



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

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

January 4, 2022

Douglas Gimson

**Re: Notice of Proposed Revocation of EMT Certification
Investigation Control # 2020-0054V
EMS ID # 597432**

Dear Mr. Gimson:

The New Jersey Department of Health (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 -27, 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 (BLS) 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-1.1 et seq.)

On December 4, 2020, the Department's Office of Emergency Medical Services (OEMS) received notification that you may have been criminally charged with invasion of privacy. Consistent with OEMS regulatory authority and 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 the OEMS and have been a certified EMT since December 6, 2011. Further, the investigator confirmed that you were charged with the following under Complaint No. 1017 S 2020 000033 in the City of Lambertville, New Jersey, as well as Complaint No. 1009 S 2020 000092 in the Municipality of Flemington Borough, New Jersey:

1. Invasion of privacy, in violation of N.J.S.A. 2C:14-9(a).
2. Invasion of privacy, in violation of N.J.S.A. 2C:14-9(b)(1) and (2).

Specifically, it was alleged that you stood outside a bathroom window of a First Aid Squad in Flemington and, using a go-pro camera, observed multiple individuals

using the restroom without their consent. Additionally, it is alleged that you photographed, filmed, videotaped, recorded, or otherwise reproduced the images of multiple individuals whose intimate parts were exposed without consent on various dates in 2016 and 2017.

At this point in the investigation, the OEMS determined that you were an immediate and serious risk to public health, safety, and welfare. Consequently, the OEMS summarily suspended your EMT certification on December 29, 2020.

After issuing you a summary suspension, the OEMS continued with its investigation into this matter. The OEMS investigators learned that on September 17, 2021, you pleaded guilty to three (3) counts of invasion of privacy in violation of N.J.S.A. 2C:14-9(b)(1).

As you are aware, EMTs are placed in a position of trust by the general public. They must work in two person teams to respond effectively to emergencies and must make important medical assessments and carry out appropriate medical interventions at motor vehicle accidents, in people's homes, and at other difficult field locations. In order to effectively care for all patients, EMTs must exercise good judgment and treat patients with dignity and respect, including maintaining patient privacy and protecting confidential patient information. EMTs are entrusted by the public to be there in times of need. Thus, EMTs must trust each other and be trusted by patients, police officers, fire fighters, doctors, and other professionals. In short, EMTs must be law-abiding and must be trusted to care for all patients in an appropriate, safe manner.

Based upon the foregoing, the Department has determined that your EMT certification should be **revoked**. Pursuant to N.J.A.C. 8:40A-10.2(b), the Commissioner, or his or her designee, may revoke the certification of an EMT for violation of any of the rules set forth in this chapter. This shall include, but is not limited to:

- 12. Conviction of any crime; and
- 24. Any other action deemed by the Department to pose a threat to public health, safety, or welfare.

The above actions resulting in your criminal conviction demonstrates that you not only have poor judgement and a lack of trustworthiness, but that you pose a threat to patients in need of emergency medical care. Indeed, ensuring patient privacy and maintaining patient information in a confidential manner is part and parcel to the effective provision of emergency medical care. See N.J.A.C. 8:40-6.4; N.J.A.C. 8:40-3.9. Because your conviction involves the invasion of individuals' privacy, the Department finds that your actions and behaviors are incompatible with the duties of an EMT. Consequently, the Department finds that your continued certification as an EMT constitutes a threat to public health, safety, and welfare. For these same reasons, the Department also finds, under N.J.S.A. 45:1-21.5, that your conviction has a substantial

relationship to the duties of an EMT and, due to the nature of your conviction, your continued certification as an EMT is inconsistent with the public's health, safety, and welfare. **Therefore, the Department proposes to revoke your certification as an EMT.**

Pursuant to N.J.S.A. 52:14B-11, N.J.S.A. 45:1-21.5 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 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. **You are also reminded that your EMT certification remains under a summary suspension and, as a result, you are PROHIBITED from acting in the capacity of an EMT.** If you wish to request a hearing, please include the control number **2020-0054V** on your correspondence, and forward your request to:

New Jersey Department of Health
Office of Legal & Regulatory Compliance
P.O. Box 360
Trenton, NJ 08625-0360

Failure to submit a written request for a hearing within thirty (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 Eric Hicken at (609) 633-7777 or Eric.Hicken@doh.nj.gov.

Sincerely,

Candace Gardner
Program Manager
Office of Emergency Medical Services

c: Eric Hicken, Chief, Licensing, Inspection, and Enforcement, OEMS
Daniel Kazar, Acting Chief, Clinical Education, and Licensure, OEMS
NREMT
File

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