



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

OFFICE OF EMERGENCY MEDICAL SERVICES

PO BOX 360

TRENTON, N.J. 08625-0360

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

www.nj.gov/health

POONAM ALAIGH, MD, MSHCPM, FACP
Acting Commissioner

July 14, 2010

Nicholas Bonelli

Re: **Notice of Summary Suspension:
EMT-Basic Certification # 529898
Investigation Control # 2010-298**

Dear Mr. Bonelli:

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 basic life support (BLS) personnel. The Emergency Medical Services Act, N.J.S.A. 26:2K-7, et seq., 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 July 7, 2010, the Department's Office of Emergency Medical Services (OEMS) received a news article from the APP.com website. The article alleged that you were arrested and charged in Ocean County Court for official misconduct and attempted theft. Accordingly, the OEMS opened an investigation in response to the information contained in the news article.

Further investigation revealed that on July 6, 2010, an indictment against you was handed up by an Ocean County grand jury, for attempting to steal Percocet pills from a patient while you were acting in your official capacity as a volunteer EMT-B for the Manchester First Aid Squad. The indictment alleges that while acting as a public servant, you committed an act related to your position, which constituted an unauthorized exercise of your official functions. In addition, the grand jury determined that your actions were committed for the sole purpose of obtaining self-benefit, while

knowing that such action was unauthorized. Furthermore, the indictment alleges that you admitted that you have committed the same offense on numerous other occasions, all in violation of N.J.S.A. 2c:30-2a. Moreover, the indictment alleges that your actions consist of criminal attempt, in violation of N.J.S.A. 2c:5-1a(1), because you purposefully engaged in conduct that would constitute a crime. Accordingly, you were arrested and charged.

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 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 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 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 shall incur further penalties.

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. As such, you are hereby directed to immediately surrender your EMT-Basic 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, 6th Floor, Trenton, NJ, O8611.

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), 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 **2010-298** 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. David W. Gruber, Senior Assistant Commissioner
Jo-Bea Sciarrotta, Esq, Compliance Officer
Michael Mooney, OEMS
Michele Stark, OL&RA
National Registry of EMTs

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