

January 5, 2011

Kelly Saunders

**Re: Notice of Summary Suspension:
EMT-Basic and EMT-Paramedic Certification # 562647
Investigation Control # 2010-107**

Dear Ms. Saunders:

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. 26:2H-1 et seq., Health Care Facilities Planning Act*, which was enacted, in part, to assure 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 basic life support (BLS) personnel. In addition, *N.J.S.A. 26:2K-7 et seq., Emergency Medical Services Act*, authorizes the Department to certify Emergency Medical Technician-Basics (EMT-Bs). In furtherance of the objectives set forth in the statutes, the Department has adopted regulations that govern the training, certification and professional conduct of EMT-Bs and EMT-B candidates. (See *N.J.A.C. 8:40A-1.1 et seq.*)

On March 15, 2010, the Department's Office of Emergency Medical Services (OEMS) received information from Capital Health Systems that you allegedly provided paramedics with fraudulent Pediatric Emergencies for the Pre-hospital Provider (PEPP) certification cards. Accordingly OEMS opened an investigation into the allegation.

The OEMS investigation revealed that the Mercer County Prosecutor's Office was investigating the same allegations. On June 29, 2010, OEMS investigators spoke to you, at which time you testified that you had provided two paramedics with fraudulent PEPP cards. OEMS staff spoke with the Mercer County Prosecutor's Office and was directed to wait for their office to complete their investigation prior to taking any administrative action.

On December 13, 2010, the Mercer County Prosecutor's Office notified OEMS that as a result of their investigation a complaint summons was issued to you charging you with Forgery in violation of N.J.S.A. 2C:21-1A(3).

Herewith, you are advised that the Department has a statutory obligation to protect public health, safety and welfare. Accordingly, based upon the investigations conducted by the Mercer County Prosecutor's Office and the OEMS, the Department has determined that you exercised extremely poor judgment in discharging your duties as an educator. Moreover, the complaint summons issued to you with regard to the fraudulent provision of advanced certification PEPP cards is evidence that your actions jeopardize public health safety and welfare because the recipients of these documents have not demonstrated competency to deliver the appropriate pre-hospital care.

N.J.A.C. 8:41A-5.2 states: "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/her designee, may summarily suspend a person's EMT-Basic and/or EMT-Instructor certification when, in his/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 crime with which you have been charged, 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 and Inactive EMT-Paramedic 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. Be further advised that if you act in the capacity of, or perform the duties of an EMT-Basic and/or EMT-Paramedic in New Jersey during this period of suspension, your actions will constitute impersonation of an EMT-Basic in violation of *N.J.A.C. 8:40A-10.4*, and/or impersonation of an EMT-Paramedic in violation of *N.J.A.C. 8:41A-5.2(c)* and shall incur further penalties.

In accordance with *N.J.A.C. 8:40A-7.1(f)* and *N.J.A.C. 8:41A-4.1(f)2*, certification cards are the property of the Department and shall be immediately surrendered upon demand. As such, you are hereby directed to immediately surrender your EMT-Basic and Inactive EMT-Paramedic certification card(s) 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, Trenton, NJ, 08611.

In the interim, the OEMS will continue to investigate this matter. You will be notified when the OEMS has completed its investigation, at which time you will be

advised of 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)* and *N.J.A.C. 8:41A-5.3(a)*, you have the right to appeal to the Commissioner of Health and Senior Services for a 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 a 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 **2010-107** 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 Ms. Jo-Bea Sciarrotta, Compliance Officer at (609) 633-7777.

Sincerely,

Karen Halupke, RN, M.Ed.
Director
Emergency Medical Services

c. Christopher Rinn, Assistant Commissioner
Jo-Bea Sciarrotta, Compliance Officer
Christopher Ryan, OEMS
Michele Stark, OL&RA
National Registry of EMTs

SENT VIA REGULAR U.S. MAIL AND
CERTIFIED MAIL # 7009 0960 001 1632 0095
RETURN RECEIPT REQUESTED