



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](http://www.nj.gov/health)

December 19, 2007

Ms. Melissa Farley

Re: **Order to Cease and Desist Impersonating a Certified New Jersey  
Emergency Medical Technician-Basic**  
Investigation Control #07-C-037

Dear Ms. Farley:

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 paramedic and ambulance services. In furtherance of the objectives set forth in the statute, the Department of Health and Senior Services (the Department) 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.

It has come to the attention of this Department's Office of Emergency Medical Services (OEMS) that you have impersonated a certified EMT-Basic (EMT-B). Specifically, while volunteering at the Beachwood FAS in Beachwood New Jersey, this Department has obtained pictures of you wearing the New Jersey EMT-B patch on your uniform in group photos displayed on the Beachwood FAS web-site. 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 December 13, 2007 OEMS learned through the New Jersey Board of Nursing that you are not a New Jersey Registered Nurse, (RN) yet you represented yourself as a New Jersey licensed RN to the EMT training site at MONOC where you challenged the EMT-Basic exam. You were asked multiple times by Charles Livezey, MICP, Education Supervisor of Monmouth Ocean Hospital Service Corporation, (MONOC) to produce your nursing license which

would allow you to challenge this exam. You responded by saying that you left your RN license at home or gave other excuses as to why you could not produce your license.

On December 17, 2007 during a phone conversation with OEMS investigator Donald Roberts you stated you were working as an RN at Southern Ocean County Hospital in Ocean County, New Jersey and that you also worked as a flight nurse on the air medical unit SouthSTAR.

On December 18, 2007 you voluntarily came to OEMS for an interview regarding your EMT-Basic results and to inform the Department about your experience with your training site. During the interview when you were questioned about your status at SouthSTAR you responded that your employment status has been current since September 2007 as a flight nurse and critical care transport nurse. You later stated that you only flew once with SouthSTAR. As the conversation went on, you voluntarily stated that you were never employed at SouthSTAR.

During your interview on December 18, 2007 you also told OEMS investigators that you currently work for CentraState Medical Center as an American Heart Association CPR Instructor who trained critical care technicians. As the interview continued, you admitted that you do not currently work for CentraState Medical Center and that you are waiting to hear from them on Monday, December 24, 2007 about employment.

When asked you about your employment with Southern Ocean County Hospital you told OEMS that you were an RN working in the emergency room for almost a year. OEMS provided you with documentation from Catherine Korn, MS, RN Vice President of Patient Care Services that stated you did work there in the summer of 2007, as a nursing assistant and not a registered nurse.

As part on the investigation OEMS contacted the New Jersey Board of Nursing regarding your nursing license and they have no record of you ever being a Registered Nurse in New Jersey. You insisted that the New Jersey Board of Nursing was incorrect and you will go home, fax and or e-mail OEMS a copy of your New Jersey Registered Nursing license. To date OEMS has not received a copy of your nursing license.

N.J.S.A. 26:2K-42b. states that "A person shall not impersonate or refer to himself as an EMT-D unless the person is authorized to do so pursuant to this act."

N.J.S.A. 26:2K-44 states, in relevant part, that "A person who violates the provisions of this act is subject to a penalty of \$200 for the first offense and \$500 for each subsequent offense."

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 \$200.00 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."

N.J.A.C. 8:40A-10.2(f) states, in relevant part, that "Monetary penalties may be imposed in the amount of \$200.00 per calendar day, per infraction.

1. Violations shall be considered as a single, different occurrence for each calendar day the violation occurs or remains uncorrected.

2. Subsequent violations of the same type may be subject to a penalty of \$500.00 per calendar day, per infraction."

Therefore, you are hereby **ordered to immediately CEASE AND DESIST** any further representations that you are a certified New Jersey EMT-Basic. You are further prohibited from acting in the capacity of an EMT-Basic. Additionally, you are hereby ordered to immediately surrender any and all invalid and/or fraudulent certification credentials including EMT Patches and Badges 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. Consistent with the above referenced authority, you are hereby assessed a \$200 monetary penalty for impersonating a certified EMT-Basic.

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. 26:2K-44 and N.J.A.C. 8:40A-10.2(f)3, 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 a renewal or certification 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, Director

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, 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  
Michele Stark, OLRA  
Samuel Stewart, Esq., OEMS  
Donald Roberts, OEMS  
Tim Seplaki, OEMS  
Jason Pidcock, OEMS  
National Registry of Emergency Medical Technicians  
New Jersey Board of Nursing  
Ocean County Prosecutors Office  
American Heart Association

SENT VIA REGULAR US MAIL AND  
CERTIFIED MAIL #  
RETURN RECEIPT REQUESTED