



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
Commissioner

December 31, 2008

Mr. Scott Robel

Re: **Notice of Summary Suspension:**

**EMT-Basic and
EMT-Paramedic Certification # 3022
Investigation Control #08-C-034**

Dear Mr. Robel:

The New Jersey Department of Health and Senior Services (the Department) is vested with the responsibility of carrying out the provisions of N.J.S.A. 26:2K-7, et seq., which govern the provision of advanced life support services within the State of New Jersey and 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) and/or advanced life support (ALS) services. In furtherance of the objectives set forth in the statutes, the Department has adopted administrative rules that govern the training, certification and professional conduct of EMT-Basics and EMT-Paramedics. See N.J.A.C. 8:40A-1.1, et seq. and N.J.A.C. 8:41A-1.1, et seq.

On December 18, 2008, your employer, AtlantiCare Regional Medical Center (ARMC), contacted the Office of Emergency Medical Services (OEMS) to report an unusual event in accordance with N.J.A.C. 8:41-3.10. ARMC terminated you from employment on December 12, 2008 as a result of their investigation which found you directly responsible for a "missing Morphine" and the falsification of official records. The OEMS initiated an investigation in response to the complaint.

According to the ARMC investigation, on November 15, 2008, you made an entry on the Morphine Controlled Drug Administration Record (CDAR) for EMS Chart # 57594. You logged that you had administered 4mg of Morphine Sulfate (MS) to your patient and that your partner, Paramedic Ryan Paynter, wasted the remaining 6mg of

MS after the completion of patient care. It was discovered through ARMC's investigation that this Morphine was never ordered by a physician and was never given to the patient. There is no record of Morphine being administered on the Patient Care Record (PCR). The ARMC investigation determined that the CDAR was written by you to make it appear as if the patient had received Morphine. Furthermore, your partner stated to ARMC administrative staff that he never wasted the medication because Morphine was not given or even ordered for this patient.

As a result of its investigation, ARMC concluded that you were in violation of administrative rules and has documentation related to the misuse, misappropriation or theft of any drug, medication or equipment and the falsification of official records. ARMC has informed OEMS staff that this is not the only discrepancy in narcotics use that has occurred while you were on duty. The OEMS is investigating these incidents.

As the agency responsible for certifying EMT-Basics and EMT-Paramedics, it is this Department's obligation to ensure the health and safety of the public with whom you may come into contact. If there is any justifiable reason for this Department to believe that your continued certification as an EMT-Basic and an EMT-Paramedic poses a threat to the public health and safety, it is our obligation to initiate proceedings for the immediate suspension of that certification.

N.J.A.C. 8:41A-5.2(a), states that, "The Commissioner, or his or her designee, may summarily suspend a person's EMT-Paramedic 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."

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-Basic 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."

Your certifications entitle you to render emergency medical services to the public and to have access to areas where narcotics are stored as well as to the narcotics themselves. Your EMT-Paramedic certification authorizes you to administer narcotics to patients using syringes. Based on the knowledge and information available at this time, and in accordance with N.J.A.C. 8:41A-5.2(a) and N.J.A.C. 8:40A-10.2(a), this agency has determined that your continued certification poses an immediate and serious threat to the public health, safety and welfare.

Therefore, please be advised that your certifications as an EMT-Basic and an EMT-Paramedic are immediately suspended. You may not, under any circumstances, act in the capacity of or perform the duties of an EMT-Paramedic or an EMT-Basic in New Jersey during this period of suspension.

In accordance with N.J.A.C. 8:41A-4.1(f) and N.J.A.C. 8:40A-7.1(f), certification cards are the property of the Department and shall be immediately surrendered upon

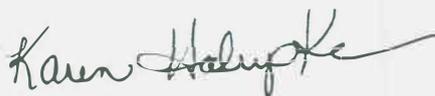
demand. You are hereby directed to immediately surrender your EMT-Basic and EMT-Paramedic certification cards to the OEMS by U.S. Mail to the address on the first page of this Notice. You will be notified when the OEMS has completed its investigation into this matter, at which time you will be advised what action(s), if any, will be taken with respect to your EMT-Basic and EMT-Paramedic certifications.

Pursuant to N.J.A.C. 8:41A-5.3(a) and 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 08-C-034 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, R.N., M.Ed.
Director
Office of Emergency Medical Services

c: David Gruber, Senior Assistant Commissioner
Health Infrastructure Preparedness and Emergency Response
Joseph Tricarico, Assistant Commissioner
Health Infrastructure Preparedness and Emergency Response
Samuel Stewart, OEMS Regulatory Officer
Donald Roberts, OEMS Operations Manager
Suzanne Genthe, OEMS Investigator
Michele Stark, OL&RA

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