

**City Council Special Project
Resolution #7605
February 13, 2009**

**City of Tulsa
Internal Auditing
June 22, 2009**



City Council Special Project February 13, 2009



City of Tulsa Internal Auditing

Ron Maxwell, CIA, CFE
Chief Internal Auditor

Phil Wood, CIA, CFA
City Auditor

AUDIT TEAM
Steve Wagner, Senior Internal Auditor

**CITY AUDITOR'S REPORT
ON
TULSA CITY COUNCIL RESOLUTION #7605**

City of Tulsa
City Council
Mayor

On January 29, 2009 the City Council approved Resolution #7605 (**Exhibit 1**). Section 1 of the Resolution directed the City Auditor to conduct an investigation of the Tulsa Fire Department's (TFD) training programs and processes. Section 2 of the Resolution directed the City Auditor to provide the City Council the proposed investigation plan on Thursday February 5, 2009 (**Exhibit 2**).

Part of the investigation plan included sending a questionnaire (Special Project Questionnaire) to everyone in the Tulsa Fire Department. The Special Project Questionnaire is designed to gather information for review and testing of training documentation to determine a list of all personnel who had knowledge of any improper documentation related to training of Emergency Medical Technicians (EMT) and the extent of document falsification and personnel involved (**Exhibit 3**). The Office of the City Auditor began work for the project on February 23, 2009 and the planned Special Project Questionnaire was distributed on or about March 24, 2009.

On April 3, 2009 the President of Local No. 176 of the International Association of Firefighters (Firefighters Union) informed the Office of the City Auditor the attorney for the Firefighters Union advised its members to not answer any question on the Special Project Questionnaire except to answer whether they are an EMT or not, and, then sign and return the questionnaire. As of June 15, 2009, 360 (50.63%) of 711 Special Project Questionnaires distributed have been returned to the City Auditor. Of the 360 Questionnaires returned, 270 (75.00%) are not answered. Accordingly, the answers to the Special Project Questionnaire are not considered reliable for forming conclusions or selecting interviewees and training documents for review. The City Auditor is effectively obstructed from efficiently gathering information necessary for completion of the Special Project.

Effective with this report, in fulfillment of Article IV Section 3 F of the City Charter, the City Auditor will cease services for this project. The Office of the City Auditor has reached this decision because of the obstacles to efficiently and effectively gathering information necessary for completion of the Special Project as described in the preceding paragraph.

SUMMARY

A summary of the facts determined during the Special Project is presented below.

Evaluate the methods of training oversight and evaluation.

The TFD has submitted its “Providers Plan of Correction” to the EMS Division of the Oklahoma State Department of Health (OSDH) for the survey conducted October 14, 2008 as required (**Exhibit 4**). TFD has been informed by the OSDH that it finds the plan of correction to be sufficient (**Exhibit 5**).

List all of the personnel who had knowledge of any improper documentation and their respective ranks and roles.

Not efficient to complete due to lack of answers to Special Project Questionnaire.

The Fire Department reported the following personnel actions resulted from the state review of TFD EMS records:

<u>Name</u>	<u>Rank and Role</u>	<u>Personnel Action</u>
David Dayringer	Deputy Chief, Safety Services	Retired
Tim Cooper	Deputy Chief, Support Services	Retired
Bobby Tollette	EMS Officer	Transferred to Field Operations
Rick Wright	EMS Officer	Transferred to Field Operations
Mike Graves	Chief of Training	Transferred to Field Operations

Determine the extent of falsification of documents and personnel involved.

Not efficient to complete due to lack of answers to Special Project Questionnaire.

Quantify the financial impacts of any improper documentation (e.g. costs for training budgeted and funded, but not conducted; compensation paid and expenses reimbursed for training claimed but not completed, additional pay received by Tulsa Fire Department EMTs for being an EMT while they practiced under renewals obtained with incorrect training documents).

Not efficient to complete due to lack of answers to Special Project Questionnaire.

The Human Resources Department did not report any disciplinary actions taken based on an investigation conducted by the Mayor's Office.

No clinical privileges were suspended or revoked by the Medical Control Board (**Exhibit 6**).

The OSDH has informed the City Auditor that no TFD EMT certifications have been suspended and no recertifications have been denied as a result of the OSDH investigation.

The terms of the Local No. 176 of the International Association of Firefighters Collective Bargaining Agreement, Article 12 (**Exhibit 7**) provide:

1. Firefighters with EMT certification are paid \$75 per month for the certification. If clinical privileges are suspended or revoked, this allowance ends at the next pay period and continues until reinstated.
2. Paramedics are paid a stipend for being in the Advanced Life Support/Paramedic Program of either 5%, 7.5% or 10% of monthly base wage, depending on number of years in the Program (and no longer are paid the \$75 for EMT certification).

The Finance Department, Payroll Division provided the following schedule of EMT certification and Paramedic stipends paid during the period of 2005 through 2008.

Types of Pay	Current Union Certification Compensation	2005	2006	2007	2008
Advance Life	5%, 7.5% or 10% of monthly base wages	130,050.62	120,672.33	144,992.01	193,010.85
EMT-D Certification	\$75.00/month	107,100.00	117,620.00	488,277.50	411,385.00
FR-D Certification	\$40.00/month	32,785.00	28,300.00	127,382.50	74,640.00
Hazmat Pay	5% of monthly base wages	114,740.53	114,760.43	124,556.12	124,570.60

The Council may wish to consider requesting a formal legal opinion as to whether the City pays firefighters additional wages for having the certification or performing the service. The opinion should also answer whether the additional amounts were properly paid based on certifications obtained with incorrect training documents.

Determine the timeframe in which improper documentation or mis-documentation or misconduct occurred.

Not efficient to complete due to lack of answers to Special Project Questionnaire.

Review the new processes proposed by the Tulsa Fire Department to monitor and document emergency medical technician training in order to meet the requirements established by the Medical Control Director, the Oklahoma State Department of Health or other regulatory body responsible for protecting the health, safety and welfare of Tulsa citizens.

The Medical Control Board has performed protocol retesting for the TFD EMTs with a 100% pass rate (**Exhibit 6**).

The TFD has submitted its "Providers Plan of Correction" to the EMS Division of the Oklahoma State Department of Health (OSDH) for the survey conducted October 14, 2008 as required. TFD has been informed by the OSDH that it finds the plan of correction to be sufficient (**Exhibit 4 and Exhibit 5**).

REPORT DISTRIBUTION

Mayor Kathy Taylor
Councilor Jack Henderson
Councilor Rick Westcott
Councilor David Patrick
Councilor Eric Gomez
Councilor Bill Martinson
Councilor Dennis Troyer
Councilor John Eagleton
Councilor Bill Christiansen
Councilor G.T. Bynum
City Auditor Phil Wood
Dr. John Sacra, Medical Director
Amy Polonchek, Chief of Staff
Nancy Siegel, General Counsel
Allen LaCroix, Fire Chief
Don Cannon, Council Administrator
Dana Burks, Council Secretary
Deirdre Dexter, City Attorney
Jeff Wilkie, Human Resources Director
Cathy Criswell, Chief Risk Officer
Mike Kier, Director of Finance
Wendy Martin, Senior Administrative Services Officer
Stan May, Fire Union President
Mayor's Audit Advisory Committee
External Auditor

SCHEDULE OF INTERVIEWS

Name	Date Interviewed
Mayor Kathy Taylor	3/13/2009
Councilor Jack Henderson – District 1	No response to requests for interview dated 2/23/09 and 3/9/09
Councilor Rick Westcott – District 2	No response to requests for interview dated 2/23/09 and 3/9/09
Councilor David Patrick – District 3	2/26/2009
Councilor Eric Gomez – District 4	No response to requests for interview dated 2/23/09 and 3/9/09
Councilor Bill Martinson – District 5	No response to requests for interview dated 2/23/09 and 3/9/09
Councilor Dennis Troyer – District 6	2/25/2009
Councilor John Eagleton – District 7	No response to requests for interview dated 2/23/09 and 3/9/09
Councilor Bill Christiansen – District 8	No response to requests for interview dated 2/23/09 and 3/9/09
Councilor G. T. Bynum – District 9	3/12/2009
Fire Chief Allen LaCroix	2/24/2009
Roger Schilling, Investigator for Oklahoma State Department of Health	3/11/2009
<u>Meeting with Fire Department Personnel:</u> Allen LaCroix, Fire Chief	3/31/2009
Scotty Clark, Assistant Chief Field Operations	3/31/2009
Stan May, Local Union President	3/31/2009, phone call 4/3/2009
Mike Bailey, Acting Deputy Chief Safety Services	3/31/2009

Appendix 1

David Hayes, Deputy Chief Field Operations 3/31/2009

Kenny Myers, Acting Deputy Chief
Support Services 3/31/2009

Review of Recordings and Transcripts of Interviews Completed by Mayor's Office/Human Resources:

Bill French 2/5/2009 4pm

David Dayringer, Deputy Chief
Safety Services 1/29/2009 10am

Dennis Beyer, Chief Homeland Security Date and time not recorded

Kevin Matthews, Administrative Chief 2/4/2009 1:33pm

Mike Mallory, Chief of Physical Resources 2/5/2009 2pm

Rick Wright, EMS Officer 2/5/2009 9:04am

Scott Clark, Assistant Chief Field Operations 1/29/2009 4:10pm

Bob Tollette, EMS Officer 2/5/2009 8:10am

David Hayes, Deputy Chief Field Operations Date and time not recorded

Jim Winham, EMS Officer 2/5/2009 9:05am

Mike Graves, Chief of Training 2/2/2009 2:34pm

Ray Driskell, Assistant Chief Field Operations Monday 1:30pm date not recorded

Roger Williams, Chief of EMS 2/4/2009 2:30pm

Tim Cooper, Deputy Chief Support Services 1/29/2009 11:26am

EXHIBIT 1

**CITY COUNCIL
RESOLUTION # 7605**

(Published in the Tulsa Daily Commerce
& Legal News,

February 13, 2009.)

RESOLUTION 7605

A RESOLUTION OF THE CITY OF TULSA, OKLAHOMA
DIRECTING THE CITY AUDITOR TO CONDUCT AN
INVESTIGATION INTO THE TRAINING PRACTICES AND
PROCEDURES FOR THE TULSA FIRE DEPARTMENT;
ESTABLISHING A DEADLINE FOR THE INVESTIGATION
SCHEDULE TO BE SUBMITTED TO THE CITY COUNCIL;
AND DECLARING AN EMERGENCY.

WHEREAS, the City of Tulsa utilizes its Fire Department as a First Responder agency for major medical situations within the city of Tulsa;

WHEREAS, the City of Tulsa has invested substantial resources in hiring or training some of its Fire Department personnel to be emergency medical technicians (EMTs) to better provide for the health, safety, and welfare of its citizens;

WHEREAS, due to the independence of the Medical Control Director and the testing provided under his office, it is clear all Tulsa Fire Department and Emergency Medical Services Authority (EMSA) medics must have the necessary and proper training to protect the health, safety, and welfare of Tulsa citizens;

WHEREAS, on October 29, 2008, the Oklahoma State Department of Health sent the findings of its investigation into the Tulsa Fire Department's training and providing of continuing education classes for Tulsa Fire Department EMTs to Deputy Chief Tim Cooper. And whereas Chief LaCroix acknowledged receipt of the report on November 17, 2008, and the City Council was informed of the findings on January 22, 2009;

WHEREAS, the Department of Health investigation revealed substantial errors in documentation, some of which appeared intentional;

WHEREAS, the public is concerned that the level of emergency medical service being provided by the Tulsa Fire Department is not at the level which the public has been told to expect, and that the failure to properly obtain adequate continuing education may adversely impact the quality of care they receive from the Tulsa Fire Department;

WHEREAS, the violation of trust by the Tulsa Fire Department has created said concern and must be investigated and addressed to ensure such actions do not occur again, it is incumbent upon the City to conduct an investigation of the Tulsa Fire Department and its training processes and procedures; and

WHEREAS, the City Auditor may, at the direction of the City Council, conduct investigations or audits of the various departments of the City of Tulsa; and the City Council may request such an investigation or audit as authorized under its powers mandated by the Tulsa City Charter.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF TULSA, OKLAHOMA:

Section 1: The City of Tulsa is directing the City Auditor to conduct an investigation using sound and accepted methodologies, of the Tulsa Fire Department's training programs and processes, primarily as they relate to the training of Tulsa Fire Department EMTs, but including a review of all video or "remote training" conducted by the Tulsa Fire Department. The investigation should evaluate the extent of training provided and received pursuant to the training as documented; evaluate the methods of training oversight and evaluation; list all of the personnel who had knowledge of any improper documentation and their respective ranks and roles; determine the extent of falsification of documents and personnel involved; quantify the financial impacts of any improper documentation (e.g., costs for training budgeted and funded, but not conducted; compensation paid and expenses reimbursed for training claimed but not completed, additional pay received by Tulsa Fire Department EMTs for being an EMT while they practiced under renewals obtained with incorrect training documents); determine the timeframe in which improper documentation or mis-documentation or misconduct occurred; review the adequacy of the new processes proposed by the Tulsa Fire Department to train, monitor and document emergency medical technician training in order to meet the requirements established by the Medical Control Director, the Oklahoma State Department of Health or other regulatory body responsible for protecting the health, safety, and welfare of Tulsa citizens

Section 2. On Thursday, February 5, 2009, the City Auditor will provide the Council with the proposed Investigation Plan, containing estimated time lines, costs, resources required, and projects that will be deferred as a result of priority given to this project.

Section 3. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this Resolution shall take effect immediately upon its adoption and approval.

ADOPTED by the Council

Date JAN 29 2009

John M. G. [Signature]

Chairman of the Council

ADOPTED as an emergency measure

Date

Chairman of the Council

OFFICE OF THE CITY CLERK

Received by the City Clerk: _____ at _____
Date Time

OFFICE OF THE MAYOR

Received by the Mayor: _____ at _____
Date Time

Kathy Taylor, Mayor

By: _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: FEB 04 2009
Date



_____ at _____
Time

[Signature]

Mayor

Ann Bennett

City Clerk
Wanda Q. Duff

City Attorney

EXHIBIT 2

**MEMO FROM PHIL WOOD,
CITY AUDITOR
TO
TULSA CITY COUNCIL
FEBRUARY 5, 2009**

**RE: RESOLUTION DIRECTING
THE CITY AUDITOR TO
CONDUCT AN INVESTIGATION
INTO THE TRAINING
PRACTICES AND PROCEDURES
FOR THE TULSA FIRE
DEPARTMENT**



175 E. 2nd St., Suite 665
Tulsa, OK 74103

DATE: February 5, 2009

TO: Tulsa City Council

FROM: Phil Wood, City Auditor *Phil Wood*

SUBJECT: Resolution directing the City Auditor to conduct an investigation into the training practices and procedures for the Tulsa Fire Department

This letter outlines the objectives, time lines, costs, resources required and projects that will be deferred.

We will investigate training programs and processes concerning EMTs. We have been provided 548 EMT names with about half needing re-issuance of certification in 2009 and half in 2010. Interviews will be conducted at stations on 3 different shifts and at the Training Center at Newblock Park and possibly other sites such as Headquarters in OTC or the five District Chief's Stations.

We will review all video or "remote training" conducted by the Fire Dept. (Extent received vs. training documented). We will seek a list and copies (four years minimum) of all video or remote (at fire station) training. (Question: EMT Brockett from Station 29 is performing work and being educated at Hillcrest Medical Center Emergency Department. Does that qualify as 'remote training'?)

We will evaluate methods of training oversight and evaluation.

We will attempt to determine everyone who knew of any improper documentation (include their rank and role). This will require sending a questionnaire to everyone in the Fire Department.

We will determine extent of any 'falsification' of documents and personnel involved. This will necessitate obtaining all records of EMT education from each of 548 EMTs and from the Training Center.

We will quantify financial impacts of improper documentation (cost of training funded but not conducted; compensation paid and expenses reimbursed for training claimed but not completed, EMT pay while they practiced under renewals obtained with incorrect training documents). We would need to verify all invoices for training and training materials. About 274 EMTs needing 2009 recertification have been receiving EMT pay for two years. If forms have incorrect dates, we will calculate EMT pay times the period involved. Some are now practicing under renewals obtained two years ago so the period would be 2005-7. The training documents to be examined would be in the period of April 1, 2005 through March 31, 2007 which means we must go back four years. Another approximately 274 EMT records would need to be searched from April 2007 to the present.

We will review adequacy of proposed processes which are now being prepared.

The estimated time to complete the work outlined is six months. The cost is estimated at \$80,000 (the estimated pay and benefit costs for members of the Internal Audit Department). Resources will be auditor's time, document preparation and computer facilities. Projects that will be certainly deferred include the Human Rights Administration Audit and the Human Rights Monitoring Audit that includes how the City monitors contractors' compliance with the Davis Bacon Act.

CC: Mayor Kathy Taylor

EXHIBIT 3

**SPECIAL PROJECT
QUESTIONNAIRE**



March 24, 2009

Tulsa Fire Department Employees
City of Tulsa Fire Department
175 E. 2nd St., Suite 585
Tulsa, Ok 74103

The City Auditor is conducting an investigation into the training practices and procedures for the Tulsa Fire Department as directed by Tulsa City Council Resolution number 7605. To facilitate this investigation, please complete the enclosed questionnaire to the best of your knowledge and belief. Please use the space provided under the questions, back of the questionnaire form or add additional sheets if needed should you have any comments or other information you would like to provide regarding the questions. Your candid responses will be helpful for constructive completion of this project.

Once you have completed the questionnaire, please sign and print your name in the space provided on the form then mail your reply directly to City Auditor Phil Wood in the enclosed return envelope. Your cooperation and input for improvement of the Tulsa Fire Department is greatly appreciated.

Sincerely,

Kathy Taylor
Mayor

Allen LaCroix
Fire Chief

XC w/o enclosures: Phil Wood, City Auditor
City Council

**The following questions are taken from the City Council Resolution
7605 dated February 13, 2009 and are about EMT licensing.
PLEASE SIGN AND RETURN THIS QUESTIONNAIRE EVEN IF YOU
CAN NOT ANSWER ANY OF THE QUESTIONS**

1. Do you have knowledge of any improper documentation of training for fire department personnel? If so please describe what, when and/or where the improper documentation occurred. YES NO

2. Are you aware of any falsification of documents? If so please provide details and personnel involved. YES NO

3. Do you know when improper documentation or mis-documentation or misconduct first occurred? YES NO

4. Does improper documentation or mis-documentation or misconduct still exist? If so please provide details and personnel involved. YES NO

5. Were the methods of training oversight and evaluation effective? If no please provide details and/or personnel involved. YES NO

Please sign this document _____ I AM EMT YES NO

Please print your name _____

**Return to:
Phil Wood
City Auditor
175 E 2nd Street, Suite 665
Tulsa, OK 74103**

EXHIBIT 4

**TULSA FIRE DEPARTMENT
PROVIDER'S PLAN OF
CORRECTION**

Oklahoma State Department of Health STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	FORM APPROVED (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 	CONSTRUCTION (X2) MULTIPLE _____ 	(X3) DATE SURVEY COMPLETED _____
--	--	---	--

NAME OF PROVIDER OR SUPPLIER TULSA FIRE DEPARTMENT, CITY OF	STREET ADDRESS, CITY, STATE, ZIP CODE 411 S FRANKFORT TULSA, OK 74120
--	--

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
E 01	10:641 Intial Comments Surveyor: EMS06 Tulsa Fire Department Complaint # 08-043 Investigators: K. Hollingsworth, R. Schilling The EMS Division of the Oklahoma State Department of Health had received a complaint that Tulsa Fire Department submitted inaccurate CEU records on behalf of EMTs in their employ. The complainant stated that TFD has been knowingly falsifying records for CEU credits. On 10-14-08, Kay Hollingsworth and I arrived at Tulsa Fire Department to conduct a records review and perform an investigation of the authenticity of CEU records on medics' records. During the investigation, we requested to see the training records. We were given several sign-in sheets for classes that medics and firefighters had taken. A majority of the records were electronically signed and printed. These did not have a signature or initials of the individual who had taken the class, or the instructor or responsible party. In most cases the responsible party is a captain or chief. Some of the courses are administered via the television as a video course. The courses are played at predetermined times. The members are responsible for watching the entire video, and the company officer is responsible for verifying the participation in the video courses. We later received records for individual members of the fire department These records contained	E 01		

Oklahoma State Department of Health LABORATORY DIRECTORS OR PROVIDER/SUPPLIER REPRESENTATIVES SIGNATURE	TITLE
--	-------

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) CONSTRUCTION MULTIPLE _____	(X3) DATE SURVEY COMPLETED
--	--	----------------------------------	----------------------------

NAME OF PROVIDER OR SUPPLIER TULSA FIRE DEPARTMENT, CITY OF	STREET ADDRESS, CITY, STATE, ZIP CODE 411 S FRANKFORT TULSA, OK 74120
--	---

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
--------------------	--	---------------	---	--------------------

E 01	<p>Continued From page 1</p> <p>the CEU records, which were turned in for recertification. We had a list of names of the records we wanted to see. We decided to check the records of those who were on duty this day. From those who were on duty, we picked some, at random, to interview. During the interviews of five medics, all of them admitted that they could not truthfully account for all of the CEUs, which were written in their reports. When asked why they would write these hours down when they could not account for them, all of them said that they were instructed to fill in the dates on the list they were given.</p> <p>In one case, we found that a class for cardiac arrest management/AED for two hours was written down. In the medic's TFD computer generated records, the medic had a class for blood borne and airborne pathogens class. This date was 4-7-06. The medic could not state why both classes were accounted for on the same day.</p> <p>After five interviews, we determined that most of the records would produce the same results. The CEU form for recertification is a standard form that is handed out to the medics. The medics are then told to fill in the dates on the forms. The medics could not verify many of the dates on the form. There was a Haz-Mat class listed for 12 hours in one day on all of the records. Most of the medics said that they did not take a 12-hour Haz-Mat course and the date was made up. One medic stated remembering a Haz-Mat course but could not remember the date.</p> <p>During the interviews, we asked each individual if they felt they had adequate training for their EMT recertification. Most of the members stated they have adequate training, however, the</p>	E 01		
------	--	------	--	--

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) CONSTRUCTION MULTIPLE _____	(X3) DATE SURVEY COMPLETED
--	--	----------------------------------	----------------------------

NAME OF PROVIDER OR SUPPLIER TULSA FIRE DEPARTMENT, CITY OF	STREET ADDRESS, CITY, STATE, ZIP CODE 411 S FRANKFORT TULSA, OK 74120
---	---

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
--------------------	--	---------------	---	--------------------

E 01	Continued From page 2 documentation, or record keeping is poor. Much of the training that TFD has for CEUs is combined. The classes could be divided in to separate sections and counted for CEUs for different subject materials. The records must state that the training was as such.	E 01		
E596	310:641-5-14(a)(1) Issuance of licenses (a) An application for the renewal of all emergency medical technician licenses shall be submitted to the Department on or before arch 31st, of the license expiration year if renewal is desired. A notice of expiration and application for renewal shall be mailed to each licensee, at the address of record. Licensees are solely responsible for meeting all requiremnets for renewal. (1) Applicants for renewal shall submit, on an application form provided by the Department, true, correct, and complete information as to eligibility and character. incorrect or incomplete documentation shall be cause for rejection. This Rule is not met as evidenced by: Survevor: EMS06 Tulsa Fire Department has violated OAC 310:641-5-14-(a)(1) - "Applicants for renewal shall submit on an application form provided by the Department, true, correct, and complete information as to eligibility and character. Incorrect or incomplete documentation shall be cause for rejection." This investigation found Tulsa Fire Department submitted inaccurate CEU records on behalf of	E596	The following is a plan of action for compliance with the identified violation OAC 310:641-5-14-(a)(1)- Proper Documentation of Individual CEU's 1. Develop and distribute to each Member of the department a CEU's log Book. (see attachment) 2. Develop guidelines for a three tier System of record keeping- Individual log, District Chief record file, and Training Center master file. 3. Provide clearly identified CEU hours of credit for each course. 4. Provide a clearly defined breakdown of CEU's acquired in combination Courses. 5. Provide an annual calendar of CEU training dates and courses.	January 1, 2009 November 19, 2008 November 25, 2008 December 1, 2008 January 1, 2009

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	CONSTRUCTION (X2) MULTIPLE _____	(X3) DATE SURVEY COMPLETED -
--	--	-------------------------------------	---------------------------------

NAME OF PROVIDER OR SUPPLIER TULSA FIRE DEPARTMENT, CITY OF	STREET ADDRESS, CITY, STATE, ZIP CODE 411 S FRANKFORT TULSA, OK 74120
--	--

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X%) COMPLETE DATE
E596	<p>Continued From page 3</p> <p>EMTs in their employ. Many of these training hours cannot be verified by anything other than an electronic record or printout. Most classes did not have a sign in sheet. Most of the medics that were interviewed admitted that some of the CUES were made up. The verifiable records clearly did not match what the medics had turned in on their renewal forms.</p> <p>During the exit interview with Chief Williams, Chief Cooper, and Captain Witten we discussed the problems with the system and the lack of accountability or verification of CEUs. We all agreed that there was an issue that needed to be addressed. The inaccurate reporting of CEU records is unacceptable and needs to be addressed immediately. Tulsa Fire Department was very cooperative during the investigation, and those who were interviewed were honest with their answers. TFD has assured us that they will begin work on this issue immediately</p>	E596		



ALLEN LACROIX
FIRE DEPARTMENT

R. Shawn Rogers, Director
Emergency Medical Services
Protective Health Services
1000 NE 10th Street
Oklahoma City, OK
73117-1299

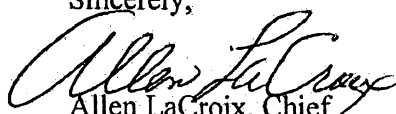
January 28, 2009

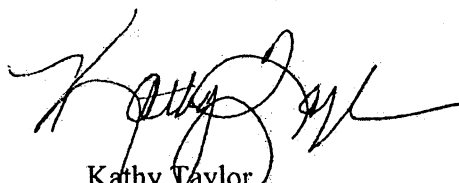
Mr. Rogers

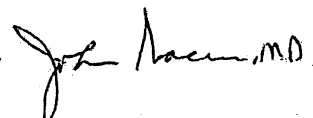
Thank you for granting us the time to respond to your investigation, 08-043. Attached with this letter are the processes we have put in place to insure EMT's who will certify in March have the required number of CEUs along with the proper documentation identifying the class, time attended, and the instructor. I am also providing, for your review and approval, a draft of Standard Operating Procedures (SOP) for CEU class requirements and documentation.

Be assured we have taken the steps and put policies into effect to insure we remain in compliance with the State Health Department procedures of CEU reporting and documentation. We welcome the return of your investigators to review the training and documentation for EMT's certifying this March. Once we have received your approval on the proposed SOP, we will move forward with implementation.

Sincerely,


Allen LaCroix, Chief
Tulsa Fire Department


Kathy Taylor
Mayor


Dr. John Sacra
Medical Director

cc: Roger Schilling, M. Ed, NREMT-P
EMS Administrator
Emergency Medical Services
1000 NE 10th Street
Oklahoma City, OK 73117-1299

Tim Cooper NREMT
Tulsa Fire Department
Deputy Chief of Support Services
918-596-9410 Office
918-636-1536 Cell

Tulsa Fire Department Corrective Action Report

To

Oklahoma State Department of Health

#08-043

SUBJECT: Immediate actions taken to comply with Department of Health Audit

In response to the Oklahoma State Department of Health audit, a Continuing Education Units (CEU) program has been established and implemented on January 5, 2009. The following steps ~~were taken to insure our current certifying Emergency Medical Technician's (EMT) CEUs are~~ accurate and properly documented. This temporary program will be replaced by the attached policy once approved by the Department of Health.

1. Determination of Emergency Medical Technician – Basic – Intermediate -Paramedic (EMT-B-I-P) required to be recertified by March 31, 2009.
2. Collection of personal training records, certificates, etc., from each EMT-B-I-P, along with departmental training records, in order to determine how many hours of CEUs each EMT-B-I-P has received since his/her last recertification (March 31, 2007).
3. District Chiefs retrieved the personal CEU records from EMT-B-I-Ps assigned to their command and presented the records for approval or denial by the EMS division.
4. The District Chief returned each EMT-B-I-P updated CEU file to them with the final approved and documented number of CEU credits.
5. Each District Chief and EMT-B-I-P was instructed on exactly how many CEU hours, both distributive (educational videos) and classroom instruction were needed to recertify.
6. Once each EMT-B-I-P's CEU needs were established, a training schedule and calendar was developed to meet the demand of CEU training hours required to achieve recertification.
7. New documentation for training began January 5, 2009.
8. After each training class, three (3) copies of the class roster are made, signed by the participant at the beginning of class and the instructor signs the participant out when the class is completed. The original is kept at the Fire Department Training Center, the CEU documentation manager keeps a copy for accumulative documentation, and a copy is given to the member for his/her own records.
9. After each two-week rotation of classes, a total of the CEU hours attended by each EMT-B-I-P are emailed to each Assistant Chief in order to add CEU to each EMT-B-I-P file on their platoon.
10. By February 12, 2009 all EMTs and Paramedics who were accredited in March of 2008 and have not taken the Office of the Medical Director Protocol Test during the calendar year 2008 will be retested.
11. All classroom instructors shall be state certified and approved by the Medical Director.

12. An independent evaluation shall be conducted by the Oklahoma Institute for Disaster and Emergency Medicine to recommend the proper organizational structure for the delivery of pre-hospital care.

13. The Fire Department shall assist with the funding of a Deputy Medical Director for the eastern division to provide oversight for department records and training.

Proposed CEU Standard Operating Procedures

- a) Purpose: To develop standard operating procedures for CEU record filing and documentation.

- b) The Tulsa Fire Department will maintain licensing and certification, EMT refresher, and continuing education unit records on each member per OSDH 310:641-3-160-9-e. Any member found falsifying records will be subject to the provisions and penalties set forth in AOP 101.3 and Article 28 of the Collective Bargaining Agreement.

- c) An expandable folder will be distributed to each member of the department for storing their personal CEU documents.
 - i) Members will be issued an expandable folder to keep personal records of their CEU log, copies of rosters, and original certificates.
 - ii) Members will keep CEU records within the expandable file until the records are copied and transferred to the District Chief/Supervisors file.
 - iii) Members are to keep copies of their CEU records within these expandable files for cross-reference and as backup to District Chief/Supervisor files.

- d) A multi-page expandable CEU file folder will be issued to District Chief/Supervisors for each member under their command.
 - i) A six section file will be used to track certifications, work history, CEU hours, and roster/certificates for years 1, 2, of the renewal cycle, a third years records will be kept on the last page to fulfill the OSDH three year record retention requirement.
 - ii) All records stored in these files will be two hole punched at the top of the page and stored on the bendable paper retainers. Rosters, certificates and CEU logs should be kept in chronological order by date with the latest date on top. Inside the cover, page one will hold member's various EMS certifications and expiration dates with copies of State and National EMT licenses, and current CPR cards (Paramedics must also have a current ACLS card). Page two will contain the member's work assignment history. Page three will contain the member's CEU logs. Page four will contain the current year's CEU rosters and certificates. Page five will contain the previous years CEU rosters and certificates, and page six will contain CEU rosters and certificates from two years past so that at any time TFD, OSDH or OMD employees may inspect educational documentation covering a three year period.
 - iii) CEU files will be stored in file cabinets at District Chief/Supervisor's station and will be maintained and updated by the District Chief/Supervisor.
 - iv) District Chief/Supervisors will collect their members training records during the first week of every month. CEU records and logs will be filed and updated on the day they are collected.
 - v) District Chief/Supervisor CEU files will serve as the official department record of CEU's and will be used to complete the State and National EMT renewal applications.

- vi) When members change assignments, the District Chief/Supervisor will ensure that the member's CEU file has all CEU documentation up to date and complete and will then forward the file to the member's next assigned District Chief/Supervisor.
 - vii) Files will be available for inspection at the District Chief/Supervisor's office during normal business hours.
 - vii) District Chief/Supervisors will be trained in documentation of CEU's prior to ~~implementation of this filing method.~~
-

e) CEU Course Roster

- i) Each continuing education unit course must have a roster containing the course title and if applicable course number, date, start and end time, number of CEU credit hours awarded, state certified instructor or company officer/supervisors name, the ROIC, names and assignment of individuals taking the course, and the signature of the instructor or company officer/supervisor overseeing the instruction.
- ii) It will be the responsibility of the instructor or the company officer/supervisor overseeing the training to initiate and properly completed the roster.
- iii) Each member in attendance will individually print their ROIC, name and assignment on the course roster,
- iv) The instructor and/or company officer/supervisor overseeing the training session must sign the roster verifying that the training was delivered during the Start/End times listed on the roster.
- v) All members attending a course will receive a copy of the course roster before being dismissed from class.
- vi) Copies of the course roster will be filed chronologically in member's CEU files.
- vii) Original CEU rosters will be delivered to the Chief of Training for archiving by the administrative assistant assigned to the Chief of Training.
- viii) Original master CEU rosters will filed in 1-31-file folders by month/date/year and be available for inspection during normal business hours.
- ix) All class room instructors shall be state certified and medical director approved.

f) CEU Course Certificates

- i) Any certificates issued on completion of a CEU course should be retained by the member completing the course.
- ii) Copies of each certificate should be filed behind the corresponding course roster in the member's CEU files.

g) CEU log

- i) Each individual course/topic should be entered on the CEU log on a separate line with corresponding date, hours of CEU credit, and method of delivery.
- ii) Company Officer/Supervisors will be responsible to complete, update and verify by signature, each line of the CEU log for their members during the monthly collection of records.
- iii) District Chief or higher-ranking supervisors will verify CEU's logs for renewal applications by signing the signature space at the bottom of each CEU log.
- iv) Member's social security number should not be recorded on the logs until the Company Officer/Supervisor completes an application for license renewal.

- v) Copies of the CEU log retained in member's files after the renewal process will have the member's social security number rendered unreadable.

II) EMT Renewal Process

a) EMT Renewal applications

- i) EMT licenses expire on March 31 for each two-year renewal cycle.
- ii) Applications for renewal of National Registry of EMT's and the State of Oklahoma EMT license will be supplied to the District Chief/Supervisors by the EMS Branch on or before February 1, each year.
- iii) District Chief/Supervisor will distribute both application forms to Company Officers/Supervisors for completion during the first week of February during the normal CEU record collection process.
- iv) Company Officer/Supervisors will be responsible to accurately complete both applications for each member under their supervision by February 15th each year.
- v) District Chief/Supervisors will be responsible for collecting their members completed applications and attaching the member's original signed CEU logs. Copies of the CEU logs should be retained in the member's files. Course rosters and certificates are not to be attached to the applications. These records will be kept with the member's file.
- vi) Copies of member's current EMT Refresher Certificate, CPR card, and for Paramedic ACLS card, will be attached to each application.
- vii) District Chief/Supervisors will deliver their assigned members completed applications to the EMS Chief by February 21st each year.
- viii) Completed applications shall be delivered to the Medical Directors office no later than March 5th each year.

b) Completion of the renewal process and deliver of applications.

- i) The EMS Branch employees with cooperation of the Training Branch will complete the EMT license renewal process.
- ii) EMS Branch employees will check each application for correctness. A copy of each application will be made for EMS Branch records and stored in file cabinets at the EMS office.
- iii) The EMS Chief will calculate the required funds necessary to pay all members renewal fees and complete a request for payment through the TFD Finance Manger.
- iv) All State of Oklahoma EMT renewal applications, with a check for payment, will be delivered to the Oklahoma State Department of Health offices in Oklahoma City no later than March 1 each year.
- v) All National Registry of EMT renewal applications will be shipped, with a check for payment, to the National Registry no later than March 15th each year.
- vi) Renewed licenses will be shipped to the EMS Branch. The EMS Branch will make copies of each member's licenses and place them in the files located in the EMS office.
- vii) Their District Chief/Supervisor will distribute licenses back to members and a copy will be retained in each member's CEU file.

III) Provide clearly identified CEU credit hours for each course.

a) Distributive Education CEU hours will be defined by the CECBEMS course number and assigned credit hours.

~~i) Distributive education will be accomplished through FETN Pulse video programming that carries CECBEMS accreditation and defined hours of credit per course. Pulse videos are available by CD for individual or group viewing. TFD also broadcast FETN Pulse video on the fiber optic network connection at each station. TFD has also purchased access to the National Paramedic Institute online EMS CEU training program. This curriculum is also CECBEMS accredited with defined hours of credit for each course. The program should be available in February 2009.~~

~~b) Incident critiques, didactic sessions, practical drills, workshops, seminars, or other approved in-service training sessions will be accomplished through curriculum based on Medical Control Board Protocols and OSDH approved CEU topics per OSDH 310:641-5-14.~~

~~i) Hours of credit for the above will be hour for hour class or lab time verified by roster Start/End times attested to by instructor/company officer signature.~~

~~ii) If for some reason a member in a training session must leave the class and then returns later to complete the course, they must sign out when they leave and sign in upon return. Members CEU credit hours will be based on actual time of course attendance.~~

IV) Provide a clearly defined breakdown of CEU's acquired in combination courses.

a) Combination courses will be broken down to provide separate rosters for each topic, with specific start/end times and hours CEU credit documented on each roster.

V) Provide an annual calendar of CEU training dates and courses.

a) To provide a planning tool for department management and members, the TFD Training Branch will post by email calendar, the calendar year's training schedule with CEU topics and course dates.

i) The Training Branch with assistance from the Office of the Medical director will develop a two-year curriculum of monthly CEU training topics that will be used to standardize department CEU training.

ii) The curriculum will be based on current statistical priorities and seasonal EMS needs and will encompass all types of training delivery methods including distributive education.

iii) Efforts are underway to develop joint training with EMSA through the Oklahoma Institute for Disaster and Emergency Medicine at the Oklahoma University Schusterman Center. This training would supplement department training.

b) TFD will random audit CEU's that are documented to insure members completed the CEU's.

- c) TFD Training and EMS Branches will audit training records and verify CEU rosters with training dates of each member in the current renewal cycle.
 - d) A master spreadsheet of member's CEU hours will be maintained and training programs scheduled to bring member's CEU hours up to required levels for renewal.
-
-
-

EXHIBIT 5

**LETTER FROM OKLAHOMA
STATE DEPARTMENT OF
HEALTH
TO
CHIEF ALLEN LACROIX**

DATED: FEBRUARY 10, 2009



Oklahoma State Department of Health
Creating a State of Health

February 10, 2009

Chief Allen Lacroix,
Tulsa Fire Department, City Of
175 E 2nd, Suite 585
Tulsa, OK 74103

Dear Chief Lacroix:

The EMS Division of the Oklahoma State Department of Health has received the "Provider's Plan of Correction" for the survey conducted October 14, 2008 as required. The Department finds this plan of correction to be sufficient.

Department surveyors will follow up with unannounced inspections in the future. I have spoken with your medical director, Dr. Sacra, and I am confident your plan will be appropriately executed and will ensure that these problems do not recur.

If you have any questions, please feel free to call this office at (405) 271-4027.

Sincerely,

R. Shawn Rogers, Director
Emergency Medical Services

Board of Health

EXHIBIT 6

**LETTER FROM MEDICAL
DIRECTOR OF THE MEDICAL
CONTROL BOARD
TO
PHIL WOOD, CITY AUDITOR**

DATED: APRIL 21, 2009

MEDICAL CONTROL BOARD

April 21, 2009


John C. Sacra, M.D., F.A.C.E.P.
Medical Director

Mr. Phil Wood
Tulsa City Auditor
City of Tulsa
175 E 2 Street, Suite 6-65
Tulsa, OK 74103

Dear Mr. Wood:

As requested by Mr. Steve Wagner with the City of Tulsa Auditor's office, I am submitting for your information, the protocol testing procedure that was followed for select Tulsa Fire Department medics as a result of the Oklahoma State Department of Health investigation of their continuing education records. All medics in the State of Oklahoma are required to be recertified by the Oklahoma State Department of Health every two years. When recertified all medics are required to submit an application to the Oklahoma State Department of Health which includes their continuing education hours for the previous two years.

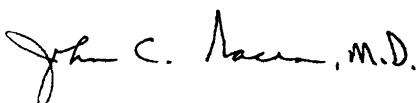
Since the Oklahoma State Health Department investigation uncovered potential falsifications and inadequacies in the Tulsa Fire Department continuing education reported hours, it was determined by the Office of the Medical Director that all Tulsa Fire Department medics recertified in March of 2008, and who had not been tested on the Office of the Medical Director's written protocols during calendar year 2007, would be required to take the written protocol test in order to verify their clinical competence. I have attached the three spreadsheets indicating the testing dates and scores of all EMT-Basics, EMT-Intermediates and EMT-Paramedics who were required to retest.

Since the Office of the Medical Director requires all medics, including the Tulsa Fire Department medics, to successfully complete its written protocol test every two years, it was felt that this additional examination of this group of Tulsa Fire Department medics was needed to substantiate clinical competence since their continuing education hours were in question. It was also important to OMD that there were no outstanding continuous quality of care issues for any of the Tulsa Fire Department medics.

Based on the successful protocol testing and the absence of any quality of care issues the OMD was confident that that the pre-hospital medical care for Tulsa citizens was not compromised by the Tulsa Fire Department's continuous education activities and no suspension of privileges were necessary.

If your office needs any additional information please feel free to contact me.

Sincerely,



John C. Sacra, M.D.
Medical Director

Tulsa Fire Department
Basics
Written Test Required by 2/12/09

Last Name	First Name	Station	Shift	Level	Exp	Date of Test	Score	2nd Test	Score
ARIZA	JOSE	20	C	BASIC	2008	2/3/2009	96		
ASHLOCK	DAVID	90	40	BASIC	2008	2/3/2009	96		
ATCHINSON	MIKE	3	C	BASIC	2008	2/4/2009	96		
AUSTIN	JORDON	90	40	BASIC	2008	2/10/2009	90		
AYERS	CLAY	27	C	BASIC	2008	2/3/2009	92		
BACON	JEFF	13	C	BASIC	2008	2/5/2009	98		
BAKER	BRETT	6	A	BASIC	2008	2/4/2009	90		
BAKER	DANNY	13	B	BASIC	2008	2/3/2009	98		
BANKS	JUSTIN	25	A	BASIC	2008	2/4/2009	94		
BEALS	DAVID	32	B	BASIC	2008	2/2/2009	86		
BELK	STACY	24	B	BASIC	2008	2/2/2009	90		
BENNETT	DANNY	22	C	BASIC	2008	2/3/2009	84		
BERTELLI	BRETT	90	40	BASIC	2008	2/2/2009	94		
BOZARTH	STEVE	20	A	BASIC	2008	2/4/2009	96		
BREEDLOVE	JUSTIN	25	A	BASIC	2008	2/10/2009	96		
BROWN	ROBERT	2	B	BASIC	2008	2/2/2009	96		
BROWN	REDELL	24	C	BASIC	2008	2/3/2009	82		
BUCK	JOHN	17	C	BASIC	2008	2/3/2009	88		
BUCK	JAYME	13	C	BASIC	2008	2/3/2009	94		
CALDWELL	DANNIE	90	40	BASIC	2008	2/3/2009	98		
CARTER	ERIC	31	B	BASIC	2008	2/2/2009	84		
CASEY	TERRY	22	B	BASIC	2008	2/3/2009	94		
CASSITY	STEPHEN	30	B	BASIC	2008	2/2/2009	92		
CAYWOOD	KEVIN	24	C	BASIC	2008	2/3/2009	96		
COOLEY	DALE	5	C	BASIC	2008	2/3/2009	94		
COOPER	TIM	90	40	BASIC	2008	2/2/2009	100		
COTHERMAN	JOHN	10	C	BASIC	2008	2/2/2009	94		
CROW JR	GARLAND	27	B	BASIC	2008	2/2/2009	94		
DANIELS	STEVEN	2	B	BASIC	2008	2/2/2009	86		
DELOZIER	GREG	10	C	BASIC	2008	2/3/2009	96		
DEETHEROW	DARIN	18	B	BASIC	2008	2/4/2009	96		
DOWNIE	TIM	2	B	BASIC	2008	2/2/2009	92		
DUCKETT	WES	4	C	BASIC	2008	2/3/2009	84		
DYER	JOHN	5	B	BASIC	2008	2/2/2009	96		
ELLINGSON	GRANT	5	B	BASIC	2008	2/2/2009	94		
ELLIS	ROBERT	4	C	BASIC	2008	2/3/2009	88		
FEELER	BILL	7	A	BASIC	2008	2/4/2009	98		
FELKINS	SCOTT	27	B	BASIC	2008	2/3/2009	100		
FENN	MILTON	4	A	BASIC	2008	2/4/2009	90		
FIEKER	PAUL	25	C	BASIC	2008	2/3/2009	94		
FLETCHER	TIM	32	C	BASIC	2008	2/3/2009	96		
FORTNEY	DALLAS	90	40	BASIC	2008	2/3/2009	94		
FRY	TRAVIS	3	C	BASIC	2008	2/3/2009	94		
FULTON	LYLE	27	B	BASIC	2008	2/6/2009	96		
GIBSON	JOSH	18	A	BASIC	2008	2/4/2009	92		
GRAY	JOHN	31	A	BASIC	2008	2/4/2009	94		
GRIFFEY	ALAN	5	B	BASIC	2008	2/5/2009	100		
GUESS	KEVIN	10	C	BASIC	2008	2/3/2009	96		
HARPER	ED	2	A	BASIC	2008	2/4/2009	96		
HARPER	SCOTT	27	A	BASIC	2008	2/4/2009	96		



Tulsa Fire Department
Basics
Written Test Required by 2/12/09

HARRISON	JAMES	90	40	BASIC	2008	2/3/2009	94		
HAYES	JAMES			BASIC	2008	2/3/2009	92		
HAYNES	AARON	12	A	BASIC	2008	2/4/2009	98		
HEWIN	GREG	31	A	BASIC	2008	2/4/2009	90		
HICKSON	KEITH	5	A	BASIC	2008	2/4/2009	98		
HORN	KEITH	2	B	BASIC	2008	2/2/2009	96		
HORNER	KEVIN	4	C	BASIC	2008	2/3/2009	78	2/3/2009	98
HORST	LEE	6	A	BASIC	2008	2/4/2009	88		
HOUCK	TOBY	25	C	BASIC	2008	2/3/2009	92		
JACKSON	JEREMY	23	A	BASIC	2008	2/4/2009	88		
JOHNSON	JEFF	22	B	BASIC	2008	2/2/2009	88		
KEELING	SAM	7	A	BASIC	2008	2/3/2009	84		
KENDRICK	STEVE	10	A	BASIC	2008	2/4/2009	96		
KIEHL	TRACY	19	C	BASIC	2008	2/3/2009	98		
KREBS	MIKE	1	B	BASIC	2008	2/4/2009	98		
KUEHNERT	TIM	10	B	BASIC	2008	2/10/2009	98		
LEE	PHILLIP	4	C	BASIC	2008	2/4/2009	94		
LEWIS	MARK	14	B	BASIC	2008	2/2/2009	96		
LITTLE	DAN	20	B	BASIC	2008	2/2/2009	84		
LLOYD	ROGER	15	B	BASIC	2008	2/2/2009	98		
LONG	JIM	10	C	BASIC	2008	2/3/2009	98		
LOPEZ	TIM	90	40	BASIC	2008	2/4/2009	92		
MASSEY	GORDON	14	A	BASIC	2008	2/4/2009	94		
MEADOWS	GREG	30	A	BASIC	2008	2/4/2009	92		
MILLER	BRENT	22	B	BASIC	2008	2/3/2009	96		
MILLER	DAVID	18	B	BASIC	2008	2/3/2009	82		
MILLER	KEITH	23	A	BASIC	2008	2/4/2009	98		
MORGAN	JOHN	12	B	BASIC	2008	2/2/2009	80		
MORGANS	NATE	4	C	BASIC	2008	2/3/2009	100		
MOSEBY	JIM	21	A	BASIC	2008	2/4/2009	96		
MULL	KELLY	19	A	BASIC	2008	2/4/2009	80		
NELSON	TIM	16	B	BASIC	2008	2/2/2009	96		
NEWELL	JAMES	32	C	BASIC	2008	2/3/2009	88		
NIMMO	JIM	4	B	BASIC	2008	2/3/2009	98		
O'NEAL	JAMES	19	B	BASIC	2008	2/2/2009	98		
PEPPER	DANIEL	4	C	BASIC	2008	2/3/2009	94		
PRITCHARD	JAMES	21	B	BASIC	2008	2/2/2009	94		
RIGGS	JEFF	27	C	BASIC	2008	2/3/2009	92		
ROBINSON	COURNEY	20	A	BASIC	2008	2/4/2009	88		
ROBINSON	JEFFREY	90		BASIC	2008	2/3/2009	88		
RUCKER	DELWAYNE	90		BASIC	2008	2/4/2009	90		
RUTLEDGE	JACOB	26	A	BASIC	2008	2/4/2009	96		
SAWYER	JOHNNIE	30	A	BASIC	2008	2/4/2009	92		
SHADOWENS	MARTY	15	C	BASIC	2008	2/4/2009	98		
SHEARER	MATT	30	C	BASIC	2008	2/4/2009	96		
SHIELDS	GORDON	4	B	BASIC	2008	2/2/2009	92		
SIMPSON	ANDREW	21	C	BASIC	2008	2/6/2009	96		
SIPE	MARK	22	C	BASIC	2008	2/3/2009	94		
SIVADON	TERRY	5	A	BASIC	2008	2/4/2009	96		
SIVADON	JERRY	28	A	BASIC	2008	2/4/2009	96		
SMALLWOOD	TIM	90	40	BASIC	2008	2/3/2009	96		
SMITH	JOHN	20	A	BASIC	2008	2/4/2009	84		



Tulsa Fire Department
Basics
Written Test Required by 2/12/09

SMITH	JEFF	10	B	BASIC	2008	2/2/2009	98
SMITH	JACKY	4	A	BASIC	2008	2/4/2009	90
SNOW JR	GERALD	26	A	BASIC	2008	2/3/2009	96
SPYRES	RANDY	13	C	BASIC	2008	2/2/2009	90
STARLING	TERRY	1	A	BASIC	2008	2/4/2009	92
STEWART	MATT	26	B	BASIC	2008	2/2/2009	90
SWAINSTON	NICK	27	B	BASIC	2008	2/4/2009	92
SYNAR	DAVID	2	A	BASIC	2008	2/4/2009	96
TEAGUE	JOSHUA	20	A	BASIC	2008	2/2/2009	96
VELASQUEZ	MIKE	25	A	BASIC	2008	2/4/2009	92
WAGNON	JEFF	15	C	BASIC	2008	2/3/2009	94
WALTERS	STEVEN	90	40	BASIC	2008	2/2/2009	96
WEBB	YAHOLA	6	A	BASIC	2008	2/4/2009	92
WHEELER	JASON	7	B	BASIC	2008	2/3/2009	96
WHITE	JUSTIN	7	C	BASIC	2008	2/3/2009	90
WILLIAMS	JERRY	6	A	BASIC	2008	2/4/2009	94
WILLIAMS	JOHN	28	C	BASIC	2008	2/2/2009	82
WINFORD	SCOTT	18	B	BASIC	2008	2/4/2009	90
WORKS	RENALDO	90	40	BASIC	2008	2/3/2009	96



**Tulsa Fire Department
Intermediates
Written Test Required by 2/12/09**

Last Name	First Name	Date Tested
Bell	Matthew	4/13/2007
Bryan	Steve P	4/12/2007
Gillespie	Thomas	5/29/2007
Mixon	Stephen	5/29/2007
Page	Robert	5/14/2007
Vanwagner	Sean D	4/23/2007



**Tulsa Fire Department
Paramedics
Written Test Required by 2/12/09**

Last Name	First Name	Previously Tested	Date Tested	Score
Garden	Spencer	9/4/2007	2/5/2009	83
Goff	Wesley C	9/4/2007	2/4/2009	84
Hughes	Michael E	3/29/2006	2/2/2009	81
Laskey	Mark A	12/5/2006	2/4/2009	87
Stokes	Scotty R	3/1/2006	2/2/2009	90
Ward	Michael D	9/4/2007	2/4/2009	95
Ward	Lance K	11/15/2007	2/3/2009	89
Watson	James	9/4/2007	2/4/2009	89



EXHIBIT 7

**EXCERPT OF
ARTICLE 12 – CERTIFICATION
REQUIREMENTS**

FROM

**AGREEMENT BETWEEN THE
CITY OF TULSA AND
LOCAL NO. 176 OF THE
INTERNATIONAL
ASSOCIATION OF
FIREFIGHTERS**

**DATED: JULY 1, 2007 – JUNE 30,
2008**

AGREEMENT

BETWEEN THE

CITY OF TULSA

AND

LOCAL NO. 176

OF THE

INTERNATIONAL ASSOCIATION

OF FIREFIGHTERS

JULY 1, 2007 -JUNE 30, 2008

ARTICLE 12 - CERTIFICATION REQUIREMENTS

Section 12.1 In conjunction with the duties prescribed in the Rules and Regulations for the government of the Tulsa Fire Department the following provisions shall apply for certification of Employees to work outside their normal job classification:

1. Employees in pay grade FD-01 who successfully complete the criteria as prescribed by the Tulsa Fire Department Training Division for Relief Fire Equipment Operator and the requirements within Article 9 - Wages, shall receive a one-step pay increase up to the maximum of the "L" step and be issued a five (5) year certificate. Employees achieving such certification after reaching the "L" step shall not receive the one step increase and shall only advance to higher steps after completion of twelve (12) months within any pay step. Qualification as Relief Fire Equipment Operator shall entitle Employee to participate in the Fire Equipment Operator promotion exam provided the prescribed longevity has been obtained.
2. A Relief Fire Equipment Operator who has not been promoted after a period of five (5) years, will be retrained as a Relief Fire Equipment Operator on a five (5) year interval basis. Retraining shall include driving, and pumping/ladder evolutions for the apparatus to which the Employee is assigned.
3. A future Fire Equipment Operator School shall be provided annually for instructional purposes for those Employees who have qualified as Relief Fire Equipment Operator during the previous year. After initial certification is accomplished, certification on additional apparatus shall be accomplished by Employees demonstrating their ability to handle the different apparatus.
4. Employees in the pay grade FD-02, shall successfully complete the training courses prescribed by the Tulsa Fire Department and possess a current five (5) year Company Officer Training Course Certificate. Employees in the pay grade FD-03 shall successfully complete the training course as prescribed by the Tulsa Fire Department and possess a current five (5) year Chief Officer's Training Course Certificate. Employees in the pay grade FD-04 shall successfully complete the training course prescribed by the Tulsa Fire Department and possess the certificate appropriate for their promoted rank.
5. In the event that a certificate expires due only to the fact the Employer has not scheduled a training course to recertify such Employees, the certificate currently possessed by the Employee shall remain in effect, until the completion of the next training course offered for certification.

Section 12.2 All sworn personnel within the ranks of FD-01 through FD-05 of the Tulsa Fire Department shall receive training and be certified as First Responders - D under the Oklahoma State Department of Health's First Responder Agency program. Additionally, all sworn Employees shall be required to complete the two (2) year certification updates for FR-D and CPR. Firefighters shall be expected to render aid to citizens in line with all Emergency Medical training and certification requirements. The Fire Department shall provide training and re-certification fees for designated FR-D personnel. Employees holding FR-D certification shall receive an allowance of Forty dollars (\$40.00) per month related to that certification. Firefighters provided or holding E.M.T. training within academy training programs since January 1, 1994 shall be required to maintain E.M.T.-D certification and receive an allowance of Seventy-five dollars (\$75.00) per month for payment of their total E.M.S. certifications. Other Firefighters holding EMT certification shall be eligible upon application to the Fire Chief to receive an allowance of Seventy-five dollars (\$75.00) per month for payment of their total E.M.S. certification. Such stipend shall not be cumulative as regards the Forty dollars (\$40.00) per month stipend provided to those individuals who hold only the FR-D level certification. The EMT stipend is not to be cumulative as regards to other EMS stipends provided within Section 12.7. Individuals receiving the EMT stipend shall be required to maintain EMT level certification through appropriate recertification processes.

Section 12.3 The parties further agree that the City shall make every reasonable attempt to provide and/or make available the quality assurance, continuing support and training that will result in and is required for an efficient and effective EMT program as well as providing similar support to the ALS/Paramedic program. The parties also agree that to facilitate and encourage the efforts of Firefighters who wish to voluntarily gain EMT, EMT-I and Paramedic level certification, the City and the Union shall cooperatively work to seek establishment, availability and continuation of such training through local accredited college programs.

Section 12.4 The City of Tulsa shall also provide additional academy level training for Firefighters volunteering for EMT certification and hired prior to January 1, 1994 who desire to initially become EMT certified, or to those who need recertification. Such initial EMT training openings shall be made available to these Firefighters to the extent possible as determined by the Fire Chief and based upon the resources and resource demands impacting the Fire Department and the Training Academy. The following factors in the order listed shall be utilized to determine the selection of volunteers for EMT training: (1) the available number of training openings which can be offered each year, (2) shift assignment (to ensure some consistency in coverage), and (3) seniority.

Section 12.5 The City shall provide for the payment of all levels of EMT certification (including paramedic certification) and re-certification fees for Tulsa Firefighters including approved refresher courses as required to maintain certification and clinical privileges. Any member holding an E.M.S. certification who has his/her clinical privileges suspended or revoked shall have their E.M.S. allowance terminated beginning the pay period following such suspension or revocation and continuing until such time as

evidence is properly provided to the Fire Chief which establishes that his/her clinical privileges and certification have been reinstated.

Section 12.6 The Fire Chief, acting upon the recommendation of the Labor/Management Committee and with Mayoral approval shall determine and establish the ALS program requirements, the number and placement of ALS engine companies, and designate those numbers of employees who are needed to provide staffing for department Advanced Life Support (ALS: EMT-I and Paramedic) emergency medical services. The parties agree that the minimum number of paramedics needed to provide staffing for the (current) five ALS Engine Companies in service as of July 1, 2004 is twenty-four (24) paramedics. The (current) maximum number of paramedics that may be accepted into the ALS program is fifty (50) paramedics, which is based on ten (10) paramedics per ALS Engine in service. In the future, each additional ALS Engine will require increasing the minimum number of paramedics needed to provide staffing for the ALS program by six (6) paramedics and increasing the ALS Program maximum number of paramedics by ten (10) paramedics. Employees who volunteer and are accepted by the Chief for such programs shall be placed on a 40 hour work week while taking necessary ALS training and have associated certification program costs and training provided by or through the Tulsa Fire Department. It is understood by the parties that individuals working within the Fire Paramedic role shall be subject to station/company relocation by the Chief or designee on a shift basis to various ALS Engine Companies as necessary to maintain coverage in each designated area. Factors (in order listed) which shall be included for selection decisions for this program shall be (1) the available number of openings determined by the Chief, (2) rank selection ratio, (3) paramedic preference (over EMT-I), (4) shift assignment and (5) seniority. Personnel will not be selected for this program if known to be within their last five years of employment. Additionally, individuals will only be selected within a rank selection ratio, which is not in excess of those personnel promotional rank ratios normally found in Tulsa Fire Department staffing.

Section 12.7 A paramedic stipend of five (5%) of the monthly base wage shall be provided to those designated individuals in the FD-01, FD-02, FD-03 ranks as well as Fire Department Training Academy personnel and EMS Officers who are selected to be within the Advanced Life Support (ALS-Fire Paramedic) program during their first four (4) years within the ALS program. A paramedic stipend of seven and one-half percent (7.5%) of their monthly base wage shall be provided to those designated individuals in the FD-01, FD-02, FD-03 ranks as well as Fire Department Training Academy personnel and EMS Officers who are selected to be within the Advanced Life Support (Fire Paramedic) program after four (4) years but prior to completion of eight (8) years within the ALS program. A paramedic stipend of ten percent (10%) of their monthly base wage shall be provided to those designated individuals in the FD-01, FD-02, FD-03 ranks as well as Fire Department Training Academy personnel and EMS Officers who are selected to be within the ALS program after completion eight (8) or more years within the ALS program. This stipend is not to be cumulative as regards other EMS stipends provided within Section 12.2. Individuals must hold a paramedic license and pass the paramedic

protocol test for Tulsa as administered by the Medical Control Board physician to be eligible for this stipend. EMT-I and Paramedic certification shall be considered equivalent based on approval of the Chief and Medical Control Board physician and, contingent upon such approval, shall receive the same stipend. The parties agree eligible individuals shall commence receipt of this stipend upon initiation of the actual program, which shall be considered to be the pay period in which the first Paramedic Training class is initiated. Individuals shall continue to receive this stipend while actively participating in the paramedic program and unless and until such time as the program is discontinued.

Section 12.8 Employees who have entered the ALS program prior to July 1, 2004 may elect to cease participation in the program provided that their departure does not cause the number of program participants to drop below the program minimum(s) per Section 12.6. If more than one participant requests to leave the program and if minimum staffing issues should arise, seniority will be the factor used to determine which participant will be allowed to leave the program to ensure minimum staffing is maintained. Effective July 1, 2004, individuals who enter the Fire Paramedic program shall be required to maintain their Paramedic or EMT-I certification for a minimum of nine (9) years. Additionally, employees hired with Paramedic (or EMT-I) certification will be subject to the same nine (9) year program requirement if assigned to the ALS program by the Chief. Designated individuals who enter and then drop out of the ALS/Paramedic programs after initial certification or fail to re-certify after obtaining initial certification shall lose their EMT-I or Paramedic Pay stipend and be in violation of these job requirements. This job requirement violation does not apply to employees who are determined to be medically or psychologically unable to perform Paramedic duties based on a qualified medical examination through the City Physician or through an appropriate medical referral, or those employees who are removed from Paramedic duties by the Fire Chief due to promotion or reassignment by the Fire Chief to an FD-04 position.

Section 12.9

A. The Hazardous Materials Response Team (HMRT) shall consist of personnel assigned to the Hazardous Materials Unit and the designated back-up company. All current and future members of the HMRT shall receive a HMRT pay stipend of five percent (5%) of their monthly base wage. Said stipend shall be effective immediately upon the employee's assignment.

B. The Hazardous Materials resource pool shall consist of one Captain, one Fire Equipment Operator, and three Firefighters on each of the three platoons for a total of fifteen (15) members. HMRT pool members may be available for permanent or temporary assignment to the HMRT when necessary due to a particular incident that requires their presence, when vacancies occur or as absences arise involving regular members assigned to the HMRT. Employees in the HMRT resource pool shall receive a HMRT pay stipend of five percent (5%) of their monthly base wage. Said stipend shall be effective immediately upon the employee's assignment.

C. Permanent vacancies that occur in the HMRT and the designated back-up company shall be filled in accordance with the following:

1. Notice of a HMRT opening shall be accomplished through transmission of an Administrative Message from the Fire Chief's office.
2. Employees desiring to fill the posted opening shall make written notice to the Fire Chief.
3. If more than one employee makes notice to fill the position, assignment determination shall be based on the following factors and in the preference order as listed:
 - (a) Most senior employee from the HMRT pool (who holds Hazardous Materials Certification).
 - (b) Most senior employee from the department at large holding Hazardous Materials Certification.
 - (c) Most senior employee within the department at large.
4. In the event no bid is received within thirty (30) days after posting, assigning a member of the HMRT pool shall temporarily fill permanent vacancies that occur in the HMRT and designated back-up company. Permanent assignment to the HMRT shall be the least senior member of the department holding the vacant rank. That employee shall temporarily be assigned to the Hazmat pool until he/she receives Hazardous Materials Technician training, normally not longer than ninety (90) days.

D. Openings that occur within the HMRT resource pool shall be filled in accordance with the following:

1. Notice of a pool opening shall be accomplished through transmission of an Administrative Message from the Fire Chief's office.
2. Employees desiring to fill the posted opening shall make written notice to the Fire Chief.
3. If more than one employee makes notice to fill the position, preference will be given to the employees who are trained and hold Hazardous Materials Certification. With all other criteria being equal the senior employee shall receive assignment to the resource pool.

4. In the event no bid is received within thirty (30) days after posting, the pool vacancy shall be filled by the least senior member of the department that is equal in rank to the vacant position and approved by the Fire Chief.

A. The parties agree that appropriate certification requirements of 29 CFR 1910.120 for working within the HMRT shall be the normal requirement of the Tulsa Fire Department. The International Fire Service Accreditation Congress (IFSAC) or an equal accreditation as jointly determined by the parties through the Labor/Management Committee (LMC) shall be utilized for training and certification of all HMRT and HMRT pool members.

Section 12.10 Employees in the rank of FD-03 who are assigned to an FD-04 position shall have additional lead/supervisory responsibilities after an initial sixty (60) day period within the new assignment. FD-03 employees shall rotate with other FD-03 Employees in serving as Lead officers of the assigned section and be responsible for Chief Officer duties as assigned during the absence of the section's Chief Officer. Said additional Lead/Supervisory duties shall be determined by the parties Labor/Management Committee. Employees holding the rank of FD-03 assigned to an FD-04 position shall receive an additional pay stipend of seven and one-half percent (7.5%) based on the employee's monthly base wage in the new position.

Section 12.11 FD-05 Employee's assigned to a seven (7) day work period shall receive an additional assignment stipend equal to seven and one-half percent (7.5%) of the employee's monthly base wage rate.