

Mr. Gerard Goebel

Re: **Notice of Summary Suspension of EMT-Paramedic Certification**
Investigation Control # 02-C-023

Dear Mr. Goebel:

The New Jersey Department of Health and Senior Services is vested with the responsibility of carrying out the provisions of N.J.S.A. 26:2K-7, et seq., which govern the provision of advanced life support services within the State of New Jersey. This law establishes a scheme that permits certain individuals, once certified, to perform advanced life support 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 advanced life support personnel such as yourself. See, N.J.A.C. 8:41-1.1, et seq.

On May 9, 2002, the Office of Emergency Medical Services received notice via a copy of an article published in the Star Ledger dated April 30, 2002 indicating that you were arrested by the Union County Prosecutor's Office, High Tech Task Force on April 29, 2002 on charges of transmitting child pornography on your computer. A subsequent request for information regarding the published report was made to the Union County Prosecutor's Office who confirmed that you were charged with three separate counts. These include:

1. Distribution of child pornography via the internet;
2. Attempting to engage in sexual conduct with someone who you believed to be a child under the age of 16; and
3. Attempting to distribute obscene material over the internet to someone you believed to be a child under the age of 18.

As the agency responsible for certifying EMT-Paramedics, 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-Paramedic poses a threat to the public health and safety, it is our obligation to initiate proceedings for the immediate suspension of that certification. Specifically, N.J.A.C. 8:41-4.18(d), in relevant part, states:

“A pre-hospital ALS provider may be suspended by the Department during the course of an investigation of allegations, if the Department demonstrates that the public safety and health require such an interim suspension.”

Based on the knowledge and information that I have at this time, and in accordance with the intent of N.J.A.C. 8:41-4.18(d), I believe that it is in the best interest of the public health, safety and welfare to summarily suspend your certification. Therefore, please be advised that **your certification as an EMT-Paramedic is immediately suspended** and shall remain suspended pending the outcome of OEMS’s investigation into this matter. It is my understanding that your employment at St. Joseph’s Hospital and Medical Center has been terminated, and that you have also been suspended from your position at Newark Beth Israel Hospital pending the outcome of the Union County Prosecutor’s office investigation into this matter. That said, please be advised that you may not, under any circumstances, act in the capacity of or perform the duties of an EMT-Paramedic or EMT-Basic with any basic or advanced life support program in New Jersey during this period of suspension. You will be notified when OEMS has completed its investigation into this matter, at which time you will be advised what action(s), if any, will be taken with respect to your EMT-Paramedic certification.

In accordance with N.J.A.C. 8:41-4.18(d) and N.J.A.C. 8:41:1-12.6, you are entitled to appeal to the Commissioner of Health and Senior Services for emergent relief (i.e., 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 request for an expedited hearing before the Office of Administrative Law must be submitted in writing and must be accompanied by a response to the charges contained herein. Please include the control number (i.e., # 02-C-023) 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 Ms. Karen Halupke, Chief, Emergency Care Monitoring, OEMS at (609) 633-7777.

Sincerely,

James S. Blumenstock
Senior Assistant Commissioner
Public Health Protection & Prevention Programs

c: Mrs. Slimm, L&RA
Mr. Charles McSweeney, OEMS
Ms. Karen Halupke, OEMS
Mr. Victor Carter, OEMS
Ms. Anne Frawley, Assistant Prosecutor, Union County Prosecutor’s Office

REGULAR U.S. MAIL AND
CERTIFIED MAIL #
RETURN RECEIPT REQUESTED