



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

RICHARD J. CODEY
Acting Governor

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

www.nj.gov/health

October 26, 2005

Mr. Kevin Sheets

Re: **Notice of Summary Suspension:**
EMT-Basic Certification
Investigation Control # 05-C-081

Dear Mr. Sheets:

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. These laws establish a scheme that permits certain individuals, once certified, to perform basic life support (BLS) services. In furtherance of the objectives set forth in the statutes, the Department of Health and Senior Services (the Department) has adopted regulations that govern the training, certification and professional conduct of EMT-Basics. See N.J.A.C. 8:40A-1.1, et seq.

On February 24, 2005, the Department's Office of Emergency Medical Services (OEMS) received a complaint that you plead guilty to possession of child pornography in Pennsylvania. OEMS initiated an investigation in response to the complaint. OEMS staff interviewed you at the Office of Emergency Medical Services on April 19, 2005.

During the interview, you stated that on or about July 16, 2004, you were vacationing at Knoebels Amusement Park and Camp Ground in Elysburg, Pennsylvania. At some point during your stay, you went to use the bathroom. While in the bathroom, you positioned a digital camera into an adjacent stall and filmed four or five different persons using the facilities before you were caught and arrested by Locust Township Police.

Subsequent investigation revealed that your camera contained video clips of two very young females in a state of undress while using the restroom. In addition, your camera contained two other video clips depicting two older females in a state of undress while using the restroom. The District Attorney of Columbia County charged you with Sexual Abuse of Children, a felony of the third degree, in violation of 18 PA. C.S.A. 6312(d)(1); Two counts of Disorderly Conduct, a misdemeanor of the third degree, in violation of 18 PA. C.S.A. 5503(a)(4); Two counts of Invasion of Privacy, a misdemeanor of the second degree, in violation of 18 PA. C.S.A. 7507(1)(a), and; One count of Obscene or Other Sexual Materials and Performances, a misdemeanor of the first degree, in violation of 18 PA. C.S.A. 5903(a)(3).

On December 2, 2004, you plead guilty to Sexual Abuse of Children and two counts of Invasion of Privacy. On September 23, 2005, you were sentenced to Columbia County Prison for an indeterminate period of not less than eight nor more than eighteen months, beginning on August 29, 2005, and \$500 in fines and \$100 in restitution. Further, upon release, you were ordered to comply with Megan's Law requirements as they apply to your case, for a registration period of ten years. Finally, during your period of parole you shall not be employed at or participate in regularly in places or conditions that give you contact with minors under the age of 18.

N.J.A.C. 8:40A-10.2(a) states that, "The Commissioner, or his or her designee, may summarily suspend a person's EMT-Basic and/or EMT-Instructor certification when, in his or her opinion, the continued certification of that person poses an immediate or serious threat to the public health, safety or welfare."

Because of the seriousness of the crimes to which you have plead guilty and the need to protect the public from emergency medical services providers who have plead guilty to sexual abuse of children, the Department finds that your continued certification as an EMT-Basic constitutes an immediate and serious threat to the health, safety, and welfare of the public. **Therefore, your certification as an EMT-Basic is immediately suspended and shall remain suspended indefinitely.** You may not, under any circumstances, act in the capacity of or perform the duties of an EMT-Basic in New Jersey during this period of suspension. In accordance with N.J.A.C. 8:40A-7.1(f), certification cards are the property of the Department and shall be immediately surrendered upon demand. You are hereby directed to immediately surrender your EMT-Basic certification card to OEMS, either by U.S. mail to the address on the first page of this Notice or by personal delivery to OEMS at Capital Center, 50 E. State Street, 6th Floor, Trenton, N.J. 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-Basic certification.

Pursuant to N.J.A.C. 8:40A-10.3(a), you have the right to appeal to the Commissioner of Health and Senior Services for an emergent 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 emergent 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 05-C-081 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: Ms. Michele Stark

If you have any questions concerning this matter, please do not hesitate to contact Mr. Samuel Stewart, OEMS Regulatory Officer, at (609) 633-7777.

Sincerely,



Karen Halupke, RN, M. Ed.
Director
Emergency Medical Services

c: National Registry of EMTs
Rural America Emergency Medical Services
Franklin Township EMS in Warren County
David Gruber, Assistant Commissioner
Ruth Charbonneau, OLRA
Robert Dinetz, OEMS
Charles McSweeney, OEMS
Mike Reilley, OEMS

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