

## ***Incident Classification***

**Purpose:** To establish a process for the classification of Incidents reviewed by the MCA. Incidents will be divided into two categories, Level I and Level II.

### **Discretionary Powers**

If the Medical Control Authority determines that an immediate threat to the public health, safety, or welfare exists, appropriate action to remove medical control privileges can be taken immediately and until the Medical Control Authority has had the opportunity to review the matter. A Professional Standards Review Organization (PSRO) hearing shall be held within three business days after the Medical Control Authority's determination to remove medical control. The Medical Director or his /her designee shall determine the personnel needed for the hearing.

### **Receipt and Investigation of Incidents**

When the MCA becomes aware of a potential violation of the state approved policies, procedures, protocols, or statutes, the Medical Director, his/her designee, or the PSRO of the MCA will investigate the complaint per the state approved **Complaint Investigation Policy**.

### **Classification of Complaints**

Complaints determined to be valid will be reviewed and will be classified using the criteria below. These criteria are for example purposes and do not form an all-inclusive list of potential violations. Violations that are substantively similar in type or severity will fall under the closest, most appropriate classification category.

### **Level I Incidents**

The following categories of incidents are defined as Level I incidents:

1. Willful neglect of a patient
2. Abandonment of a patient
3. Failure to obey a medical control physician's legitimate orders either by omission or commission in the presence of good communications.
4. Improper and inappropriate care which may result in compromise of wellbeing of the patient
5. Conviction of a felony or misdemeanor
6. Two or more Level II offenses in any six month period \*
7. Breach of Confidentiality
8. Intentional falsification of EMS documentation, including patient care records.
9. Found to be under the influence of drugs or intoxicants while involved with patient care.
10. Violation of the EMS statute and its attendant rules and regulations, including care outside the scope of practice, as defined by protocol.
11. Practicing in the MCA without a current Michigan EMS provider license.
12. Practicing in the MCA without current privileges on two separate occasions within a single licensure period. Certifications required by the MCA in order to maintain privileges are identified in the Authorization for **Medical Control Privileges Policy**.

13. Any other patient care offense resulting from violation of policies, protocols and procedures of similar severity not listed above at the discretion of the EMS Medical Director.
14. Failure to complete prescribed remediation from a previous incident. (Or see #14 of LEVEL II)
15. Arrest or criminal charges for criminal sexual conduct of any degree, violent crime, drug diversion or illegal possession or distribution of controlled substances.
16. Failure to notify the MCA of a criminal charge, arrest or conviction within 1 business day
17. Gross negligence or willful misconduct

\* Time measured from the time of occurrence of the initial incident to the time of occurrence of the succeeding event.

### **Level II Incidents**

The following categories of incidents are defined as Level II incidents:

1. Failure to adhere to system protocols, policies and procedures that had the potential to negatively impact patient care, as determined by the EMS Medical Director.
2. Failure of personnel or agency to respond within 96 hours of receipt of requests for information or documentation regarding an incident under investigation by the MCA. A response shall be submitted in writing and with a signed delivery receipt to MCA staff within the allotted time period.
3. Abuse and/or loss of system equipment due to neglect.
4. Significant documentation errors
5. Failure to accurately perform procedures as defined in protocols, policies and procedures.
6. Failure to check and maintain functional equipment necessary to provide adequate patient care at the level of licensure, the failure of which may lead to an inability to communicate with medical control, inability to administer appropriate medications, or otherwise negatively affecting the ability of the personnel to function at his/her level of training in the field. This includes verification that a sealed drug and IV box, functional monitor/defibrillator, functional airway equipment, etc. are present on the unit.
7. Improper or unprofessional medical communications including, but not limited to, any violation of Federal Communications Regulations, and falsification of identification during medical communications.
8. Failure to appear before the EMS Medical Director, designated PSRO committee or MCA Governing Body when so requested by the MCA, as defined in the Complaint Investigation, Quality Improvement and Disciplinary Action Policies.
9. Furnishing of information known to be inaccurate in response to any official request for information relative to quality improvement activities or other investigations subsequent to this policy.
10. Two or more orders of disciplinary action within a 6 month period \*\*

11. Any other patient care offense resulting from violation of policies, protocols and procedures of similar severity not listed above at the discretion of the EMS Medical Director.
12. Practicing in the MCA without current credentials required in order to maintain privileges, as identified in the Authorization for Medical Control Privileges Policy.
13. Medication error, which has a negative impact on patient care.
14. A determination by the designated PSRO Committee of failure to complete prescribed remediation within the prescribed time frame.

\*\* Time measured from the time of occurrence of the initial incident to the time of occurrence of the succeeding event.

### **Due Process and Disciplinary Actions**

The application of disciplinary measures shall be defined by the state approved **Due Process and Disciplinary Action** Protocol.

### **Appeal Process**

An appeal may be filed according to the **Disciplinary Action Appeal** Protocol.

### **Reapplication after Revocation**

Following revocation of an involved party's privilege to practice in the MCA, the involved party may reapply to the MCA for privileges after no less than 24 months have elapsed from the date of revocation. Those issued a permanent revocation may not reapply for privileges at any time.