LICENSURE, Subsection C.4:** Rick stated it was  
2 important for each member of the Commission to reach out to the Criminal Justice Bureau/Agency  
3 in their home state and make sure they have the authority, outside of the Compacts language, to  
4 perform FBI compliant background checks.

5  
6 Andy Gienapp asked Rick for clarification on what exactly could be shared between the states  
7 about the findings of an FBI background check? The fact that a background check has been  
8 completed can be shared, but if the finding(s) where “not suitable”, the actual offense cannot be  
9 shared.

10  
11 A discussion followed about what the regulations are in each Compact state as to criminal offenses  
12 that would prohibit licensure and, or trigger a process for immediate review. Sue will contact all  
13 Compact states and request this information for the Rules Committee to review.

14  
15 Sue reminded the Committee that a schedule of meetings, for now to, will be set up on Tuesdays at  
16 4:00p.m. EST. Sue has secured a line from NASEMSO. The next meeting would be February 6,  
17 2018.

18  
19 Rules Committee members have been requested to prepare a brief overview of their FBI  
20 background check requirements and authority for the next call.

21  
22 **The meeting was adjourned at 5:15 p.m. EST**

23  
24 **The minutes were prepared by Sue Prentiss on behalf of Wayne Denny, Chair, Rules**  
25 **Committee of the Interstate Commission for EMS Personnel Practice.**