

October 29, 2014

Senator John A. Alario, Jr.  
President, Louisiana Senate  
P.O. Box 94183  
Baton Rouge, LA 70804  
[apa.senatepresident@legis.la.gov](mailto:apa.senatepresident@legis.la.gov)

Senator David Heitmeier  
Chairman, Health & Welfare Committee  
P.O. Box 94183  
Baton Rouge, LA 70804  
[apa.s-h&w@legis.la.gov](mailto:apa.s-h&w@legis.la.gov)

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Representative Chuck Kleckley  
Speaker of the House  
P.O. Box 94062  
Baton Rouge, LA 70804-9062  
[larep036@legis.la.gov](mailto:larep036@legis.la.gov)

Representative Scott M. Simon  
Chairman, Health & Welfare Committee  
P.O. Box 94062  
Baton Rouge, LA 70804-9062  
[apa.h-hw@legis.la.gov](mailto:apa.h-hw@legis.la.gov)

RE: La. R.S. 49:968D(1)(b) Report of Louisiana Emergency Response Network Board  
– Intent to Adopt LAC 48:I, Chapters 187 and 189

Gentlemen:

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et. seq.), the Louisiana Emergency Response Network Board intends to promulgate LAC 48:I.Chapters 187, Requirements for Stroke Center Recognition; §§18701 to 18709; and Chapter 189, Requirements for Louisiana STEMI Receiving/Referral Centers Recognition, §§18901 to 18907.

The Louisiana Emergency Response Network (LERN) is created by R.S. 40:2841-2846. La. R.S. 40:2846(A) authorizes the LERN board to adopt rules and regulations necessary to carry out the provisions of the Chapter. La. R.S. 40:2845(A)(7) authorizes the board to work with the Department of Health and Hospitals to develop stroke and ST segment elevation myocardial infraction (STEMI) systems that are designed to promote rapid identification of and access to appropriate stroke and STEMI resources statewide. This rule is being adopted in accordance therewith.

The Louisiana Emergency Response Network Board hereby submits the report required by La. R.S. 49:968(D)(1)(b) and announces its intention to proceed with rule-making by finalizing the June 20, 2014 Notice of Intent duly promulgated and published on page 1212 of Vol. 40.

One written comment was received from Stasha Rhodes, Louisiana Governmental Relations Director, American Heart Association, dated June 26, 2014. Written response to the comment was made, dated July 1, 2014. Both the comment and response are attached.

The comment revealed an error in the proposed rule. The Joint Commission was listed as a STEMI Center accrediting agency. The correct accrediting agency should have been listed as The American Heart Association Mission: Lifeline and the Society of Cardiovascular Patient Care (SCPC) or other LERN Board approved accrediting agency.

In response to the comment received by the Board, it was deemed appropriate to make substantiative changes to the proposed notice of intent to correct the incorrect designation of STEMI accrediting agency.

Public notice of these substantive changes was published in the September 20, 2014 edition of the State Register, Vol. 40, at p. 1848. Pursuant to La. R.S. 49:968(H)(2), the board scheduled a hearing on October 28, 2014, to receive comments on the proposed changes. The board received no oral or written comments, and no one attended the scheduled hearing.

Subject to legislative oversight by either the House or Senate Health and Welfare Committee, LERN intends to submit a Rule to the Office of the State Register for publication.

If you have any questions, please contact me.

Very truly yours,

LOUISIANA EMERGENCY RESPONSE  
NETWORK BOARD

PAIGE HARGROVE, Executive Director

PH/tsc  
Enclosures



**Greater Southeast Affiliate**  
Alabama, Florida, Georgia, Louisiana,  
Mississippi, Puerto Rico, Tennessee

2644 S. Sherwood Forest  
Baton Rouge, LA 70816  
770-612-6173  
www.heart.org

June 26, 2014

Paige Hargrove, Executive Director, Emergency Response Network  
Louisiana Department of Health and Hospitals  
14141 Airline Hwy, Suite 1  
Baton Rouge, Louisiana

Dear Ms. Hargrove:

Please accept this letter as formal comment from the American Heart Association on the proposed rule related to Stroke and STEMI centers recognition, *LAC 48:1 Chapters 187 and 189*.

It has been a pleasure working with Louisiana Emergency Response Network (LERN) on this very important issue. Heart Disease and Stroke are the leading causes of death. Nearly 250,000 Americans experience STEMI, the deadliest form of heart attack, each year.

The American Heart Association fully supports the intent of the proposed rule to develop Stroke and STEMI systems of care that promote rapid identification of and access to appropriate stroke and STEMI resources statewide. Our recommendations seek to strengthen those efforts:

- Currently, section **18703: A-1**, lists The Joint Commission as a Stroke approving agency. We understand that LERN has the authority to approve additional stroke approving agencies in the future, and suggest that that authority be allowed to continue without having to go through the rulemaking process.
- Moreover, under section **18903: A-1** The Joint Commission is listed as a STEMI center accrediting agency. The correct accrediting agency should be listed as the American Heart Association and the Society of Cardiovascular Patient Care (SCPC).
- The concept of a successful state system of care is based on the collection of data. The American Heart Association highly recommends that a Data Registry

such as *Get With The Guidelines* be utilized and included in the regulation for a comprehensive system of care in Louisiana.

- Finally, the ability to allow EMS to establish transportation protocol is essential to a STEMI and Stroke system of care. AHA would recommend that section 18709 be changed to “EMS will follow established Destination Protocols for both STEMI (established August 2012) and Stroke established November 2013) when developing a plan to transport their patients.”

The American Heart Association applauds LERN for making both Stroke and STEMI care a state priority in Louisiana. This recognition will ensure that the most highly specialized treatment is received by those who experience a STEMI heart attack or stroke, increase access to hospitals for heart attack and stroke care, give hospitals the opportunity to be recognized as facilities that can give life-saving diagnosis and treatment, and foster better outcomes for those who experience heart attacks and stroke in the state of Louisiana.

Please know that we remain committed to being actively engaged in this effort. We look forward to a continued partnership with implementing this regulation. Please feel free to contact me with any comments or questions at 985-414-9743.

Sincerely,

Stasha Rhodes  
Louisiana Government Relations Director  
American Heart Association



July 1, 2014

Dear Ms. Rhodes,

Thank you for the comments and support for the rule related to Stroke and STEMI center recognition. My responses to the American Heart Association's recommendations are:

- Section **18703: A-1** was intentionally written to allow the LERN Board to accept additional accrediting bodies as deemed acceptable and appropriate. The language specifically states "or other board approved accrediting/certification body approved by LERN".
- Section **18903: A-1** is inaccurate. I am working with the editor at the Office of the State Registrar to list the correct language in the potpourri section of The Register. The correct language is, "*A hospital seeking STEMI Center recognition will submit an affidavit of the hospital CEO to LERN detailing compliance with LERN Approved STEMI Receiving center requirements. Those hospitals which submit a copy of certification by a LERN-recognized organization such as The American Heart Association Mission:Lifeline, Society of Cardiovascular Patient Care or other LERN approved accrediting/certification body shall be assumed to meet the requirements for recognition.*" This correction will be noted in the July edition of the Louisiana Register in the *Potpourri* section.
- The Louisiana Emergency Response Network agrees strongly in the value of data in the development of a system of care for stroke in the state. For this reason, data collection is a requirement for Level III stroke centers. Number 12 specifically states, "*Quality of stroke care demonstrated by involvement in quality control program such as American Stroke Association Get With the Guidelines or submission of data to LERN that indicates compliance with CMS Stroke Core Measures*". In the LERN system, Level I and Level II Centers demonstrate quality of care by maintaining certification through the Joint Commission or HFAP.

14141 AIRLINE HIGHWAY BUILDING ONE, SUITE B BATON ROUGE, LA 70817

O.225.756.3440 F.225.756.3429 LERN.la.gov

EXECUTIVE COMMITTEE

John P. Hunt, MD – *Chairman of the Board*  
William T. Freeman, MD – *Vice Chairman*  
Peter Sullivan – *Treasurer of the Board*

Norman E. McSwain Jr., MD  
*Immediate Past Chairman of the Board*

Coletta C. Barrett, RN, FACHE  
*Executive Board Member*

Jimmy Guidry, MD – *Executive Board Member*

Tracy Wold – *Executive Board Member*

Paige Hargrove, BSN, RN – *LERN Executive Director*

BOARD MEMBERS

Hon. Regina Ashford-Barrow  
Patrick C. Breaux, MD

Hon. Sherri Smith Buffington  
Billy Conerly

John T. Daily, JD, MPA, FACHE  
Kevin Davis

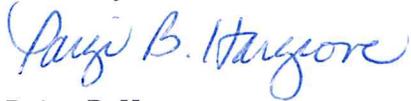
Joel Eldridge, DO  
Craig C. Green, MD  
Michael Hulefeld  
Tomas H. Jacome, MD  
Danita Leblanc  
Fred Martinez

Hon. Karen Gaudet-St. Germain  
Carl J. Varnado, Jr.  
Hon. Mack "Bodi" White, Jr.  
Kristin Whitty, RN  
Christopher W. Wroten, OD  
Michele Zembo, MD, MBA

- In response to the suggestion to change section 18709: We do not have authority under the law to require EMS to follow LERN's protocols. We actively educate our EMS providers on the importance of system development and transport to the most appropriate definitive care hospitals. We also stress the limitation of liability afforded to providers who specifically act in accordance with protocols adopted and promulgated by the Louisiana Emergency Response Network Board for the transport of trauma and time-sensitive ill patients (La. R.S. 9:2798.5)

Thank you again for this feedback and for the support you have given us over the years as we work to develop STEMI and Stroke Systems for the state of Louisiana.

Sincerely,



Paige B. Hargrove  
Executive Director  
Louisiana Emergency Response Network