



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

December 4, 2020

Thomas Eppler

**Re: Summary Suspension Notice – EMT Instructor  
EMS ID # 501162  
Investigation Control # 2020-0217V**

Dear Mr. Eppler,

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 assure 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, N.J.S.A. 26:2K-7 et seq., Emergency Medical Services Act, authorizes the Department to certify Emergency Medical Technicians (EMT). 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, EMT-Instructors, EMT candidates, and EMT-Instructor Aides. (See: N.J.A.C. 8:40A-1.1 et seq.).

The Department's Office of Emergency Medical Services (OEMS) supports and ensures access to quality continuing education programs for Emergency Medical Services (EMS) professionals. Initial and ongoing education and training for the Emergency Medical Technician (EMT) are vital to protecting the health of our communities. In New Jersey, EMTs are required to obtain education in accordance with N.J.A.C. 8:40A to maintain and continually develop their professional skills and competencies.

On November 12, 2020, the OEMS received an anonymous complaint that you were conducting EMT Refresher classes, on behalf of Onsite Learning Associates, LLC, in a manner that violated N.J.A.C. 8:40A. The complaint specifically outlined the following:

1. On July 12, 2020, you conducted an EMT Refresher A class in which the students did not participate in psychomotor practices or evaluations and were dismissed from the class at approximately 12:35 p.m. This class was scheduled to end at 5:00 p.m.
2. On July 26, 2020, you conducted an EMT Refresher B class in which the students did not participate in psychomotor practice or evaluations and were dismissed from the class at approximately 1:15 p.m. This class was scheduled to end at 5:00 p.m.

3. On August 9, 2020, you conducted an EMT Refresher C in which students did not participate in psychomotor practice or evaluation and were dismissed from the class at approximately 12:00 p.m. This class was scheduled to end at 5:00 p.m.; and
4. On August 26, 2020, you conducted an EMT Refresher B class in which students were dismissed from the class at 1:20 p.m. This class was scheduled to end at 5:00 p.m.

Consistent with its regulatory authority and OEMS policy, the OEMS opened an investigation into this matter. Upon opening the investigation, the OEMS investigators confirmed that you are currently certified as an EMT-Instructor. Specifically, you have been a certified EMT-Instructor since 2002. Additionally, the OEMS confirmed that you logged into your Instructor Provider account at [www.njems.us/admbls](http://www.njems.us/admbls) and applied to conduct an:

1. EMT Refresher A class on July 12, 2020 from 8:00 a.m. until 5:00 p.m. at Vineland EMS. The class identification number assigned to you was 137733.
2. EMT Refresher B class on July 26, 2020 from 8:00 a.m. until 5:00 p.m. at Vineland EMS. The class identification number assigned to you was 137734.
3. EMT Refresher C class on August 9, 2020 from 8:00 a.m. until 5:00 p.m. at Vineland EMS. The class identification number assigned to you was 137791.
4. EMT Refresher B Class on August 26, 2020 from 8:00 a.m. until 5:00 p.m. at Atlantic County Fire Academy. The class identification number assigned to you was 137580.

On November 15, 2020, OEMS investigators attempted to audit your EMT Refresher B class scheduled from 8:00 a.m. until 5:00 p.m. at Vineland EMS. Prior to arriving at Vineland EMS, the OEMS investigators made note that at 9:42 a.m. you had already marked nineteen of the twenty-five registered students as successfully completed in the njems.us/admbls system.

At 11:33 a.m., after arriving at Vineland EMS, OEMS investigators conducted surveillance and noted that there were approximately fourteen vehicles parked in the parking lot adjacent to the Vineland EMS building. At 11:59 a.m., investigators witnessed multiple individuals exit the Vineland EMS building, enter their vehicles and leave. At 12:15 p.m., investigators witnessed the last vehicle leave the parking lot.

On November 15, 2020 at 1:06 p.m., the on-duty EMS personnel granted the OEMS investigators access to the Vineland EMS building. Upon entering the building, the Vineland EMS personnel confirmed that there was an EMT Refresher class being conducted at the building that day, but it had since concluded. The Vineland EMS personnel asked the OEMS investigators to wait in the classroom until the Vineland EMS Supervisor returned. At 1:32 p.m., investigators were greeted by the Vineland EMS Supervisor who also confirmed that the class was held at the building and had since concluded.

On November 15, 2020 at 1:42 p.m., an OEMS investigator telephoned you and left a voicemail advising you that they were at Vineland EMS and requested a return phone call.

On November 15, 2020, at 1:43 p.m., you logged into your Instructor Provider account at [www.njems.us/admbls](http://www.njems.us/admbls) and changed the class completion status for eighteen students, who were previously marked as "Successfully Completed", to "Incomplete". One student remained marked as "Successfully Completed". However, OEMS investigators received correspondences

from students showing that they were provided successful completion certificates, issued by you, for this class.

Additionally, on November 15, 2020 at 1:46 p.m. you sent an email to the registered students stating, "DUE THE STATE SHOWING UP AND A HEALTH ISSUE WE WILL HAVE TO MAKE UP THE SECOND HALF OF THE CLASS, PLEASE CALL ME."

On November 15, 2020 at 3:07 p.m. and November 16, 2020 at 3:19 p.m., an OEMS investigator emailed you and requested copies of all documentation pertaining to Refresher Course B, class number 138255, offered on November 15, 2020 by the close of business on November 16, 2020.

Lastly, on November 23, 2020, OEMS investigators received security camera footage of the classroom at Vineland EMS, for which you conducted Refresher classes on August 9, 2020, November 8, 2020, and November 15, 2020. The security camera footage confirms that all students were dismissed at approximately 12:00 p.m., and no psychomotor skills practice or psychomotor evaluations were conducted for any of these classes. The footage also showed that you were the only instructor present for the courses.

On November 24, 2020 at 1:09 p.m., an OEMS investigator received a telephone call from you, in which you stated that you were unable to provide the requested documentation due to personal reasons. Additionally, you requested the Department cancel previously approved:

1. EMT Refresher A class number 138246, scheduled to be conducted on November 27, 2020 from 8:00 a.m. to 5:00 p.m.;
2. EMT Refresher B class number 138247, scheduled to be conducted on November 28, 2020 from 8:00 a.m. to 5:00 p.m.; and
3. EMT Refresher C class number 138248, scheduled to be conducted on November 29, 2020 from 8:00 a.m. to 5:00 p.m.

As you are aware, EMTs are required to obtain 24 core continuing education credits in order to maintain their certifications. See N.J.A.C. 8:40A-7.5. One way to obtain these credits is for an EMT to attend a Core 13 program, which is also known as Refresher Courses A, B and C. N.J.A.C. 8:40A-9.5. Each course offers 8 continuing education credits and is 8 hours in length, for a total of 24 hours of education and 24 credits. *Ibid.* As such, for the EMT continuing education refresher courses OEMS approved for you to conduct on August 9, 2020, November 8, 2020 and November 15, 2020, each was approved as an 8-hour course that afforded 8 core credit hours to each EMT student who successfully completed the course.

To date, the investigation has revealed that you are in violation of N.J.A.C. 8:40A-9.5 because the refresher courses you offered on August 9<sup>th</sup>, November 8<sup>th</sup> and November 15<sup>th</sup> did not provide 8 hours of instruction to the students in attendance. In fact, each course was only 4 hours in length at most. Yet, you provided the students who attended these courses with certificates of completion and approved them for 8 core continuing education credits.

Furthermore, you did not maintain the appropriate instructor to student ratio for each course offered on the above dates. Pursuant to N.J.A.C. 8:40A-9.3(b)(5), Core 13 programs (a.k.a. Refresher Courses A, B and C) require "an EMT-Instructor to student ratio of 1:6, or a ratio of 1:10 if the EMT-Instructor is assisted by an EMT-Instructor Aide." There were more than

10 students in attendance for each of these courses, which would have required, at a minimum, two instructors for the course. However, you only had one instructor – yourself. Thus, you also violated N.J.A.C. 8:40A-9.3.

Moreover, for the above referenced courses, you failed to provide the students with psychomotor skills practices or evaluations. As you should be aware, the Core 13 program (Refresher Courses A, B, and C) is the National Emergency Medical Services Scope of Practice, National Emergency Medical Services Education Standards and the National Emergency Medical Services Core Content (formerly known as the EMT-Basic Refresher National Standard Curriculum) promulgated by the National Highway Traffic Safety Administration of the United States Department of Transportation. N.J.A.C. 8:40A-1.3. Pursuant to these standards, psychomotor skills, practices and evaluations must be conducted for the students attending the refresher program<sup>1</sup>. Indeed, the psychomotor skills component of the refresher program reinforces old and new healthcare practices. However, the students who attended the above courses were not provided with psychomotor practices or evaluations. Thus, the students who attended the above courses were not provided with the appropriate education and evaluation necessary to determine their level of understanding and competence in all skills and knowledge approved within the National Emergency Medical Services Scope of Practice, National Emergency Medical Services Education Standards and the National Emergency Medical Services Core Content and required by the Department's rules.

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." EMTs are expected to execute many treatment modalities based on their assessments and protocols in challenging situations. They must be able to exercise considerable judgement, problem-solving and decision-making skills. The complexity of care delivered by EMS personnel can range from the very basic skills to exceptionally complex monitoring and interventions for high acuity patients. The competency of these skills must be reviewed, remediated (if necessary) and evaluated on a continuous basis to ensure no harm is brought to a patient. As such, refresher courses are vital for maintaining effective EMTs. By not completing the psychomotor practices and evaluations, failing to provide the required instructor to student ratios, and providing only a half day of instruction for full day refresher courses, you have placed the students and their patients at risk, acted in a negligent capacity as an EMT-Instructor, and demonstrated blatant disregard for the Department's rules. Therefore, the Department finds that your continued certification as an EMT-Instructor constitutes an immediate and serious threat to public health, safety, and welfare. **Accordingly, your certification as an EMT-Instructor is immediately suspended. You may not, under any circumstances, act in the capacity of, or perform the duties of and EMT-Instructor 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 to Department staff upon demand. As such, you are hereby directed to immediately surrender your EMT certification card to OEMS by U.S. mail to the address in the first page of this Notice.

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

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<sup>1</sup> [Ems.gov/education.html](http://Ems.gov/education.html)

Pursuant to N.J.A.C. 8:40A-10.3(a), you may appeal to the Commissioner of the Department of Health for emergency relief to contest this summary suspension. 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. Please include the control number **2020-0217V** on your correspondence, and forward your request to:

New Jersey Department of Health  
Office of Legal & Regulator Compliance  
P.O. Box 360, 8<sup>th</sup> Floor  
Trenton, NJ 08625

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 the Department's decision to summarily suspend your certification as an EMT-Instructor pending completion of its investigation, thereby forfeiting all rights to emergency relief. If you have any question concerning this matter, please contact Ms. Candace Gardner, at (609) 633-7777 or via email at [Candace.Gardner@doh.nj.gov](mailto:Candace.Gardner@doh.nj.gov).

Sincerely,



Terry Clancy, PhD, RN, NRP

Director

Office of Emergency Medical Services

c: Candace Gardner, Chief, Education & Licensure  
Daniel Kazar, Investigator  
Elodie Stamberger, Investigator

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