



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

October 17, 2008

Louis Mozer

Re: **Notice of Summary Suspension:**
EMT-Basic Certification
Investigation Control # 08-C-030

Dear Mr. Mozer:

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 October 1, 2008 you contacted the Department's Office of Emergency Medical Services (OEMS) inquiring about the procedure to recertify your Emergency Medical Technician-Basic. OEMS staff referred you to the on-line re-certification application, at which point you informed OEMS staff that a court ruling against you does not allow you to have computer access. You further stated that you had plead guilty to endangering the welfare of a child, but "never touched anyone." The OEMS initiated an investigation in response to your statements.

Further investigation revealed that on December 6, 2007, in Indictment # 08-02-00323-I, the Atlantic County Grand Jury charged you with Endangering the Welfare of a Child, in violation of N.J.S.A. 2C:24-4. Subsequently, in Indictment #08-03-00375-Z, the Passaic County Grand Jury charged you with Endangering the Welfare of a Child for whom you had a legal duty of care, in violation of N.J.S.A. 2C:24-4a; Criminal Attempted Aggravated Sexual Assault of a Victim Under the Age of 13, in violation of N.J.S.A. 2C:14-2a(1); Attempted Sexual Assault of a Victim Under the age of 13 and

the Actor is at Least 4 Years of Age Older than the Victim, in violation of N.J.S.A. 2C:5-1 and N.J.S.A. 2C:14-2b; Attempting to Endanger the Welfare of a Child for whom you had a legal duty of care, in violation of N.J.S.A. 2C:5-1 and N.J.S.A. 2C:24-4a; Attempting to Commit an Act of Sexual Contact with a Victim who is under the age of 13, in violation of N.J.S.A. 2C:5-1 and N.J.S.A. 2C:14-2c; and Attempting to Lure or Entice a Child into a Motor Vehicle, in violation of N.J.S.A. 2C:13-6. On May 2, 2008 your indictments were merged into one indictment being handled by the Atlantic County Prosecutor's Office.

On October 15, 2008, OEMS investigators confirmed that through Atlantic County Prosecutor's Office that on August 19, 2008 you entered a plea of guilty to the charge of Endangering the Welfare of a Child, a violation of N.J.S.A. 2C:24-4. Specifically you plead guilty to attempting an act of sexual contact with a victim you believed to be 14 years of age, by instructing her to perform an act of sexual contact over the internet.

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 have been charged and the crime to which you have plead guilty, 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 08-C-030 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 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
Chris Ryan, OEMS Investigator
Michele Stark, OL&RA
National Registry of EMTs

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