



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
Commissioner

July 14, 2010

Robert Melia Jr.

Re: **Notice of Summary Suspension:
EMT-Basic Certification # 565151
Investigation Control # 2010-300**

Dear Mr. Melia:

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 9, 2010, the Department received a complaint that you had criminal charges pending in Burlington County, NJ, which had never been reported to the Department. As a result of this complaint, the Office of Emergency Medical Services (OEMS) opened an investigation. The OEMS investigation revealed that you were arrested in April 2008, in Burlington County, NJ, under a twenty-five count indictment (Indictment # 08-10-01089), which included, but is not limited to, charges for: (1) Endangering the Welfare of a Child in violation of N.J.S.A. 2C:24-4b(5)(b); (2) Criminal Sexual Contact in violation of N.J.S.A. 2C:14-3; (3) Aggravated Sexual Assault with a victim under the age of 13, in violation of N.J.S.A. 2C:14-2a(1); (4) Sexual Assault in violation of N.J.S.A. 2C:14-2b; (5) Sexual Assault with Coercion or Force in violation of N.J.S.A. 2C:14-2c(1); and, (6) Sexual Assault with a victim at least 13 years of age but no older than 16 years of age in violation of N.J.S.A. 2C:14-2c(4).

In November 2008, you recertified your New Jersey Emergency Medical Technician-Basic certification. At that time you responded “**NO**” on your recertification application to the question: “*Have you been charged (legal resolution still pending), convicted, placed on probation, entered into a pre-trial intervention (PTI) program, or*

entered into a plea bargain in connection with a violation of law under the laws of any state, the federal government, or any other jurisdiction, other than a minor traffic violation?”. Despite an obligation to truthfully answer all questions, you misstated a material fact on your recertification form.

Accordingly, the Department finds that your continued certification as an EMT-B constitutes an immediate and serious threat to the health, safety, and welfare of the public because of the seriousness of the crimes for which you have been indicted and for your failure to disclose these charges to the Department.

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.”

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 additional 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, shall 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 2010-300 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, Esq., 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, OEMS
Christopher Ryan, OEMS
Michele Stark, OL&RA
National Registry of EMTs

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