



State of New Jersey
DEPARTMENT OF HEALTH AND SENIOR SERVICES
OFFICE OF EMERGENCY MEDICAL SERVICES
PO BOX 360
TRENTON, N.J. 08625-0360

JON S. CORZINE
Governor

www.nj.gov/health

FRED M. JACOBS, M.D., J.D.
Commissioner

January 5, 2007

Ms. Nyakur Kueth
Lake Langano Invalid Coach
75 West End Avenue- St. R19E
New York, NY 10023

Re: **Order to Cease and Desist**
Operating an Unlicensed Mobility Assistance Vehicle Service
Investigation Control # 06-B-104

Dear Ms. Kueth:

The New Jersey Department of Health and Senior Services is vested with the responsibility of carrying out the provisions of the Health Care Facilities Planning Act found at N.J.S.A. 26:2H-1, et. seq., which was enacted, in part, to ensure that hospital and related health care services rendered in New Jersey are of the highest quality. As defined at N.J.S.A. 26:2H-2b, health care services include mobility assistance vehicle services. In addition, in accordance with §6.4 and §6.6 of the New Jersey Medical Assistance and Health Services Act found at N.J.S.A. 30:4D-1 et. seq., this Department is responsible for the development of minimum licensure requirements concerning the equipment, supplies and vehicles of providers of mobility assistance vehicle services.

On June 13, 2006, the Office of Emergency Medical Services (OEMS) mailed a vehicle license to your address of record which was returned by the U.S. Post Office due to a bad address. OEMS staff attempted to contact your agency by telephone, but the telephone numbers had been disconnected, with no forwarding telephone numbers on file.

On September 1, 2006, OEMS mailed a licensure reapplication packet for 2007-2008 to your address of record. This form was due back at OEMS on November 1, 2006, but was never received. As a follow up, OEMS staff attempted to contact your office by telephone again, but the telephone numbers were still disconnected. On December 21, 2006, you contacted OEMS and left a telephone number where you could be reached. OEMS staff called you and left a message to call back.

On December 22, 2006 you contacted OEMS again and spoke to Mr. Christopher Tams regarding the licensure reapplication packet. He advised you that the packet was mailed to you on September 1, 2006 but had not been returned to OEMS. You then advised him that there was a change in Lake Langano Invalid Coach's ownership in July. Your attorney faxed documentation to OEMS showing that 100% of Lake Langano Invalid Coach's ownership changed on July 1, 2005. On that date, Mr. Teferi Gelaneh, the registered owner of 100% of Lake Langano Invalid Coach, transferred 100% of his ownership interest to you. This change in ownership was not presented to OEMS for approval prior to the change in ownership. In accordance with the administrative rules cited below, Lake Langano Invalid Coach's license to operate a mobility assistance vehicle service became void on July 1, 2005.

N.J.A.C. 8:40-2.5(g) states that, "Any and all proposed changes in ownership interest shall be reported to the Department at least 30 calendar days prior to the actual change, except that providers owned by publicly held corporations need only report stock redistributions of five percent or more.

2. All other changes to the controlling interest of a provider shall constitute a complete change in ownership and shall require the submission of an application for licensure by the proposed owner, as set forth at N.J.A.C. 8:40-2.1 and 2.2. No services shall be provided until such time as the applicant has been granted the required provider and vehicle licenses.

3. All licenses shall be immediately void if the controlling interest of a provider is changed without first notifying the Department and receiving all necessary provider and/or vehicle licenses."

N.J.A.C. 8:40-7.4(a) states, "Consistent with N.J.A.C. 8:40-5.1(b) and 6.1(b), no person, public or private institution, agency, entity, corporation or business concern shall provide MAV and/or BLS ambulance services in any form or manner within the State of New Jersey until licensed by the Department.

1. Upon notice or discovery that a person, public or private institution, agency, entity, corporation or business concern is providing MAV and/or BLS ambulance services without having first obtained the required provider and vehicle licenses, after revocation or suspension of a license previously issued by the Department or after having allowed an existing license to lapse, the Commissioner or his or her designee may issue an order directing the operation of the unlicensed service to immediately cease and desist.

i. Failure to comply with an order to cease and desist may result in an action by the Department for injunctive relief in the Superior Court of New Jersey.

ii. The order to cease and desist shall constitute a final agency decision. As such, pursuant to New Jersey Court Rule 2:2-3, any appeal from the

Commissioner's order to cease and desist shall be filed with the Superior Court of New Jersey, Appellate Division."

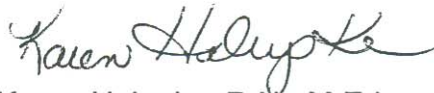
Therefore, you are hereby **ordered to immediately CEASE AND DESIST** providing Mobility Assistance Vehicle Services in the State of New Jersey which require both provider and vehicle licenses. The Department reserves the right to impose fines and/or penalties for the above referenced licensure violations. Failure to abide by this order to cease and desist may result in an action by the Department for injunctive relief in the Superior Court of New Jersey and additional fines and penalties as provided for by law.

This order to cease and desist shall constitute a Final Agency Decision. As such, pursuant to New Jersey Court Rules 2:2-3 and 2:4-1, you may appeal this Final Agency Decision within 45 days to the following authority:

New Jersey Superior Court-Appellate Division
Richard J. Hughes Justice Complex
P.O. Box 006
Trenton, New Jersey 08625-0006

If you have any questions, please contact Mr. Samuel Stewart of my office at (609) 633-7777.

Sincerely,



Karen Halupke, R.N., M.Ed.
Director, Emergency Medical Services

c: David W. Gruber, Senior Assistant Commissioner
Health Infrastructure Preparedness and Emergency Response
Joseph Tricarico, Jr., Assistant Commissioner
Health Infrastructure Preparedness and Emergency Response
Samuel Stewart, OEMS Regulatory Officer
William Duffy, OEMS Licensure and Operations Coordinator
Michele Stark, OL&RA
Division of Medical Assistance and Health Services

SENT VIA REGULAR U.S. MAIL
AND CERTIFIED MAIL # 70040750000261946591
RETURN RECEIPT REQUESTED