



State of New Jersey
DEPARTMENT OF HEALTH

PO BOX 360
TRENTON, N.J. 08625-0360

www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

November 5, 2020

Anthony Siudut



Re: **Notice of Proposed Revocation:
EMT and Paramedic Certification # 4261 (EMS ID # 506020)
Investigation Control # 2020-0005V**

Dear Mr. Siudut:

The New Jersey Department of Health (Department) is vested with the responsibility of carrying out the provisions of N.J.S.A. 26:2K-7, et seq., which govern the provision of advanced life support services within the State of New Jersey, and 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 paramedical and ambulance services. These laws establish a scheme that permits certain individuals, once certified, to perform Basic Life Support (BLS) and/or Advanced Life Support (ALS) services. In furtherance of the objectives set forth in the statutes, the Department of Health has adopted regulations that govern the training, certification and professional conduct of Emergency Medical Technicians (EMT) and Mobile Intensive Care Paramedics (MICP). (See N.J.A.C. 8:40A-1.1, et seq. and N.J.A.C. 8:41A-1.1, et seq.)

As you are already aware, the Office of Emergency Medical Services (OEMS) initiated an investigation into an incident that occurred on January 23, 2020 where it was alleged that you assaulted a patient under your care. Based upon information obtained during the investigation, OEMS determined that your continued certified as an EMT and MICP constituted an immediate and serious threat to the health, safety and welfare of the public. As such, on February 21, 2020, OEMS summarily suspended your EMT and MICP certifications pending the completion of its investigation into this matter.

OEMS has now completed its investigation, which included a review of incident reports, patient care reports and surveillance video capturing the incident, and for the reasons outlined below, has determined that your EMT and MICP certifications should be revoked. The investigation revealed the following:

On November 16, 2019, you were assigned to the BLS Unit that responded to an assignment at Bally's Atlantic City Hotel and Casino in Atlantic City, New Jersey. Security camera footage revealed an uncooperative, screaming male (herein referred to as the patient) sitting on

the floor with his hands cuffed behind his back. The patient had an obvious head injury as noted by the blood stains on his shirt. Additionally, it appeared that, upon your arrival, one of the security guards indicated, by pointing to his own head, that the patient had a head injury. While standing behind the patient, and without provocation or threat, you proceeded to step on the handcuffs between the patient's hands. This caused the patient to react aggressively towards you, screaming to "get the fuck off [his] hands!" As a result of this response, you proceeded to grab the patient by his head and throat and force him to the floor. The patient can be heard screaming for help. The patient then responded by bringing his right knee up towards your face in, what appeared to be, an attempt of protecting himself from being assaulted. You responded fiercely by striking the patient several times with, what appeared to be a closed fist, in the face area. You repositioned your knee to the upper part of the patient's chest and screamed at him twice asking him if he was done. You then struck him one more time and called him a "fucking asshole." As this was taking place, your partner stood there and stepped on the patient's knee with her right foot.

Once you and your partner placed the patient on the stretcher, with his hands still cuffed behind him, you applied unnecessary pressure with your knee to the patient's lower leg. Shortly thereafter, your partner struck the patient in the groin with her elbow and held it there in an apparent attempt to stop the patient from moving. The patient screamed in pain, telling her to get off of him. Instead of stopping your partner, you could be heard laughing and joking about it on the video. Your partner then struck the patient several more times in the groin as you finished securing the patient's legs. The patient was then covered with a blanket and wheeled through the casino and out to the awaiting ambulance. The patient was placed into the back and the ambulance drove out of site of the camera. To reiterate, the patient was handcuffed during the entire interaction caught on video. At no time did he pose a threat to your safety or were you in danger.

Pursuant to N.J.A.C. 8:41A-5.2(b), the Commissioner, or his or her designee, may issue a formal written warning, impose a monetary penalty, place on probation, suspend, revoke and/or refuse to issue or renew the certification of any MICP for violation of any of the rules set forth in this chapter. This shall include, but is not limited to:

1. Demonstrated incompetence or inability to provide adequate services;
3. Negligent practice;
4. Abuse or abandonment of a patient;
26. Any other action deemed by the Department to pose a threat to public health, safety or welfare.

Under N.J.A.C. 8:40A-10.2(b), an individual's EMT certification may be revoked for the same reasons.

As you are aware, EMTs and MICPs work in unsupervised, two-person teams in order to respond effectively to emergencies. You should also be aware that neither member of the team works in a supervisory capacity. Rather, one team member drives the vehicle and the other is alone in the back of the ambulance providing emergency medical care to the patient. The provision of emergency care requires MICPs and EMTs to have close, hands-on contact with vulnerable patients ranging from infants to senior citizens. Even more, MICPs must exercise good judgment, trust each other and be trusted by the public, police officers, fire fighters, doctors and

other professionals. In short, to be effective, EMTs and MICPs must be law-abiding and must be trusted to care for all patients in an appropriate, safe manner.

The above recitation of events demonstrates your inability to provide adequate services to a patient as well as abuse of a patient who was under your care. Your actions against and assault of a patient also demonstrates that you have poor judgment and a lack of trustworthiness and that you pose a threat to the public health, safety and welfare. Specifically, your actions were of an aggressive nature and you took advantage of a person who could not defend himself. Indeed, such behaviors and actions are incompatible with the duties of an EMT and MICP, constitute abuse of a patient, and pose a threat to vulnerable patients. Such behavior cannot be tolerated. **Therefore, as a result of this investigation, it is the intention of the Department to revoke your EMT and MICP certifications.**

Pursuant to N.J.S.A. 52:14B-11, N.J.A.C. 8:41A-5.3(b) and N.J.A.C. 8:40A-10.3(b), you may request a hearing before the Office of Administrative Law to contest this Department's decision to revoke your EMT and MICP certifications. 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. **As for your EMT and MICP certifications, you are reminded that you remain under a summary suspension and, as a result, are PROHIBITED from acting in the capacity of an EMT and/or MICP.** If you wish to request a hearing, please include the control number **2020-0005V** 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

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 and MICP certifications, 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 Eric Hicken, Chief of Licensing, Inspections and Enforcement, at (609) 633-7777 or via email at Eric.Hicken@doh.nj.gov.

Sincerely,



Terry Clancy, PhD, RN, NRP
Director
Office of Emergency Medical Services

c. Eric Hicken, Chief of Licensing, Inspections and Enforcement

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