



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

OFFICE OF EMERGENCY MEDICAL SERVICES

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JAMES E. MCGREEVEY
Governor

CLIFTON R. LACY, M.D.
Commissioner

September 24, 2002

Mr. Anthony McElhaney

Dear Mr. McElhaney:

This letter is to clarify the CEASE AND DESIST IMPERSONATION OF A CERTIFIED NEW JERSEY EMERGENCY MEDICAL TECHNICIAN-BASIC Order that was issued to you on January 25, 2002. On January 11, 2002 you were found to be staffing a United II Care basic life support ambulance at Clara Maass Medical Center in Belleville, New Jersey. When asked to produce your certification credentials, you were unable to produce a valid emergency medical technician certification. A review of OEMS records showed that your New Jersey Emergency Medical Technician-Basic certification had expired on June 6, 2001.

After finding that you were staffing a United II Care ambulance while not certified, an audit of United II Care was conducted. That audit revealed that you had been working steadily since your certification had expired June 30, 2001. Recertification requirements include completing 48 hours of continuing education credits, in order to recertify as an EMT-B. OEMS records indicate you had completed only 8 of the required 48 hours of continuing education credits, so you never renewed your EMT-B certification.

Since you were not certified and impersonating an emergency medical technician-basic, you were issued the order to stop your false presentation of being a certified emergency medical technician-basic. Additionally, in accordance with N.J.A.C. 8:40A-9.5 (a) The Department may suspend, revoke, or refuse to issue or reissue any certification of any EMT, FR-D, or EMT-D for any of the following reasons:

11. Failure to comply with any part of this chapter;
16. Failure to maintain New Jersey EMT certification;

Based on the amount of time you continued to function in the capacity as an emergency medical technician-basic knowing you were not certified, the fact that you had attained only 8 of the required 48 continuing education credits to maintain your certification, and the fact that you falsely represented yourself as a certified emergency medical technician-basic, you have been barred from being issued any future certification. Working as an uncertified EMT-B, you jeopardized public health and safety, and endangered the lives of the patients you treated.

In accordance with N.J.S.A. 26:2H-16, failure to comply with the Order issued January 25, 2002 may result in action by this Department for injunctive relief in the

Superior Court of New Jersey. The Order issued January 25, 2002 in addition to being barred from future certification, constitutes a final agency decision. As such, pursuant to New Jersey Court Rule 2:23, should you choose to contest this decision, your right to appeal rests with the Superior Court of New Jersey, Appellate Division.

This should clarify the actions taken by the department. If you should still have any questions, feel free to contact me.

Sincerely,

Susan Way, Director
Office of Emergency Medical Services

cc: Mr. Dougan, OEMS
Ms. Halupke, OEMS
Mr. Clawson, OEMS
Mr. Carter, OEMS

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AND CERTIFIED MAIL #
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