



State of New Jersey

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

PHILIP D. MURPHY  
Governor

SHEILA Y. OLIVER  
Lt. Governor

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

SHEREEF M. ELNAHAL, MD, MBA  
Commissioner

January 16, 2019

Jessie A. Zuiderveld

**Re: Notice of Proposed Revocation  
EMT # 629065  
Investigation Control # 2017-0052C**

Dear Ms. Zuiderveld,

The New Jersey Department of Health (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. In addition, the Emergency Medical Services Act, N.J.S.A. 26.2K-7 et seq., 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 et seq.

On October 19, 2016, you accessed the Department's Office of Emergency Medical Services (OEMS) Certification Platform, through the internet at [www.njems.us](http://www.njems.us), for the purpose of applying for an EMT certification. On your EMT certification application, you indicated that you have a criminal history and that you have been charged, convicted, placed on probation, entered into a pre-trial intervention (PTI) program, and/or entered into a plea bargain in connection with a violation of the laws of a state, the federal government, or any other jurisdiction, for an offense other than a minor traffic violation. You also reported that you had been previously cleared by OEMS.

By answering in the affirmative reporting that you had been previously cleared by OEMS, for the third question, you were able to register for and complete an initial EMT education program and the state certification examination without completing the Department's investigation process. As a result, you were issued an EMT certification on February 22, 2017 with an expiration date of June 30, 2020.

According to N.J.A.C. 8:40A-6.2(d)... a person shall not be allowed to sit for the NREMT-Basic Certification Examination if he or she has been accepted into Pre-trial Intervention, conditional discharge or other diversionary program or has been convicted of:

1. Any crime;
2. Any disorderly persons offense; and/or
3. A petty disorderly persons offense involving the possession, utilization, sale and/or distribution of any controlled dangerous substance; representing a risk of harm to the health, safety or welfare of patients; and/or involving patient abuse or patient neglect.

In March of 2018, OEMS discovered that you had not completed a background check or been cleared for certification. As a result, you obtained your EMT certification under false pretense. In accordance with N.J.A.C. 8:40A-6.2(c), the Department initiated an investigation into your criminal background. As part of that investigation, on March 14, 2018, an OEMS investigator attempted to contact you in reference to the criminal history record review process.

The OEMS investigator telephoned you, but was unable to leave a message. As a result, notification was sent to you via email, United States Postal Service (USPS) First Class Mail and USPS Certified Mail. The USPS reports an attempt to deliver the notice was made on March 19, 2018, but no authorized recipient was available. The USPS left a notice of certified mail at your residence following their inability to deliver the letter. The USPS later reported receipt of the certified letter at your residence on April 25, 2018. Additionally, the parcel sent USPS First Class Mail was not returned to OEMS as undeliverable. The letter gave you instructions on how to comply with the Department's background investigation and a thirty (30) day deadline.

As of July 30, 2018, the Department did not receive any correspondence or verbal acknowledgement that you would comply with the background investigation. Thus, on July 30, 2018, an OEMS investigator attempted to contact you via telephone but did not receive a voicemail prompt to leave a message. As a result, OEMS sent you another email notifying you of its intent to take enforcement action against your certification if you failed to comply with the investigation.

On July 31, 2018, you emailed the Department acknowledging receipt of all correspondence. You admitted that you were confused and did not believe you had to complete a background check. Subsequently, the investigator advised you of the necessity to comply with the investigation. The investigator gave you a deadline of September 10, 2018 to comply.

By September 13, 2018, you did not comply with OEMS's background check investigation. As a result, an OEMS investigator sent you another email requesting a status update on your compliance. The investigator explained the Department's intent to revoke your certification if you did not comply with the background investigation. You responded to that email with "No I have not and I do not plan to." This far, you have failed to comply with the Department's requests for information. Be aware, your refusal to respond to the Department's requests and to cooperate with its investigation constitutes failure to comply with the agency empowered to enforce the provisions of the aforementioned N.J.A.C. 8:40A.

N.J.A.C. 8:40A-10.2(b) provides that, "the Commissioner, or his or her designee, may issue a formal warning, impose a monetary penalty, place on probation, suspend, revoke and/or refuse to issue or renew the certification of any EMT or EMT-Instructor for violation of any of the rules set forth in this chapter. This includes, but is not limited to:

2. Deceptive or fraudulent procurement of certification or recertification credentials and/or documentation.
12. Conviction of any crime.
13. Conviction of any disorderly persons offense.
14. Conviction of a petty disorderly persons offense involving possession, utilization, sale and/or distribution of any controlled dangerous substance representing a risk of harm to the health, safety or welfare of patients; and/or involving patient abuse or patient neglect.
15. Entry into a pre-trial intervention program, conditional discharge or other diversionary program.
17. Willful obstruction of any investigation and/or representative of the applicable law, rule and/or regulation.
23. Failure to comply with any part of this chapter, any applicable part of N.J.A.C. 8:40 or N.J.A.C. 8:41, or any applicable law, rule or regulation.
24. Any action deemed by the Department to pose a threat to public health, safety or welfare.

**Therefore, as a result of your false attestation, efforts to avoid exposure of a criminal history, and failure to cooperate with the Department's investigation, it is the intention of this Department to revoke your EMT certification, thereby rendering you ineligible to practice as an EMT within the State of New Jersey.**

Pursuant to N.J.S.A. 52:14B-1, et seq. and N.J.A.C. 8:40A-10.3(b), you are entitled to a hearing before the Office of Administrative Law to contest the Department's decision to revoke your EMT certification. 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. In the event you request a hearing the proposed denial of your EMT recertification will be held in abeyance and you shall retain your EMT certification until such time as the hearing has been concluded and a final decision has been rendered. Please include the control number **2017-0052C** on your correspondence, and forward your request to:

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

**Failure to submit a written request for a hearing within 30 days from the date of this notice shall be interpreted as an acceptance of this Department's decision to revoke your EMT certification, thereby negating any further appeal rights and converting this action into a final agency decision.**

If you have any questions concerning this matter, please contact Dr. Jo-Bea Sciarrotta at (609) 633-7777.

Sincerely,



Scot Phelps, JD, MPH, Paramedic  
Director  
Office of Emergency Medical Services

c: Christopher Neuwirth, Assistant Commissioner  
Candace Gardner, OEMS  
Tami Roach, OLRC  
NREMT  
File

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