



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

April 7, 2022

Gene Peterson

**Re: Notice of Summary Suspension
Investigation Control # 22-0096
EMS ID # 603969**

Dear Mr. Peterson:

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 February 22, 2022, the Department's Office of Emergency Medical Services (OEMS) received notification that you may have committed a crime while working as an EMT. 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 February 28, 2013. Further, the investigator confirmed that you were charged with the following under Complaint No. S 2022 002598 in the City of Newark, New Jersey:

1. Two (2) counts Criminal Sexual Contact in violation of N.J.S.A. 2C:14-3(b).

Specifically, it is alleged that on February 11, 2022, you were working for an emergency medical services (EMS) provider and wearing your EMS uniform when you transferred a patient to St. Michael's Medical Center's Emergency Department. After transferring the patient to hospital staff, you entered another patient's room where a female patient was awaiting treatment and began exposing the patient by lifting her gown and touching her breasts without consent. You then lifted the patient's pants and

began touching her lower pelvis area and inner thighs without consent. A nurse working for St. Michael's Medical Center walked into the room while you were touching the patient's pelvic area, at which point you provided the patient with a business card stating that you were a massage therapist and left the room.

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 who range in age 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." The above alleged criminal actions demonstrate that you not only have poor judgment and a lack of trustworthiness, but that you pose a threat to vulnerable patients in need of emergency medical care. Indeed, ensuring that vulnerable patients in need of emergency medical care are rendered treatment in a safe manner and are protected from possible abuse by the emergency medical providers entrusted to care for them is essential to the effective provision of emergency medical care. Because your criminal charges involve criminal sexual contact, the Department finds that your alleged actions and behaviors are a 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 and monitor the progression of your criminal case. After OEMS completes its investigation and the charges against you have been resolved, you will be advised of what action, if any, the OEMS will take with respect to your EMT certification.

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 **22-0096** 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 Daniel Kazar at (609) 633-7777 or via email at Daniel.Kazar@doh.nj.gov.

Sincerely,

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

c: Candace Gardner, Program Manager, OEMS
Daniel Kazar, Acting Chief, Education, Licensure, and Enforcement, OEMS
Zachary Raab, Investigator, OEMS
NREMT
File

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