



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

June 16, 2021

Mr. Jay Zimmerman

[REDACTED]
[REDACTED]

**Re: AMENDED Order to Cease and Desist Impersonating a Certified New Jersey
Emergency Medical Technician (EMT)
Investigation Control # 2021-0100V
EMS ID # 513132**

Dear Mr. Zimmerman:

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 March 25, 2021, the Department received a complaint that you provided treatment to patients as an EMT while operating for Great Bay Regional Volunteer EMS (GBRVEMS) even though your EMT certification is expired. Consistent with its regulatory authority and the Office of Emergency Medical Services (OEMS) policy, the OEMS opened an investigation in response to this notification.

The OEMS investigator confirmed that you were certified as an EMT from December 20, 1995 to December 12, 2002, and then again from August 14, 2006 to December 31, 2020. However, you do not currently hold an EMT certification. During an unrelated investigation (Incident Control # 2021-0087V) on March 16, 2021, you had a conversation with the OEMS investigators. During this conversation, it was observed by OEMS investigators that you were wearing a job shirt with your name and title, which was "Captain," printed across the right breast, along with a GBRVEMS patch on the left shoulder and an EMT patch on the right shoulder. You were also observed driving the GBRVEMS Command Vehicle. Thus, you were clearly portraying yourself as an EMT.

Pursuant to N.J.S.A. 26:2K-40, N.J.S.A. 26:2K-42, and N.J.A.C. 8:40A-7.1(a), an individual shall not act in the capacity of or portray themselves as an EMT-Basic unless certified by the Department. From its investigation, the Department finds that you are in violation of these statutes and the rule because you are not certified by the Department as an EMT. Yet, you were portraying yourself as an EMT. Thus, the Department finds that you were impersonating an EMT in the State of New Jersey.

Based upon the foregoing, the Department hereby **orders you, pursuant to N.J.A.C. 8:40A-10.4(a)(1), to immediately CEASE AND DESIST** from making any further representations that you are a certified New Jersey EMT. You are further prohibited from acting in the capacity of an EMT. Additionally, you are hereby ordered to immediately surrender any and all invalid and/or fraudulent certification credentials in your possession. Failure to abide by this order to cease and desist may result in additional fines and penalties as provided for in N.J.A.C. 8:40A-10.4(a)(2).

You may request a hearing before the Office of Administrative Law to contest this cease and desist notice. 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 **2021-0100V** 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 a hearing within 30 days from the date of this notice shall be interpreted as an acceptance of this Department's decision, thereby, 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 & Licensure, OEMS
Zak Raab, Investigator, OEMS
NREMT
File

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