



State of New Jersey

DEPARTMENT OF HEALTH
OFFICE OF EMERGENCY MEDICAL SERVICES
PO BOX 360
TRENTON, N.J. 08625-0360

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

www.nj.gov/health

MARY E. O'DOWD, M.P.H.
Commissioner

December 26, 2012

Mr. Robert A Mucha

Re: Notice of Summary Suspension:

EMT-Basic Certification # 594895

Investigation Control # 2012-743

Dear Mr. Mucha:

The New Jersey Department of Health (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 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 admission 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 Technicians (EMTs). In furtherance of the objectives set forth in the statutes, the Department has adopted regulations that govern the training, certification and professional conduct of EMTs and EMT candidates. (See: N.J.A.C. 8:40A-1.1, Emergency Medical Technicians-Basics: Training and Certification.)

On December 10, 2012 the Department's Office of Emergency Medical Services (OEMS) received a news article from The Star-Ledger, dated November 21, 2012 which alleged you were arrested by federal officials for "using the internet to discuss fantasies of raping and cannibalizing children." As a result the OEMS opened an investigation into the matter.

On December 17, 2012 OEMS investigators obtained a copy of your superseding criminal complaint (Magistrate Number 12-4066) filed by the Department of Homeland Security with the Honorable Michael A. Hammer presiding in the United States District Court in Newark, NJ. The three count complaint charges you with Enticing a Minor to Engage in Criminal Sexual Activity, Receipt of Child Pornography, and Possession of

Child Pornography in violation of Title 18, United States Code, Sections 2422(b) 2, 2252A(a)(2)(A) 2, and 2252A(a)(5)(B) 2.

The complaint alleges that you had several images of child pornography on your computer, and engaged in many vivid and gruesome internet chat room discussion surrounding your sexual fantasies and fetishes regarding children. Specifically, the allegation states your internet chats included discussions of the penetration of infants, child bestiality, and eroticized child cannibalism.

Certified EMTs work in an unsupervised environment. The nature of this work requires that these individuals make important medical assessments and carry out appropriate pre-hospital interventions at motor vehicle accidents, in people's homes and at other difficult field locations. In order to be effective, EMTs must unconditionally trust each other and be incontestably trusted by paramedics, police officers, firefighters, doctors and other professionals. Because EMTs treat vulnerable patients of all ages, from infants to the elderly, they are required to place a high value on the health, safety and welfare of the patients they treat.

EMTs oftentimes are called upon to perform physical exams and depending upon the circumstances, may be required to remove the patient's clothing in order to properly visualize and assess the presenting condition and treat the injuries. However, patients presenting with traumatic injury must always be properly exposed to assure that all injuries are clearly identified and treated accordingly. Consequently, EMTs are placed in a position of authority and influence over vulnerable and/or frightened individuals, which means these factors implicitly demand that the EMT be trustworthy, especially with minors.

N.J.A.C. 8:40A-10.2(a) states: "The Commissioner, or his/her designee, may summarily suspend a person's EMT 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's health, safety or welfare."

Because of the seriousness of the crimes with which you have been charged, the Department finds that your continued certification as an EMT constitutes an immediate and serious threat to the health, safety, and welfare of the public. Therefore, your certification and recognition as an EMT is immediately suspended and shall remain suspended indefinitely.

Be aware that you may not under any circumstances act in the capacity of, or perform the duties of an EMT in New Jersey during this period of suspension. Also, be aware that if you act in the capacity of, or perform the duties of an EMT in New Jersey during this period of suspension, your actions will constitute impersonation of an EMT 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. You are hereby

directed to immediately surrender your EMT 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 the Department of Health, Office of Emergency Medical Services, 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 certification.

Pursuant to N.J.A.C. 8:40A-10.3(a), you may appeal to the Commissioner of the Department of Health for a hearing before the Office of Administrative Law to contest this summary suspension. Your request for an administrative hearing regarding this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. Please include control number 2012-743 on your correspondence, and forward your request to:

The New Jersey Department of Health
Office of Legal & Regulatory Compliance
P.O. Box 360, Room 805
Trenton, NJ 08625-0360
Attn: Ms. Tami Roach

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 Dr. Jo-Bea Sciarrotta, OEMS Compliance Officer, at (609) 633-7777.

Sincerely,

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

c. Christopher Rinn, Assistant Commissioner
Christopher Ryan, OEMS
Tami Roach, OL&RC
PA DOH

SENT VIA U.S.P.S. FIRST CLASS MAIL and
CERTIFIED MAIL #
RETURN RECEIPT REQUESTED