State of New Jersey
DEPARTMENT OF HEALTH
OFFICE OF EMERGENCY MEDICAL SERVICES
PO BOX 360
TRENTON, N.J. 08625-0360
www.nj.gov/health

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

MARY E. O'DOWD, M.P.H.
Commissioner

May 4, 2015

Ms. Angelica Athens
108 Cherry St.
Jersey City, NJ 07305

Re: Notice of Proposed Denial of Paramedic Certification
Investigation Control #2014-0111V-Athens

Dear Ms. Athens:

The New Jersey Department of Health (Department) is vested with the responsibility of carrying out the provisions of N.J.S.A. 26:2K-7, et seq., Advanced Life Support Services, and N.J.S.A. 26:2H-1, et seq. Health Care Facilities Planning Act, which were 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-2b, health care services include any pre-hospital care rendered by paramedical and ambulance services. These laws establish a scheme that permit certain individuals, once certified, to perform basic life support and/or advanced life support services. In furtherance of the objectives set forth in the statutes, the Department has adopted regulations that govern the training, certification and professional conduct of Emergency Medical Technicians (EMT) and Emergency Medical Technicians-Paramedic: Training and Certification. See N.J.A.C. 8:41A-1.1 et seq.

On October 19, 2014, the Department's Office of Emergency Medical Services (OEMS) received a complaint alleging that Ocean County Community College/MONOC paramedic students were endorsed to sit for the National Registry of Emergency Medical Technicians Paramedic examination (NREMT exam) without completing all regulatory requirements necessary to sit for the exam. Consistent with regulatory authority and OEMS policy, OEMS opened an investigation into this matter.

Because you completed the Ocean County Community College/MONOC paramedic training program, recently sat for and passed the NREMT exam and are currently seeking certification from OEMS, your student file was reviewed as part of the investigation. A review of your student file revealed that you failed to meet the minimum number of evaluations, competences, clinical hours and skills, as set forth at N.J.A.C. 8:41A-2.4 through 2.7, that you are required to complete in order to sit for the NREMT exam and receive paramedic certification from OEMS. As a result, OEMS investigators met with you on March 25, 2015 to discuss these findings and discuss your records.

Unfortunately, you were unable to present any evidence demonstrating that you met the minimum requirements necessary to obtain your paramedic certification.

As you are already aware, paramedic training is made up of two parts: didactic training and clinical training. N.J.A.C. 8:41A-2.1(a) and 2.3(d)(1). And, the clinical training is made up of three categories: Category I/Skills Division; Category II/Specialty Care Division; and Category III/Field Experience. See N.J.A.C. 8:41A-2.5, 2.6 and 2.7. Once the student successfully completes his or her didactic training, the student is permitted to proceed to Category I clinical training, which is completed in a controlled hospital setting overseen by medical professionals. N.J.A.C. 8:41A-2.4 and 2.5. Category I training consists of laboratory training, IV therapy training, respiratory therapy, operating/recovery room training and cardiology laboratory training. After successfully completing Category I, the student is then permitted to proceed to Category II clinical training, which is also conducted under supervision in the hospital setting. N.J.A.C. 8:41A-2.5(f). Category II training is made up of intensive care/coronary care unit and emergency department training, labor/delivery/newborn nursery training, pediatric unit training and psychiatric unit or crisis center training. N.J.A.C. 8:41A-2.6. After successfully completing Category I and II training, the student is then permitted to proceed to Category III, which is where the student rides on a mobile intensive care unit and applies his or her newly gained skills in the field while being closely supervised by experienced paramedics. N.J.A.C. 8:41A-2.6(e) and 2.7.

N.J.A.C. 8:41A-2.4 further provides that paramedic students must complete a minimum of 700 hours of total clinical training, which is broken up as follows:

i. Emergency Department: 100 hours;
ii. Intensive/Coronary Care Units: 40 hours;
iii. Operating/Recovery Room: 24 hours;
iv. IV Therapy Team, if available: 16 hours;
v. Pediatric Unit: 40 hours;
vi. Labor/Delivery/Newborn Nursery: 24 hours;
vii. Psychiatric Unity or Crisis Center: Eight hours;
viii. Cardiology Laboratory: Eight hours;
ix. Morgue: Eight hours;
x. Laboratory: Eight hours;
xi. Respiratory Therapy: 24 hours;
xii. Field Experience: 400 hours.

And, within each clinical area identified above, the student must perform specific skills and successfully complete a certain number of the skills in order to demonstrate competence in those areas. See N.J.A.C. 8:41A-2.5, 2.6 and 2.7. Moreover, after completing the requirements of each category of training, the student must demonstrate competency in all clinical areas prior to advancing to the next training category. Ibid.

These minimum training requirements are in existences in order to ensure that students are competent, accountable and consistent in the provision of care in these

critical areas. Therefore, by successfully completing these minimum requirements, OEMS has a level of confidence that the student is sufficiently capable of caring for critically ill and injured patients that present in this State.

In the present matter, you failed to complete the minimum clinical training requirements that are necessary for EMT-Paramedic certification. Specifically, you failed to complete the minimum requirements for: Category I, Category II, Category III and Morgue.[1]

Based upon the foregoing, OEMS has determined that your application for certification as an EMT-Paramedic must be denied. Pursuant to N.J.A.C. 8:41A-5.2(b), "[t]he Commissioner, or his or her designee, may . . . refuse to issue or renew the certification of an EMT-Paramedic for violation of any of the rules set forth in this chapter". This shall include, but is not limited to:

> 25. Failure to comply with any part of this chapter, any applicable part of N.J.A.C. 8:40 or 8:41, or any applicable law, rule/or regulation; and/or
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> 26. Any other action deemed by the Department to pose a threat to public health, safety or welfare.

Here, OEMS has determined that you failed to comply with N.J.A.C. 8:41A-4.1, which requires an individual to successfully complete "an EMT-Paramedic training program (which shall consist of both a didactic and a clinical portion)" in order to be certified as an EMT-Paramedic. As explained above, you failed to comply with this regulation as you did not complete the minimum clinical training requirements necessary for certification.

Furthermore, the public's health, safety and welfare would be at risk if you were certified as an EMT-Paramedic because your failure to complete the minimum clinical training requirements leaves you with insufficient training and education to care for the critically ill and injured patients in this State. **Consequently, your application for a New Jersey EMT-Paramedic certification is denied.**

Pursuant to N.J.A.C. 8:41A-5.3(b), you may request a hearing before the Office of Administrative Law to contest the Department's decision to deny your EMT-Paramedic certification request. 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. Your request for a hearing must be submitted within 30 days from the date of

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[1] While your EMS Educator filed a waiver application with OEMS on March 16, 2015 seeking to waive a portion of your morgue clinical requirements, pursuant to N.J.A.C. 8:41A-2.4(f), it was submitted after you had already completed the paramedic training program, received your endorsement and sat for the NREMT exam. Because the waiver application was extremely untimely, OEMS denied it. And, even if the waiver application was granted, you still would not have met the minimum clinical requirements necessary for certification, as set forth above.

this Notice. Please include the control number 2014-0111V-Athens on your correspondence, and forward your request to:

New Jersey Department of Health
Office of Legal & Regulatory Compliance
P.O. Box 360, Room 805
Trenton, NJ 08625-0360
Attn: Ms. Tami Roach

Finally, please note that your failure to submit a request for a hearing within 30 days shall be interpreted as an acceptance of this Department's decision, thereby negating any further appeal rights. If you have any questions concerning this matter, please contact Dr. Terry Clancy, Chief, Education, Certification and Technology, at (609) 633-7777.

Sincerely,

Nancy Kelly-Goodstein, M.A.S.
Acting Director
Office of Emergency Medical Services

C: Patricia Fenn, Ocean County Community College
Candace Gardner, OEMS
Tami Roach, Office of Legal & Regulatory Compliance
Vincent Robbins, MONOC
Rob Wagoner, NREMT

SENT VIA REGULAR US MAIL AND
CERTIFIED MAIL #7008 1140 0001 5589 6126
RETURN RECEIPT REQUESTED