



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

OFFICE OF EMERGENCY MEDICAL SERVICES

PO BOX 360

TRENTON, N.J. 08625-0360

[www.nj.gov/health](http://www.nj.gov/health)

JON S. CORZINE  
Governor

HEATHER HOWARD  
Commissioner

April 10, 2008

Perth Amboy EMS  
375 New Brunswick Ave  
Perth Amboy, NJ 08861  
Chief Lawrence Cattano

Re: **Order to Cease and Desist Impersonating a Certified New Jersey First Responder-Defibrillation**  
Investigation Control # **08-C-008**

Dear Chief Cattano:

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, N.J.S.A. 26:2H-1, et seq., 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-2b, health care services include any pre-hospital care rendered by paramedic and ambulance services. In furtherance of the objectives set forth in the statute, the Department of Health and Senior Services (the Department) has adopted regulations that govern the training and certification of the Emergency Medical Technicians (EMTs) who staff those paramedical and ambulance services. See N.J.A.C. 8:40A-1.1, et seq.

It has come to the attention of this Department's Office of Emergency Medical Services (OEMS) that Perth Amboy Emergency Medical Services (Perth Amboy) has two different first responder patches being worn by its staff on their uniforms that state either "First Responder/CIM Defibrillation Certified N.J. State Dept. of Health", or "First Responder Defibrillation Certified State of New Jersey." On January 29, 2008 OEMS investigators performed an unannounced survey at Perth Amboy Emergency Medical Services and observed your staff wearing the above mentioned patches on their uniforms. This Department does not certify first responders. The patches that Perth Amboy staff displays on their uniforms are not recognized or endorsed by the Department. Wearing these patches misrepresents to the public that your first responders are either certified or endorsed by the Department.

N.J.S.A. 26:2K-42 states, "False advertising; impersonation of EMT-D, First Responder-D:

- a. A person shall not advertise or disseminate information to the public that the person is an EMT-D or a First Responder-D unless the person is authorized to do so pursuant to this act.
- b. A person shall not impersonate or refer to himself as an EMT-D or a First Responder-D unless he is certified pursuant to section 2 of this act."

Therefore, you are hereby **ordered to immediately CEASE AND DESIST** any further representations that the Perth Amboy Fire Department and Emergency Medical Services staff are certified as first responders or first responders-defibrillation by the New Jersey Department of Health and Senior Services. You are further prohibited from having your staff wear any patch that states either "First Responder/CIM Defibrillation Certified N.J. State Dept. of Health," or "First Responder Defibrillation Certified State of New Jersey."

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 from 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 do not hesitate to contact Mr. Samuel Stewart, OEMS Regulatory Officer, at (609) 633-7777.

Sincerely,



Karen Halupke, RN, 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 Bureau  
Michele Stark, OLRA  
Hon. Joseph Vas, Mayor City of Perth Amboy  
Samuel Stewart, Esq., OEMS  
Donald Roberts, OEMS  
Jason Pidcock, OEMS

SENT VIA REGULAR US MAIL AND  
CERTIFIED MAIL # 7004 0750 0002 6441 5544  
RETURN RECEIPT REQUESTED