DELAWARE STATE FIRE PREVENTION COMMISSION

ANNUAL REPORT

JULY 2016

STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

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July 1, 2016

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

Dear Governor Markell:

Enclosed is the Annual Report of the State Fire Prevention Commission for FY 2016.

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, 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.

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.

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 2016

- The Narcan and CPAP Pilot Programs have continued to be a great success implemented statewide.

- The Commission applied for access and received approval for DELJIS. Both the agency Investigator and Supervisor were trained and certified.

- 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 Annual Ambulance Licensing Process formally tasked by the Delaware State Fire School.

- The Commission made a motion to accept the 2015 Basic Life Support Standing Orders and Protocols.

- The Commission worked within statewide efforts to address the Basic Life Support/EMT needs of an Ebola and Enterovirus D68 outbreak in Delaware.

- The Commission monitored required audit submissions from the Delaware Volunteer Fire Service. The Audit Committee has worked tandemly with the Commission successfully.

- The Commission held public hearings and adopted approved updates to Regulations 701, 702, 703, 704, 705 and 706.

- The Commission made a motion to reduce the annual scratch rate from 10% to 9%. Clear oversight and discussion has improved the scratch rate statewide.

- The Commission decertified a Private Ambulance Company.

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 $919,103.00 for the period of July 1, 2015 until December 31, 2015. The funds are distributed on a bi-annual basis.

ACTIVITY

The following information is an outline of the Commissioners' activities for FY 2016:

1.	Commission Meetings	12
2.	Hearings	
	• Public Hearings	3
	• Appeal Hearings	1
	• Grievance Hearings	2
	• Boundary Hearings	1
	• Audit Hearings	6
	• Scratch Hearings	5

Ambulance Inspections

The State Fire Prevention Commission has a Compliance Officer whose primary responsibility is to inspect the fire service and privet ambulances throughout the state. This inspection process is to ensure that the ambulances are carrying the Commission required equipment and are maintaining it. 221 ambulances were inspected in 2016. As a result of those inspections 70 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 pubic at risk, equipment has expired or equipment is not functioning. Five (5) ambulances were taken out of service in 2016. Three (3) fire service and two (2) privet. Fortunately most of these out of service issue are correct 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. Sixteen (16) new Units State wide were placed into service in 2016.

New Ambulance Companies

Compliance Officer is responsible for placing new ambulance companies into service within the state. Paper work is filled out, Delaware office is checked and all ambulances to be used are inspected prior to the company being given a permit to operate in Delaware. During the fiscal year 2016 one (1) new company, East Cost Ambulance Company, became operational in Delaware.

Revoked Ambulance Service

The Commission held a hearing and after careful consideration, by motion revoked the Ambulance License for CFT Ambulance Service.

Arrest Notifications

Fiscal year 2016 marks the second 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 forwarded to see if the charges meet the requirements for action by the Commission.

For the Calendar year 2016 the State Fire Commission received 30 arrest notifications. With sixteen (16) of the notifications it was determined that the individual was not a certified EMT. Eleven (11) were determined to be active EMT's and three (3) 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. 2016 Calendar year was the second 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 finding 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 2016 the Commission received 46 complaints. Twenty (27) of the 46 complaints required no action by the Commission. Nineteen (19) complaints resulted in cases being opened and investigations being done by the Commission Investigator.

Investigations

The Compliance Officer/Investigator conducted 19 investigations for the fiscal year 2016. Eleven of the nineteen investigations were a direct result of arrest notifications. The other eight were for complaints received with regard to patient care, protocol and equipment up keep. Eight cases will be carried over into calendar year 2016 due to receiving them late in the year, awaiting court action, hearing dates or remedial training.

Travel

For the Calendar Year 2016 the Compliance Officer traveled 10,030 miles in the performance of duties.

FINANCIAL STATEMENT

FOR THE PERIOD – JULY 1, 2015 TO JUNE 30, 2016

GENERAL FUND (01)

	2016 Appropriation	2016 Disbursement
Personnel	$140,779.93	$140,779.93
One-Time (Fleet)	25,000.00	7,513.92
Travel	14,500.00	14,500.00
Contractual Services	27,000.00	26,984.23
Supplies	3,100.00	3,100.00
Fire Safety Education	75,000.00	74,998.57
Fire Safety Conference	4,700.00	4,700.00
Total for FY15	$290,079.93	$272,576.65

Total Unencumbered and Reverted June 30, 2015 $ 17,503.28