



State of New Jersey
DEPARTMENT OF HEALTH AND SENIOR SERVICES
OFFICE OF EMERGENCY MEDICAL SERVICES
PO BOX 360
TRENTON, N.J. 08625-0360

JON S. CORZINE
Governor

www.nj.gov/health

FRED M. JACOBS, M.D., J.D.
Commissioner

October 16, 2006

Mr. Rusver Correa

Re: **Order to Cease and Desist Impersonating a Certified New Jersey
Emergency Medical Technician-Basic**
Investigation Control # 05-C-071

Dear Mr. Correa:

The New Jersey Department of Health and Senior Services (hereafter, "Department") 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 (EMT-Bs) who staff those paramedical and ambulance services. See N.J.A.C. 8:40A-1.1, et seq.

It has come to the attention of this Department's Office of Emergency Medical Services (OEMS) that you have impersonated an EMT-B while working for Aero Ambulance Service. On or about December 29, 2004, management from Aero Ambulance faxed a copy of your EMT-B card from their personnel files to OEMS for certification validation. The copy indicated an expiration date of December 31, 2004. A review of OEMS records revealed that you have never been certified as an EMT-B. In fact, you failed the EMT-B certification examination eight times. In addition, OEMS has confirmed that you are not certified through the National Registry of EMTs or by any state or jurisdiction whose EMT-B certifications are recognized or reciprocated in the State of New Jersey.

On January 6, 2005, OEMS investigators met with management from Aero Ambulance at their place of business in Hackensack, New Jersey to inform them that you are not a certified EMT-B. A review of your personnel file revealed that you presented a fraudulent EMT-B certification card to the management of Aero Ambulance with your employment application at your time of hire in October 2001.

OEMS investigators returned to Aero Ambulance on January 7, 2005 to interview you regarding your fraudulent EMT-B certification card. During the interview, you admitted creating the fraudulent EMT-B certification card. You stated that you scanned your brother's valid EMT-B certification card and produced a fraudulent certification card bearing your name, address and identification number. A survey of Aero Ambulance's records revealed that you staffed an ambulance from October of 2001 through December of 2004. A small sampling of patient care reports, which do not fully represent each day that you actually staffed an ambulance, were obtained. These reports showed that you acted in the capacity of an EMT-B a minimum of 67 days in the years 2001 through 2004.

N.J.A.C. 8:40A-10.4(a) states, in relevant part, that, "No person shall impersonate, refer to himself or herself as, act in the capacity of or perform the duties of, an EMT-Basic or EMT-Instructor unless he or she is certified or recognized by the Department in accordance with the standards set forth in this chapter.

1. Upon notice or discovery that a person is impersonating, referring to himself or herself as, or acting in the capacity of an EMT-Basic without having first obtained the required EMT-Basic or EMT-Instructor certification or recognition or after revocation of an EMT-Basic or EMT-Instructor certification previously issued by the Department, the Commissioner or his or her designee may issue an order directing that person to immediately cease and desist."

N.J.A.C. 8:40A-10.4(a)2 states, in relevant part, that, "In addition to the issuance of an order to cease and desist, the Commissioner or his or her designee may:

i. Impose a monetary penalty in the amount of \$200 per calendar day for each day that a person is found to have impersonated, referred to him or herself as, or acted in the capacity of, an EMT-Basic or EMT-Instructor;

ii. Refuse to issue or renew any subsequent EMT-Basic and/or EMT-Instructor certifications."

Therefore, you are hereby ordered to immediately CEASE AND DESIST any further representations that you are a certified New Jersey EMT-Basic. You are also prohibited from future certification as a New Jersey EMT-Basic as well as having EMT-Basic privileges in New Jersey. Although you profited from your impersonation of an EMT-B over a course of more than three years, taking into consideration the fact that you admitted your wrongdoing, appeared to be remorseful, took responsibility for your actions, and indicated in your written confession that you have a limited ability to pay a

monetary penalty, the Department has determined that a reduced penalty is appropriate in this case. Therefore, you are hereby assessed a penalty of \$200. Additionally, you are hereby ordered to immediately surrender any and all invalid and/or fraudulent certification credentials in your possession to the Office of Emergency Medical Services. Failure to abide by this order to cease and desist may result in additional fines and penalties as provided for by law.

A certified check or money order in the amount of \$200 made payable to "Treasurer, State of New Jersey," must be submitted within 30 days from the date of this Notice. In accordance with N.J.S.A. 26:2H-16 and N.J.A.C. 8:40A-10.2(f)3ii, failure to pay this penalty may result in a summary civil proceeding in the Superior Court of New Jersey pursuant to the Penalty Enforcement Law (N.J.S. 2A:58-1, et seq.), refusal by the Department to issue or renew a license and/or any such other action as authorized by law. Payment should be forwarded to:

New Jersey Department of Health & Senior Services
Office of Emergency Medical Services
P.O. Box 360
Trenton, NJ 08625-0360
Attn: Ms. Karen Halupke

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 contact Mr. Samuel Stewart of my office at (609) 633-7777.

Sincerely,



Karen Halupke, R.N., M.Ed.
Director
Emergency Medical Services

c: David Gruber, Senior Assistant Commissioner,
Health Infrastructure Preparedness and Emergency Response
Joseph Tricarico, Jr., Assistant Commissioner,
Health Infrastructure Preparedness Bureau

Michele Stark, OLRA
✓ Samuel Stewart, Esq., OEMS
Charles McSweeney, OEMS
Donald Roberts, OEMS
Kenneth Beym, OEMS
David Gato, President, Aero Ambulance Services
National Registry of EMT's

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