



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

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

www.nj.gov/health

February 8, 2006

Mr. Jefferson Pinos

Re: **Order to Cease and Desist Impersonating a Certified New Jersey
Emergency Medical Technician-Basic**
Investigation Control #05-C-090

Dear Mr. Pinos:

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. 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 Technician-Basics (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-Basic (EMT-B) while working for Friendly Care Medical Transport. Specifically, on August 17, 2004, while conducting spot checks at the Trinitas Hospital in Elizabeth, New Jersey, staff from OEMS observed you staffing a Friendly Care Medical Transport ambulance. You represented yourself as an EMT-B by wearing clothing with an EMT-B patch on the left shoulder. When the investigator requested your credentials you were unable to produce an EMT-B certification card. You indicated that you had received your "diploma". You were advised the diploma indicated you completed the course and were eligible to test for your certification. An extensive review of OEMS records revealed that you are not certified as an EMT-B in New Jersey. In fact, you failed your EMT-B certification examination on July 12, 2004. You subsequently attempted and failed the certification examination on two other occasions. In addition, OEMS has confirmed that you are not

certified through the National Registry of EMT's or by any state or jurisdiction whose EMT-B certifications are recognized or reciprocated in the State of New Jersey.

On September 3, 2004, OEMS staff conducted a provider survey at the office of Friendly Care Medical Transport. Ms. Polina Ozeryansky admitted to employing you while believing your statement that you were awaiting your EMT-B certification card. You knowingly and willfully gained employment under fraudulent pretenses. A small sampling of patient care reports, that do not fully represent each day that you actually staffed the ambulance, were obtained. These reports show that you acted in the capacity of an EMT-B on at least 10 individual calendar days.

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. In accordance with N.J.A.C. 8:40A-10.4(a)2, you are hereby assessed a monetary penalty in the amount of \$200 for the days that you represented to Friendly Care that you were a certified New Jersey EMT-B. Additionally, you are hereby ordered to immediately surrender any and all invalid and/or fraudulent certification credentials 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 do not hesitate to 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, Assistant Commissioner
Michele Stark, OLRA
Samuel Stewart, Esq., OEMS
Charles McSweeney, OEMS
Donald Roberts, OEMS
Kenneth Beym, OEMS
National Registry of EMT's

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