

## NOTICE OF SUMMARY SUSPENSION AND PROPOSED REVOCATION

June 22, 2000

Mr. Ricardo Vega

Re: Notice of Summary Suspension and Proposed Revocation:  
New Jersey EMT Certification  
Investigation Control #00-C-080

Dear Mr. Vega:

The New Jersey Department of Health and Senior Services is vested with the responsibility of carrying out the provisions of the Health Care Facilities Planning Act, N.J.S.A. 26:2H-1, et seq., which was enacted, in part, to ensure that all hospital and related health care services rendered in the State of New Jersey are of the highest quality. As defined at N.J.S.A. 26:2H-2b, health care services include any pre-hospital care rendered by paramedical and ambulance services. In furtherance of the objectives set forth in the statute, the Department of Health and Senior Services has adopted regulations that govern the training and certification of the Emergency Medical Technicians (EMTs), such as yourself, who staff those paramedical and ambulance services. See, N.J.A.C. 8:40A-1.1, et seq.

On March 31, 2000 staff of this Department's Office of Emergency Medical Services (OEMS) received a complaint, alleging that you had been impersonating an EMT while employed by Nationwide Ambulance Service. In response to that complaint, on June 7, 2000, GEMS staff conducted an audit at Nationwide Ambulance Service's offices in Woodbridge, New Jersey. As a result of that audit, it has come to my attention that you did, in fact, act in the capacity and perform the services of an EMT on March 7, March 10, March 17, March 18, March 21, March 23, March 25, March 30 and March 31, 2000.

As you should be aware, pursuant to N.J.A.C. 8:40-3.7(c), each person who provides patient care as part of any ambulance or mobility assistance vehicle service licensed under N.J.A.C. 8:40-1.1 et seq. shall possess a license, registration, certification or training certificate valid in the State of New Jersey for the type or level of patient care he or she is providing. No person shall be allowed to provide a type or level of patient care beyond the level he or she is lawfully eligible to provide in the State of New Jersey. As you are well aware, this office did not certify you as an EMT until May 3, 2000. As such, your actions during the period from March 7 through March 31, 2000 were clearly unlawful.

In addition, it has been further revealed that your employment with Nationwide Ambulance Service was terminated effective on or about April 11, 2000, as a result of your alleged involvement in the theft of a wallet from an employee at a nursing home while on duty for Nationwide.

As the agency responsible for certifying EMTs, it is this Department's obligation to ensure the health and safety of the public with whom you may come into contact. If there is any justifiable reason for this Department to believe that your continued certification as an EMT is not in the public's best interest, it is my obligation to initiate proceedings for the immediate suspension and revocation of that certification. Specifically, N.J.A.C. 8:40A-9.5(c), in relevant part, holds:

"The Commissioner or his or her designee may summarily suspend an EMT certification where the continued certification of an individual poses an immediate threat to the health, safety or welfare of the public."

Based on the knowledge and information that I have at this time, including a copy of the Summons and Complaint issued by the Woodbridge Police Department and OEMS certification records, I believe that in accordance with the intent of N.J.A.C. 8:40A-9.5(c), there is sufficient cause to warrant a summary suspension of your EMT certification at this time. Therefore, please be advised that your New Jersey EMT certification is immediately suspended. In addition, please be advised that you may not, under any circumstances, act in the capacity of or perform the duties of an EMT anywhere within the State of New Jersey during this period of suspension. Pursuant to N.J.A.C. 8:40A-9.5(c), you are entitled to appeal to the Commissioner of Health and Senior Services for an expedited hearing before the Office of Administrative Law to contest this summary suspension. If the summary suspension is upheld at the Office of Administrative Law, you have the right to apply for injunctive relief in the Superior Court of New Jersey.

Your appeal for an expedited hearing on this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. Please include the control number noted above (i.e., #00-C-080) on your correspondence, and forward your request to:

New Jersey Department of Health & Senior Services  
Office of Legal & Regulatory Affairs  
P.O. Box 360, Room 805  
Trenton, NJ 08625-0360  
Attn: Mrs. Carole Slimm

Furthermore, pursuant to N.J.A.C. 8:40A-9.5(a), the Department may suspend, revoke or refuse to issue or reissue the certification of any EMT for any of the following reasons:

2. Deceptive or fraudulent procurement of certification or recertification credentials and/or documentation;
3. Willful or negligent practice beyond the scope of practice as defined by the program curriculum and Chapter 40A;
11. Failure to comply with any part of this chapter;
12. Conviction of a crime or a violation of any part of Chapter 14 of the Criminal Justice Code (N.J.S.A. 2C:14-1 et seq.); and/or
18. Any conduct which poses a threat to public health, safety or welfare.

Therefore, in accordance with N.J.A.C. 8:40A-9.5(a)2, 3, 11, 12 and 18, it is the intent of this Department to revoke your New Jersey EMT certification, thereby rendering you ineligible to practice as an EMT within the State of New Jersey. Pursuant to N.J.S.A. 52:1413-1, et seq. and N.J.A.C. 8:40A-9.5(b), you are entitled to a hearing before the Office of Administrative Law to contest this proposed revocation. Your request for a hearing on this matter must be submitted in writing within 30 days from the date of this Notice, and must be accompanied by a response to the charges contained herein. In the event that you request a hearing, you shall retain your EMT certification until such time as the hearing has been concluded and a final decision has been rendered. The summary suspension being imposed today, however, shall continue to remain in effect until a final decision has been rendered with respect to the proposed revocation.

Finally, please note that failure to submit a request for a hearing by July 21, 2000 shall result in the automatic revocation of your New Jersey EMT certification, effective 12:00 a.m. on July 22, 2000. If you have any questions concerning this matter, please do not hesitate to contact Mr. James Mondoro, Case Investigator, OEMS at (609) 633-7777.

Sincerely,  
Gerard C. Muench, Jr., MPA, MICP  
Director  
Office of Emergency Medical Services  
c: Mrs. Slimm, L&RA  
Ms. Barreto, DAG  
Ms. Halupke, GEMS  
Mr. Dinetz, GEMS  
Mr. Mondoro, OEMS

Mr. Lord, GEMS  
Ms. Saunders, OEMS

CERTIFIED MAIL #  
RETURN RECEIPT REQUESTED

NOTICE OF REVOCATION

July 26, 2000

Mr. Ricardo Vega

Re: Notice of Revocation of EMT Certification  
Investigation Control #00-C-080

Dear Mr. Vega:

By Notice dated June 22, 2000 you were advised that this Department was proposing to revoke your certification to practice as an Emergency Medical Technician (EMT) within the State of New Jersey. A copy of that Notice is attached hereto.

You were also advised that if you planned to contest the proposed revocation, you were required to submit a written request for a hearing, and that failure to submit such a request within 30 days (i.e., by July 21, 2000) would result in the automatic revocation of your EMT certification, effective July 22, 2000.

Having not received such a request, please be advised that effective July 22, 2000, your certification to practice in New Jersey as an EMT was and is hereby revoked. Finally, please be advised that notice of this revocation will be sent to The National Registry of Emergency Medical Technicians.

If you have any questions, please contact Mr. James Mondoro, Supervisor of Advanced Life Support Services and Enforcement, Office of Emergency Medical Services at (609) 633-7777.

Sincerely,  
Gerard C. Muench, Jr., MPA, MICP  
Director  
Office of Emergency Medical Services

c: Mr. Mondoro, OEMS  
Ms. Halupke, OEMS  
Mr. Dinetz, OEMS

Mr. Lord, OEMS  
Ms. Saunders, OEMS

Enclosure

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