

March 27, 2000

Ms. Carol Easter, Owner
A-1 Ambulance & Transport, Inc.
P.O. Box 835
Charlotte Hall, MD 20622

**Re: ORDER TO CEASE AND DESIST OPERATION
OF UNLICENSED AMBULANCE SERVICE**

Dear Ms. Easter:

On December 30, 1999, staff of this Department's Office of Emergency Medical Services (OEMS) received notification from the Maryland Institute for Emergency Medical Services System (MIEMSS) that on November 15, 1999, A-1 Ambulance and Transport, Inc. transported a patient from a nursing home in New Jersey to another nursing home in Hyattsville, Maryland. MIEMSS's concern was that A-1 Ambulance is not licensed by the State of New Jersey and, therefore, was technically operating without a valid New Jersey license.

Pursuant to N.J.A.C. 8:40-2.4(a), no person, institution, agency or business concern shall provide mobility assistance vehicle or ambulance services within the State of New Jersey until a license to operate has been issued by the New Jersey Department of Health and Senior Services. The only exceptions to this rule are provided at N.J.A.C. 8:40-2.5(b)1-3, which exempts those providers that are:

Transporting a patient through New Jersey from an out-of-state location to another out-of-state location; or

Transporting a patient from an out-of-state location to a New Jersey location and returning that same patient to an out-of-state location on the same calendar day; or

Transporting a patient on a one-way trip from an out-of-state location to a New Jersey location.

A review of our records reveals that A-1 Ambulance does not possess a license to operate within the State of New Jersey. Although A-1 Ambulance may be licensed by the State of Maryland, the fact remains that A-1 Ambulance is not licensed in New Jersey and the transport conducted by A-1 Ambulance on November 15, 1999 did not fall within any of the three exceptions to New Jersey's licensing requirements noted above. Therefore, it is my duty to inform you that A-1 Ambulance's actions do, in fact, constitute the operation of an unlicensed ambulance service within the State of New Jersey.

In light of the above information, A-1 Ambulance & Transport, Inc. is hereby ORDERED to immediately CEASE AND DESIST operations as an ambulance service within the State of New Jersey. In accordance with N.J.S.A. 26:2H-16, failure to comply with this Order may result in an action by this Department for injunctive relief in the Superior Court of New Jersey. Finally, please be advised that this Order constitutes a final agency decision. As such, pursuant to New Jersey Court Rule 2:23, should A-1 Ambulance choose to contest this decision, its right to appeal rests with the Superior Court of New Jersey, Appellate Division.

Your full cooperation in this matter is appreciated.

Sincerely,

Gerard C. Muench, Jr., MPA, MICP
Director
Office of Emergency Medical Services

c: Ms. Barreto, DAG
Ms. Halupke, OEMS
Mrs. Slimm, L&RA
Mr. Carter, OEMS
Ms. Saunders, OEMS

CERTIFIED MAIL #Z-424-792-314
RETURN RECEIPT REQUESTED