

February 18, 2000

Mr. Steven Catena

Re: Notice of Summary Suspension of EMT-Basic Certification
Investigation Control #00-C-034

Dear Mr. Catena:

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 February 9, 2000 staff of this Department's Office of Emergency Medical Services (OEMS) received a letter calling to our attention the fact that on June 4, 1999, you were indicted in the Superior Court of New Jersey, Monmouth County on one count of child welfare endangerment (Case #990901732). Specifically, it is alleged that while serving as a substitute teacher at Keansburg High School, you acted inappropriately when you wrapped one of your students in butcher paper and masking tape and then encouraged other students to take the incapacitated student into a rest room and dunk his head into a toilet.

Based on the facts as we know them today and in light of the indictment noted above, I believe that, in accordance with the intent of N.J.A.C. 8:40A-9.6(c), there is sufficient information at this time to warrant a summary suspension of your EMT-Basic certification. In the event that you are not familiar with the above-referenced regulation, N.J.A.C. 8:40A-9.6(c), in relevant part, states:

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

Therefore, in accordance with N.J.A.C. 8:40A-9.6(c), your certification as an EMT-Basic is immediately and summarily suspended pending the outcome of Case #990901732, which is currently pending in the Superior Court of New Jersey, Monmouth County. You may not, under any circumstances, act in the capacity of or perform the duties of an EMT during this period of suspension. Please be advised that by copy of this letter, we are also

notifying the EMS services that you serve (i.e., MONOC and Keansburg First Aid Squad) of this summary suspension.

Pursuant to N.J.A.C. 8:40A-9.6(c), you are entitled to appeal to the Commissioner of Health & 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-034) 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

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: Mr. Goldstone, MONOC
Keansburg First Aid Squad
Mrs. Slimm
Ms. Barreto, DAG
Ms. Halupke, GEMS
Mr. Dinetz, OEMS
Mr. Mondoro
Ms. Saunders, OEMS

CERTIFIED MAIL
RETURN RECEIPT REQUESTED