



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

January 10, 2007

Mr. Adam Benkel

Re: **Order to Cease and Desist Impersonating a Certified New Jersey
Emergency Medical Technician-Basic**
Investigation Control # 06-C-105

Dear Mr. Benkel:

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 Technicians (EMTs) who staff those paramedical and ambulance services. See N.J.A.C. 8:40A-1.1, et seq.

The Office of Emergency Medical Services (OEMS) became aware that you impersonated a certified Emergency Medical Technician-Basic (EMT-B). Specifically, on June 10, 2005 you attended a graduation party for Emergency Medical Technician-Basic students at the Bergen County Public Safety Academy wearing a white dress shirt with a New Jersey EMT-B patch on one sleeve, EMT-B lapel pins, and a Tri-Boro Ambulance Corps patch on the opposite sleeve. On May 30, 2006 you attended a wreath laying ceremony in Park Ridge, New Jersey wearing a dress uniform with New Jersey EMT-B patches on each sleeve, as well as a gold EMT Badge.

OEMS spoke with officials from the Tri-Boro Volunteer Ambulance Corps who stated that you had no affiliation with their organization. A review of OEMS records indicates that you have not successfully completed the New Jersey Emergency Medical Technician-Basic course as required for EMT-B certification under N.J.A.C. 8:40A. 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.

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 having EMT-Basic privileges in New Jersey. Additionally, you are hereby ordered to immediately surrender any and all invalid and/or fraudulent certification credentials to the Office of Emergency Medical Services, including, but not limited to, EMT-B patches, lapel pins, and badges. The Department reserves the right to impose monetary penalties for the above referenced violations. 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, M.Ed.
Director, Emergency Medical Services

c: David W. 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
Donald Roberts, OEMS

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