



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. PERSICHILLI, RN, BSN, MA
Commissioner

March 31, 2021

Mr. Steven Paoline

**Re: Notice of Proposed Suspension and Probationary Period
EMS ID # 526628
Investigation Control # 2020-0228V**

Dear Mr. Paoline:

The New Jersey Department of Health (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 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, N.J.S.A. 26:2K-7 et seq., the 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 and EMT candidates. (See N.J.A.C. 8:40A-1.1 et seq.)

On November 4, 2020, the Department's Office of Emergency Medical Services (OEMS) received a notification from the Gloucester County Emergency Medical Services that you may have verbally threatened a patient. 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 as an EMT and have been certified as an EMT since April 25, 2007. OEMS investigators also obtained body camera footage from the Harrison Township Police, which recorded you providing care to an elderly patient on October 30, 2020. While you were caring for the patient, in the capacity of an EMT, you verbally threatened physical harm against him by stating, "If you hit me again, I will punch you in the face." This verbal threat against the patient, while acting in the capacity of an EMT, is in violation of N.J.A.C. 8:40A-10.2(b)(20).

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, make critical medical assessments, and carry out appropriate medical interventions at motor vehicle accidents, in people's homes, and at other remote locations. The provision of emergency care requires an EMT to have close, hands-on contact with vulnerable patients ranging from infants to senior citizens. Even more, EMTs must exercise good judgment, trust each other, and be trusted by the public, police officers, firefighters, doctors, and other professionals. In short, to be effective, EMTs must be trusted to care for all patients in an appropriate and safe manner. Your verbal threat of bodily harm directed at a patient is contrary to the duties of an EMT. Additionally, your verbal threat is a prohibited act under N.J.A.C. 8:40A-10.2(b)(2).

Pursuant to N.J.A.C. 8:40A-10.2(b), "[t]he 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 EMT-Basic or EMT-Instructor for violation of any of the rules set forth in this chapter." Based upon the foregoing, **it is the intention of this Department to suspend your EMT certification for a period of fourteen (14) days. Once completed, the Department will place you on Clinical Probation for three hundred sixty-five (365) days.** Under N.J.A.C. 8:40A-10.2(e), "[a]n EMT who has been placed on probation may be monitored for performance by the Department." Consistent with N.J.A.C. 8:40A-10.2(e), the terms of your probation are as follows:

- a. Your Clinical Probation period must be completed while you are working in a clinical setting as an EMT;
- b. Under no circumstances may you act independently or in conjunction with, or on the same MAV, BLS ambulance, or SCTU as, another probationary EMT;
- c. You must be monitored for performance. This monitoring shall include complete supervision of all calls in which you provide Basic Life Support services (including 100% chart review) by your employer(s). Your employer(s) are required to provide a written quarterly report to the Department signed by the employer's medical director as to your progress and any remediation that needs to be performed during that quarter;
- d. You shall provide the Department, within fourteen (14) days of your probation, with the name(s) of all the EMS programs you are employed by or volunteer with. You are required to notify the Department within one (1) business day of any changes in your status with these agencies; and
- e. You are to successfully complete four (4) elective credit hours of Geriatric Education for Emergency Medical Service education within three (3) months of this letter's date, which can count towards your recertification requirements as an EMT in the State of New Jersey. These elective credit hours must be approved by the Department prior to completion.

Pursuant to N.J.A.C. 8:40A-10.3(b), you are entitled to a hearing before the Office of Administrative Law to contest this Department's decision to suspend your 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 that you request a hearing, the suspension and probation shall be held in abeyance until such time as the hearing has been concluded and a final decision rendered. Please include the control number **2020-0228V** 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 hearing within 30 days from the date of this Notice shall be interpreted as an acceptance of this Department's decision to suspend and place your EMT certification on probation, negating any further appeal rights and converting this action into a final agency decision.

If you have any questions concerning this matter, please contact Investigator Zak Raab at (609) 633-7777 or via email at Zachary.Raab@doh.nj.gov.

Sincerely,



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

c: Eric Hicken, Chief, Licensing, Inspection, and Enforcement, OEMS
Candace Gardner, Chief Clinical Education and Licensure, OEMS
Zak Raab, Investigator, OEMS

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