

March 18, 2005

Mr. Ed Saiauskie  
Keystone Quality Transport  
1260 East Woodland Avenue  
Springfield, PA 19064

Re: **Order to Cease and Desist**  
**Operating an Unlicensed Specialty Care Transport Service**  
Investigation Control #05-B-033

Dear Mr. Saiauskie:

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 delivery of advanced life support services within the State of New Jersey. This law establishes a scheme that permits a provider, once approved, to develop and maintain a specialty care transport service and to provide advanced life support services using licensed physicians, registered nurses trained in advanced life support and certified Emergency Medical Technician-Paramedics (EMT-Ps). In furtherance of this statutory scheme, the Department of Health and Senior Services (the Department) has adopted regulations that govern the administration and operation of these specialty care transport services (SCTS). These regulations are set forth in their entirety at N.J.A.C. 8:41-1.1, et seq.

It has come to the attention of this Department's Office of Emergency Medical Services (OEMS) that your organization is providing Specialty Care Transportation for St. Christopher Hospital's retrieval team. Specifically, Keystone Quality Transport (Keystone) provided advanced life support SCTS to patients originating in New Jersey on the following dates: August 2, 6, 8, 9, 12, 13, 14, 15, 18, 21 and 25, 2004; September 13 and 24, 2004; October 30, 2004; November 1 and 5, 2004; December 3 and 21, 2004; January 2 and 20, 2005; and, February 3, 2005. Keystone is not licensed as a Specialty Care Transportation Service in the State of New Jersey.

8:41-10.1(b) states that, "No person, public or private institution, agency, entity, corporation or business concern shall provide specialty care transport services in any form or manner or utilize any vehicle as an SCTU within the State of New Jersey until licensed by the Department."

8:41-12.5(a) states that, “Consistent with [N.J.A.C. 8:41-9.1](#), 10.1 and 11.1, no person, public or private institution, agency, entity, corporation, acute care hospital or business concern shall operate a mobile intensive care program, specialty care transport service or air medical service within the State of New Jersey until licensed by the Department.

1. Upon notice or discovery that a person, public or private institution, agency, entity, corporation, acute care hospital or business concern is providing mobile intensive care, specialty care transport and/or air medical services without having first obtained the required provider and vehicle licenses, after revocation or suspension of a license previously issued by the Department or after having allowed an existing license to lapse, the Commissioner or his or her designee may issue an order directing the operation of the unlicensed service to immediately cease and desist.

i. Failure to comply with an order to cease and desist may result in an action by the Department for injunctive relief in the Superior Court of New Jersey.

ii. The order to cease and desist shall constitute a final agency decision. As such, pursuant to [New Jersey Court Rule 2:2-3](#), any appeal from the Commissioner's order to cease and desist shall be filed with the Superior Court of New Jersey, Appellate Division.”

Therefore, you are hereby **ordered to immediately CEASE AND DESIST** providing Specialty Care Transport Services. Failure to abide by this order to cease and desist may result in additional fines and penalties as provided for by law.

This order to cease and desist shall constitute a Final Agency Decision. As such, pursuant to [New Jersey Court Rules 2:2-3](#) and 2:4-1, you may appeal from this Final Agency Decision within 45 days to the following authority:

New Jersey Superior Court-Appellate Division  
Richard J. Hughes Justice Complex  
P.O. Box 006  
Trenton, New Jersey 08625-0006

If you have any questions, please do not hesitate to contact Mr. Samuel Stewart of my office at (609) 633-7777.

Sincerely,

Karen Halupke, RN, MEd  
Director

c: Michele Stark, OLRA  
David Gruber, Assistant Commissioner  
Samuel Stewart, Esq., OEMS  
Charles McSweeney, OEMS  
Don Roberts, OEMS

SENT VIA REGULAR U.S. MAIL AND CERTIFIED MAIL #7002 2410 0003 3470 5811  
RETURN RECEIPT REQUESTED