



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 6, 2021

Mr. Shaul Leiser

Re: Notice of Summary Suspension
EMS ID # 580408
Investigation Control # 2020-0247V

Dear Mr. Leiser:

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 (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.)

While completing the renewal process for your EMT certification in December 2020, you advised the Department's Office of Emergency Medical Service (OEMS) that the New Jersey Board of Nursing took disciplinary action against your nursing license. Consistent with OEMS regulatory authority and policy, the OEMS opened an investigation in response to this information.

Upon opening the investigation, the OEMS investigator confirmed that you are currently certified as an EMT in New Jersey and have been certified as an EMT since April 22, 2009. The investigator also confirmed that on November 28, 2017, the BON entered into an interim consent order with you where you agreed to a temporary suspension of your registered nurse license while the BON investigated sexual misconduct charges that were lodged against you. From the investigation, the BON concluded that you engaged in professional misconduct and sexual misconduct. Specifically, within the span of two days in October 2017, two patients alleged that you had inappropriately touched their breasts while providing nursing services. Additionally, multiple co-workers alleged that you had inappropriately touched them by massaging them or by fondling their breasts. As a result of these findings, the BON suspended your

registered nurse license for one year, effective December 7, 2018, assessed a civil monetary penalty against you and required you to gain the support of the Recovery and Monitoring Program and provide proof of successful completion of the Professional Problem-Based Ethics program prior to petitioning for reinstatement of your nursing license. To date, your nursing license has not been reinstated.

As you are aware, EMTs 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 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, fire fighters, doctors and other professionals. In short, to be effective, 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 must be **summarily suspended**. Pursuant to N.J.A.C. 8:40A-10.2, “[t]he Commissioner, or his or her designee, may summarily suspend a person’s EMT-Basic 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.” See also N.J.A.C. 8:40A-10.2(b)(19) (stating that the “[s]uspension or revocation of EMT-Basic or EMT-Paramedic certification, or any similar or advanced medical certification or license issued by the State of New Jersey or any other state, agency, authority or governmental entity” is cause for an enforcement action against an individual maintaining an EMT certification). The above actions resulting in the suspension of your nursing license demonstrate that you not only have poor judgment and a lack of trustworthiness, but that you pose a threat to vulnerable patients. These behaviors and actions are incompatible with the duties of an EMT and the Department finds that your continued certification as an EMT constitutes an immediate and serious threat to public health, safety, and welfare. **Therefore, your certification as an EMT is immediately suspended. 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 the interim, the OEMS will continue to investigate this matter. After OEMS completes its investigation, you will be advised of what action, if any, the OEMS will take with respect to your EMT certification.

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(s) 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 via physical delivery to:

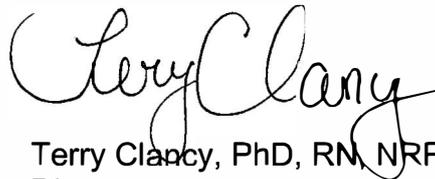
New Jersey Department of Health
Office of Emergency Medical Services
55 North Willow Street
Trenton, NJ, 08618

Pursuant to N.J.A.C. 8:40A-10.3, 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 **2020-0247V** 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 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 EMT certification pending completion of its investigation, thereby forfeiting all rights to emergency relief. 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: Candace Gardner, Chief, Clinical Education & Licensure, OEMS
Zak Raab, Investigator, OEMS
File

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