



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

JON S. CORZINE  
*Governor*

HEATHER HOWARD  
*Commissioner*

August 25, 2009

Mr. Andrew Carl

**Re: Order to Cease and Desist Impersonating a Certified New Jersey**

**Emergency Medical Technician-Basic**  
Investigation Control # 09-C-027

Dear Mr. Carl:

The New Jersey Department of Health and Senior Services (the Department) 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. Furthermore, the Emergency Medical Services Act, N.J.S.A. 26:2K-7, et seq., authorizes the Department to regulate Emergency Medical Technicians (EMTs). In accordance with the objectives set forth in the statutes, the Department has adopted regulations that govern the training, certification and professional conduct of EMTs. See N.J.A.C. 8:40A-1.1, et seq.

On July 25, 2009, the Department's Office of Emergency Medical Services (OEMS) received a complaint that you impersonated a certified Emergency Medical Technician-Basic (EMT-B). Specifically, while volunteering at the Lambertville-New Hope Ambulance & Rescue Squad in Lambertville, New Jersey you were observed wearing the New Jersey EMT-B patch on your uniform. When confronted by Lambertville Rescue Squad member Harry Heller, in the presence of OEMS investigator John Ligua, you were unable to present a valid New Jersey EMT-B certification card.

Furthermore, on August 16, 2009, the Department's Office of Emergency Medical Services (OEMS) obtained a picture of your personal vehicle, which you were driving, displaying a New Jersey EMT-B decal on your rear windshield.

On August 24, 2009, you were interviewed by OEMS Investigators Chris Ryan and Eric Hicken. During your interview, you indicated that you attended the Union County College EMT-Basic program in the fall of 2005. You stated that you completed the course on December 8, 2005, at which time you took the state exam and decided not to take the National Registry of Emergency Medical Technicians (NREMT) certification exam. You stated that in January 2006 you were issued a New Jersey EMT-Basic certification card that was valid for four years from December 8, 2005. OEMS Investigators asked you to produce your card at which time you stated that you moved and lost your card, but that you had requested your transcripts from Union County College to prove that you had taken your class. You continued by saying that you were willing to take a Core 13 and challenge the certification examination to resolve this issue.

During your interview you eventually recanted your statements about being certified as a EMT-Basic in New Jersey and stated that you are not certified as an EMT in New Jersey or any other state, and that the dress shirt you wore in the presence of Investigator John Liqua was your mother's who is certified as an EMT-Basic. Furthermore, you stated that you are not a firefighter or a member of any emergency management team. You were shown pictures from your Facebook account that showed EMT, firefighter, and emergency management markings on your vehicles and rescue gear and you verbally confirmed the placement of those markings by you and stated you obtained them through a previous employer whose business closed.

At the end of your interview you stated that you were on PTI (pre-trial intervention) for impersonating the Cranford fire chief and that your term ended in August 2008. OEMS investigators confirmed with you that upon initial contact with Investigator John Liqua you were still on PTI.

A review of OEMS records revealed that you have never attended a New Jersey EMT-Basic Course and have never been certified as an EMT-Basic by the State of New Jersey. OEMS has confirmed that you are not certified through the NREMT or by any state or jurisdiction whose EMT-B certifications are recognized or reciprocated in the State of New Jersey.

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."

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. The Department reserves the right to impose monetary penalties for the above referenced violations. 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 acting in the capacity of a certified EMT-Basic on July 25, 2009. In determining that monetary penalties are indicated in this case, this agency has considered through our investigation and your own admissions that you continued to represent yourself as an EMT-Basic after being approached by OEMS staff on July 25, 2009 and in fact initially attempted to deceive the Department during your interview on August 24, 2009.

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 contact Mr. Samuel Stewart, OEMS  
Regulatory Officer, at (609) 633-7777.

Sincerely,



Karen Halupke, R.N., M.Ed.  
Director, Emergency Medical Services

c: David W. Gruber, Senior Assistant Commissioner  
Joseph Tricarico, Jr., Assistant Commissioner  
Michele Stark, OLRA  
Samuel Stewart, Esq., OEMS  
Christopher Ryan, OEMS  
John Liqua, OEMS  
Bloomsbury Rescue Squad  
Lambertville-New Hope Ambulance & Rescue Squad  
Middlesex County Prosecutor's Office  
National Registry of Emergency Medical Technicians

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