



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)

JUDITH M. PERSICILLI, RN, BSN, MA  
Commissioner

February 21, 2020

Sarah Aponte

Re: **Notice of Summary Suspension:  
EMT Certification (EMS ID # 563209)  
Investigation Control #2020-0007V**

Dear Ms. Aponte:

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 to -26, 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-2(b), health care services include any pre-hospital care rendered by basic life support personnel. In addition, the Emergency Medical Services Act, N.J.S.A. 26:2K-7 to -69, 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, Emergency Medical Technicians: Training and Certification.

The Department's Office of Emergency Medical Services (OEMS) received a notification on January 23, 2020, that you allegedly assaulted a patient who was in your care on November 16, 2019 at Bally's Atlantic City Hotel and Casino (Bally's) in Atlantic City, New Jersey. Consistent with regulatory authority and OEMS policy, the OEMS opened an investigation in response to this notification.

Upon opening the investigation, the OEMS investigator confirmed that you are currently certified by OEMS. Specifically, you have been a certified EMT since 2009. In addition, the investigator confirmed that you were assigned to the Basic Life Support (BLS) Unit that responded to an assignment at Bally's on November 16, 2019. As part of the investigation, incident reports, patient care reports and surveillance video from the casino were reviewed.

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. While standing behind the patient, and without provocation or threat, your partner proceeded to step on the handcuffs between the patient's hands. This caused the patient to shout obscenities. In response, your partner grabbed the patient by his head and throat and forced him to the floor. During the altercation, the patient attempted to bring his knee up toward your partner's head and your partner responded by striking the patient multiple times in the face with what appeared to be a closed fist. At no time did you make any attempt to stop your partner from acting so aggressively. Instead, you continued to aggravate the situation by yelling at the patient to "shut up".

While packaging the patient for transport, you struck the patient in the groin with your elbow and held it there, which caused the patient to scream in pain, telling you to get off of him. You then struck the patient three more times in the groin as your partner 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 then drove out of site of the camera.

As you are aware, EMTs must make important medical assessments and carry out appropriate medical interventions in difficult field locations for patients young and old, combative and docile. In order to effectively care for all patients, EMTs must exercise good judgment and treat patients with dignity and respect. Indeed, striking a patient is never an appropriate response to a situation and is deemed abuse of a patient, which is a prohibited act under N.J.A.C. 8:40A-10.2(b)(5).

Based upon the foregoing, the Department has determined that your EMT certification must be summarily suspended. Pursuant to N.J.A.C. 8:40A-10.2(a), "the Commissioner, or his designee, may summarily suspend a person's EMT 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 the investigation to date has revealed that you acted in an abusive manner towards a patient, which is indicative of poor judgment and a disregard for a patient's dignity and well-being, the Department finds that your continued certification as an EMT constitutes an immediate and serious threat to public health, safety, and welfare. **Therefore, your EMT certification is immediately suspended and shall remain suspended until lifted by the Department or a court of competent jurisdiction. 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.**

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 to the OEMS, either by sending via United States Postal Service First Class Mail, to the address on the first

page of this Notice, or by physical delivery to Department of Health, OEMS, John Fitch Way, Market and Warren Streets, Trenton, NJ, 08611.

In the interim, the OEMS will continue to investigate this matter. After OEMS completes its investigation, you will be advised of what action(s), if any, OEMS will take with respect to your EMT certification.

Pursuant to N.J.A.C. 8:40A-10.3(a) and N.J.A.C. 1:1-12.6, you have the right to appeal to the Commissioner of the Department of Health for emergency relief to contest this summary suspension. A request for emergency relief shall be submitted in writing and shall be accompanied by a response to the charges contained in this Notice. Please include the control number **2020-0007V** 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 emergency relief within 30 days from the date of this Notice shall be interpreted as an acceptance of this Department's decision to summarily suspend your certifications as an EMT pending completion of its investigation, thereby forfeiting all rights to emergency relief. If you have any questions concerning this matter, please contact Eric Hicken, at (609) 633-7777 or via email at [Eric.Hicken@doh.nj.gov](mailto:Eric.Hicken@doh.nj.gov).

Sincerely,



Christopher Neuwirth, MA, MEP, CBCP, CEM  
Assistant Commissioner  
PHILEP Division

- c. Terry Clancy, Acting Director, OEMS  
Eric Hicken, Chief of Licensing, Inspections and Enforcement  
James Sweeney, Investigator

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