ANNE MILGRAM

Attorney General of New Jersey

Richard J. Hughes Justice Complex

PO Box 112

25 Market Street

Trenton, New Jersey 08625

By: Michael J. Kennedy

Deputy Attorney General

(609) 777-0055

Attorney for Respondent

LISA BECHER,

Petitioner,

-v-

DEPARTMENT OF HEALTH AND SENIOR SERVICES,

Respondent.

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW
OAL DOCKET NO.: HLTOT 08254-07S

SETTLEMENT AGREEMENT

This Settlement Agreement is entered into between Lisa Becher and the State of New Jersey Department of Health and Senior Services.

WHEREAS, on or about August 7, 2007, the Department of Health and Senior Services issued a Notice of Proposed Revocation against Lisa Becher alleging violation of N.J.S.A. 26:2H-1 et seq. and N.J.A.C. 8:40A-1.1 et seq.; and

WHEREAS, pursuant to N.J.A.C. 8:40A-10.2(b) the Department of Health and Senior Services may suspend or revoke the certification of an Emergency Medical Technician-Basic for violation of any portion of N.J.A.C. 8:40A-1.1 et seq.; and

WHEREAS, the facts are in dispute; and

WHEREAS, Lisa Becher filed an administrative appeal challenging the proposed suspension; and

WHEREAS, the Department transmitted the appeal for hearing to the Office of Administrative Law ("OAL") which assigned the case docket number HLTOT 08254-2007S; and

WHEREAS, Lisa Becher hereby acknowledges her obligation to comply with all applicable statutory and regulatory requirements as set forth at N.J.S.A. 26:2H-1 et. seq., N.J.A.C. 8:40A-1.1 et seq., and any other applicable state and federal standards and criteria; and

WHEREAS, the parties have voluntarily agreed to settle this matter in keeping with the public policy of New Jersey that encourages settlement; and

WHEREAS, Lisa Becher and the Department of Health and Senior Services have reached a settlement in the above captioned matter.

NOW THEREFORE, Lisa Becher and the Department of Health and Senior Services agree to settle this matter on the following terms:

- 1. Lisa Becher will be placed on suspended status for a period of one-hundred twenty (120) days, pursuant to N.J.A.C. 8:40A-10.2(b). The period of suspension shall commence from March 20, 2008, the date that the Plenary Hearing was scheduled in this matter and will terminate one-hundred twenty days (120) from that date (i.e. July 18, 2008); and
- 2. During this period of suspension, Lisa Becher must refrain from serving as an Emergency Medical Technician-Basic on

any mobility assistance vehicle (MAV), basic life support ambulance (BLS), mobile intensive care unit (MICU), speciality care transport unit (SCTU) or air medical unit (AMU) on either a paid or volunteer basis.

- 3. This Settlement is intended to be a final resolution of all issues arising out of this matter; and
- 4. Lisa Becher, for herself and on behalf of her insurers, agents, employees, heirs, executors, personal representatives, successors and assigns, agrees to the terms described in this Agreement, in final settlement of any and all claims she has or may have with respect to the adequacy or correctness of the violations listed in the Notice of Proposed Revocation dated August 7, 2007, and releases the State of New Jersey and its Departments, officials, insurers, agents employees, heirs, executors, personal representatives, successors and assigns from all claims, demands, damages, causes of action or suits which have been, could have been or might have been made or prosecuted on account of any conduct of any party occurring at any time with respect to any pending or possible claim relating to the Notice of Proposed Revocation, dated August 7, 2007.
- 5. Lisa Becher and the New Jersey Department of Health and Senior Services hereby waive any claim for payment of counsel fees incurred in connection with this Settlement.

By their signature, each party signing this Settlement 6. Agreement represents and warrants that he/she is authorized to execute this Agreement.

Lisa Becher, Petitioner

E. Allen Nickerson, Esquire Attorney for Petitioner

Department of Health and Senior Services, Office of

Michael J. Kennedy

Deputy Attorney General Attorney for Respondent

Emergency Medical Services
DAVID CARUPAR
SEN 1002 ASSISTANT (C

tant CommissionEr

Date: 3/20/08

Date:

Date: 4 9 09

Lisa Becher Settlement Agreement Docket No.: HLTOT 08254-07S