

DELAWARE STATE FIRE PREVENTION COMMISSION

ANNUAL



REPORT



JULY 2017



STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

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DOVER, DELAWARE 19904

July 1, 2017

The Honorable John Carney
Office of the Governor
150 Martin Luther King Jr. Blvd.
South, 2nd Floor
Dover, DE 19901

Dear Governor Carney:

Enclosed is the Annual Report of the State Fire Prevention Commission for FY 2017.

It has been an honor for the Commission to serve the citizens of Delaware for the past year. The duties and activities of the Commission have continued to expand again this year. Even with the increase in activities, we find it important to place specific emphasis on the areas of fire protection, Emergency Medical Services, and especially fire prevention.

Many important events have taken place in the last year that will enhance the Commission's ability to deliver efficient, quality service to the citizens of Delaware.

We look forward to the coming year and appreciate your support, and the support of your office.

Sincerely,

David J. Roberts

David J. Roberts
Chairman

DJR/sl

GRATITUDE AND EXCELLENCE

The Commission faces many challenges in the continued support and oversight of the Office of the State Fire Marshal, The Delaware State Fire School as well as the Volunteer and Career Fire Service. We graciously accept this daily task. One of the most pressing challenges is the evolution of the Volunteer Fire Service into a combination fire service. The demand placed upon today's Fire & EMS system, can no longer be placed solely on a volunteer. Part of the demand has been placed upon men and women who have chosen as a career to be Firefighters and EMT's.

Additionally, our firefighters are being called upon to deliver services a few years ago that were not even thought of. Service such as post explosion firefighting, the local and national opiate overuse epidemic, disease such as Ebola, chemicals such as anthrax being used against us to deter our response and Firefighters actually being the target of terrorists acting against our country.

Although the Commission is called many things, The Commission, the Fire Commission the Fire Prevention Commission, one word is synonymous with the Commission, and that is dedication. The Commissioners are a group of men & women who are now, and have always been truly dedicated to the health and well-being of every man, woman and child in Delaware. And have done so, since 1955, with no compensation except for the knowledge that we have played a small part in making Delaware a safe and wonderful place to live and raise our families.

Thank you for allowing us to serve our State.



Delaware State

Fire Prevention Commission

STATUTORY RESPONSIBILITIES

The Statutory Responsibilities of the State Fire Prevention Commission may be found in Title 16, Chapter 66 of the Code and are summarized as follows:

- The Commission shall consist of seven persons appointed by the Governor.
- They shall hold regular meetings at least once a month and special meetings may also be called.
- They shall also have the power to promulgate, amend and repeal regulations for the safeguarding of life and property from hazards of fire and explosion.
- Prior to promulgation, they shall hold at least one public hearing on each regulation, amendment or repealer and shall have the power to summon witnesses, documents and administer oaths for the purpose of giving testimony.
- They shall appoint the State Fire Marshal and State Fire School Director. They shall have complete jurisdiction and management over the State Fire School and the Office of State Fire Marshal.
- The Commission shall have power to authorize new fire companies or substations; resolve boundary and other disputes; prohibit cessation of necessary fire protection services.
- The Commission is empowered to enforce its orders in the Court of Chancery.
- The Commission shall promulgate regulations requiring financial audits of volunteer fire and ambulance companies and the Smyrna and Georgetown American Legions Ambulances and the Mid-Sussex Rescue Squad. Has authority, after a hearing, to impose a civil penalty.



AGENCY OVERVIEW

The State Fire Prevention Commission is charged with the protection of life and property from fire for the people of Delaware and to oversee the operation of the Delaware State Fire Marshal's Office and the Delaware State Fire School.

MAJOR ACCOMPLISHMENTS DURING FY 2017

- The Narcan and CPAP Programs have continued to be a great success implemented statewide.
- The Commission continues to work with their BLS Medical Director with regard to the evolving Opioid epidemic and the safety of our responding members of the emergency service. Narcan is used to reverse the effects of an overuse of Opioid, yet with the introduction of Fentanyl (10 times more potent than morphine) and Carfentanyl (10,000 times more potent than morphine), the effects can be extreme. It is vital that the emergency service is aware of possible conditions that can affect them as a responder.
- The Commission maintains open discussions with the Office of Emergency Medical Services with regard to EMS calls that are not medical in nature. The guidance given to the commission continues to be, if a patient is found to be living in deplorable conditions, needs assistance or needs placement. Over all, the hospitals and case managers refer those cases to state agencies such as Child Services, Division of Services for Aging and Adults with physical disabilities.
- The Commission absorbed the EMT Certification process formally tasked by the Delaware State Fire School. The Commission staff officially began certifying Delaware EMTs in March, 2017.
- The Commission made a motion to accept the 2016 Basic Life Support Standing Orders and Protocols.
- The Commission adopted remedial training fees. These fees are associated with remedial training assigned by the BLS Medical Director and/or Deputy Attorney General for disciplinary cases appearing before the Commission.
- The Commission monitored required audit submissions from the Delaware Volunteer Fire Service. The Audit Committee has worked tandemly with the Commission successfully. Extension requests were granted for Belvedere, Volunteer Hose, Marydel, Clayton, Delmar and Gumboro Fire Companies. Delinquent audits were received by Odessa, Farmington, and American Legion Ambulance 93(Georgetown). Civil Penalties were levied against Farmington and American Legion Ambulance 93 for a total of \$3,200.
- The Commission distributed \$50,000 for Ballistic Vests to protect EMS providers statewide.
- The Commission made a motion to maintain the annual scratch rate at 9%. Clear oversight and discussion has improved the scratch rate statewide.

Volunteer Ambulance Company Fund

The 147th General Assembly amended Title 11 section 4101; this amended Title established the Volunteer Ambulance Company Fund. Furthermore, the “State Fire Prevention Commission” (SFPC) was tasked with providing these funds to Volunteer ambulance companies on a proportionate basis across the state and this number being based on approved dispatched ambulance runs.

The SFPC being tasked to develop the methodology and disbursement plan reviewed multiple levels of data and decided to base the completed number of ambulance runs per company on the compilation of the required documentation of all state certified “Basic Life Support” (BLS) companies. The reports pulled to show the ambulance runs per agency and statewide is the Delaware Emergency Medical Reporting System (DEMRS). DEMRS was decided as the source of this data for numerous reasons but the driving thought was the requirement to do these reports to be in accordance with the Medical Standing Orders as signed by the SFPC.

The DEMRS data will show all run types to include BLS Transport, Cancellation, Patient Refusal, Public Service, Standby Only, Agency/Assist, DOPA/DOA, Unable to Locate patients/scene, Termination of Resuscitation and Transfer of Care. In order to assure the validity of the information a Quality Assurance/Quality Improvement validation score of 85 percent will be used as the minimum validity accepted as accurate reports. The reports mentioned above are entered by the providers who operate within the BLS system.

The SFPC distributed \$2,006,765.00 for the period of July 1, 2016 until June 30, 2017. The funds are distributed on a bi-annual basis.

ACTIVITY

The following information is an outline of the Commissioners’ activities for
FY 2017:

1.	Commission Meetings	12
2.	Hearings	
	• Public Hearings	0
	• Appeal Hearings	1
	• Grievance Hearings	2
	• Boundary Hearings	0
	• Audit Hearings	11
	• Scratch Hearings	3
	• EMT Hearings	11
	• Ambulance Hearings	0
	• Fire Company Hearings	1

Ambulance Inspections

The State Fire Prevention Commission has a Compliance Officer whose primary responsibility is to inspect the fire service and private ambulances throughout the state. This inspection process is to ensure that the ambulances are carrying the Commission required equipment and are maintaining it. 232 ambulances were inspected in 2017. As a result of those inspections 87 deficiencies were found and corrected.

It is the Compliance Officers mission to keep ambulances on the road and serving the public. The Compliance Officer does have the authority through the Commission to remove an ambulance from service if it is found to be out of compliance with equipment that could place the public at risk, equipment has expired or equipment is not functioning. No ambulances were taken out of service in 2017. Zero (0) fire service and two (0) private. Fortunately most ambulances taken out of service are corrected within hours of being taken out of service and the units are back serving the public.

New Ambulances in Service

Compliance Officer is responsible for inspecting and placing new ambulances into service. This process requires the filling out of paper work with information about the new unit going into service and any old unit that is being remove from service. Five (5) new Units State wide were placed into service in 2017.

Arrest Notifications

Fiscal year 2017 marks the third year of arrest notifications form DELJIS. The Compliance Officer and Executive Specialist are notified of any EMT arrested by law enforcement through the DELJIS system. Once notified the Compliance Officer will check the DELJIS system for the charges and the Fire School student records data base to see if the name received is still a certified EMT. All persons seeking to be an EMT or work in the health care field are subject to a back ground check. Some of these people do not finish their EMT training, do not recertify, or voluntarily give up their EMT certification, but are still in the DELJIS system because they had the background check. Not all notifications are EMT certified. All EMT's in the State are required to self-report any arrest to the Commission, their Fire Chief, or Employer in writing.

All information found with regard to the notification is sent to the Deputy Attorney General assigned to prosecute cases at hearings before the Commission. Deputy Attorney General reviews the charges and information is forwarded to see if the charges meet the requirements for action by the Commission.

For the Calendar year 2017 the State Fire Commission received 52 arrest notifications. Forty three (43) of the notifications were determined that the individual's were not certified EMTs. Nine (9) were determined to be active EMT's and five (5) notifications were for individuals arrested more than once with one of those second arrests being for an active EMT.

Complaints

Compliance Officer/Investigator is responsible for investigating all complaints reported to the Commission. 2017 Calendar year was the third full year of the Commission having a full time investigator. Once a complaint has been received and it is determined that the Commission has authority to do an investigation, the complaint is assigned a number and a case is opened. The Investigator collects all the pertinent information about the complaint and creates an electronic file for that case. At the conclusion of the investigation the findings are reviewed by Commission BLS Director when the case deals with patient care or protocols and the Deputy Attorney General reviews the case for presentation to the Commission at hearings.

During the calendar year of 2017 the Commission received 86 complaints. Sixty eight (68) of the 86 complaints required no action by the Commission. Eight (8) complaints resulted in cases being opened and investigations being done by the Commission Investigator.

Investigations

The Compliance Officer/Investigator conducted 18 investigations for the fiscal year 2017. Nine of the eighteen investigations were a direct result of arrest notifications. The other nine were for complaints received with regard to patient care, protocol and equipment up keep. Six cases will be carried over into calendar year 2017 due to receiving them late in the year, awaiting court action, hearing dates or remedial training.

Travel

For the Calendar Year 2017 the Compliance Officer traveled 8,961 miles in the performance of duties.

EMT Certification

The Commission absorbed the EMT Certification process formally tasked by the Delaware State Fire School. The Commission staff officially began certifying Delaware EMTs in March, 2017. The Fire Prevention Commission successfully transferred the responsibility without delay of certification and/or recertification of Delaware EMTs. There are approximately 1,450 EMTs certified in Delaware.

FINANCIAL STATEMENT

FOR THE PERIOD – JULY 1, 2016 TO JUNE 30, 2017

GENERAL FUND (01)

	2017 Appropriation	2017 Disbursement
Personnel	\$169,728.93	\$169,728.93
Travel	14,500.00	14,500.00
Contractual Services	89,700.00	89,678.18
Supplies	3,100.00	3,100.00
Fire Safety Education	75,000.00	74,999.31
Fire Safety Conference	<u>4,700.00</u>	<u>4,391.29</u>
Total for FY17	\$356,723.93	\$356,392.71

Total Unencumbered and Reverted June 30, 2017 \$ 331.22

Ambulance Distribution Fund

Ambulance Fund	\$2,006,765.00
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Ballistic Vest Distribution Fund

Ballistic Vest Fund	\$ 50,000.00
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GOVERNOR JOHN CARNEY

STATE FIRE PREVENTION COMMISSION

TERM EXPIRES

- David J. Roberts, Chairman.....January 2020
- Alan Robinson, Vice ChairmanApril 2023
- Marvin C. Sharp.....September 2018
- Ron Marvel.....January 2020
- Lynn Truitt.....November 2023
- Tom Dicristofaro.....April 2023
- Joseph Zeroles.....September 2017



