



State of New Jersey

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

www.nj.gov/health

JON S. CORZINE
Governor

HEATHER HOWARD, J.D.
Commissioner

January 15, 2008

Mr. Charles Flynn

Re: **Notice of Summary Suspension:**
EMT-Basic Certification
Investigation Control # 07-C-001

Dear Mr. Flynn:

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 or about October 29, 2007 the Department's Office of Emergency Medical Services (OEMS) received a complaint that you had been arrested for possessing and distributing child pornography. The OEMS initiated an investigation in response to the complaint.

Further investigation revealed that on October 5, 2007, the New Jersey State Police Internet Crimes Against Children Task Force executed a search warrant at your residence and seized computer files or videos depicting a child engaged in a prohibited sexual act or in the simulation of such an act. On December 28, 2007, following numerous contacts with the Somerset County Prosecutor's Office, OEMS staff obtained confirmation that on or about November 12, 2007, in Indictment No. 07-11-00789, the Somerset County Grand Jury charged you with Endangering the Welfare of a Child,

second degree, in violation of N.J.S.A. 2C:24-4b(5)(a), and Endangering the Welfare of a Child, fourth degree, in violation of N.J.S.A. 2C:24-4b(5)(b). The OEMS attempted to contact you via telephone and certified mail on several occasions to discuss this matter. To date, you have not responded to the efforts of OEMS staff to contact you.

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 with which you been charged, 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 the OEMS, either by U.S. mail to the address on the first page of this Notice or by physical delivery to Department of Health and Senior Services, OEMS, John Fitch Way, Market and Warren Streets, 6th Floor, Trenton, NJ, 08611. The OEMS will continue to investigate this matter. You will be notified when the 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 07-C-001 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

Finally, please note that failure to submit a request for a hearing within 30 days from the date of this Notice shall be interpreted as an acceptance of this

Department's decision, thereby negating any further appeal rights. 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: David W. Gruber, Senior Assistant Commissioner
Health Infrastructure Preparedness and Emergency Response
Joseph Tricarico, Jr., Assistant Commissioner
Health Infrastructure Preparedness Bureau
Samuel Stewart, OEMS Regulatory Officer
William Duffy, OEMS Licensure and Operations Coordinator
Donald Roberts, OEMS Investigations Supervisor
James Sweeney, OEMS Investigator
Michele Stark, OL&RA
National Registry of EMTs
Office of the Somerset County Prosecutor
LifeStar Transportation

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