



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

OFFICE OF EMERGENCY MEDICAL SERVICES

PO BOX 360

TRENTON, N.J. 08625-0360

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

www.nj.gov/health

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

July 26, 2011

DANNY BECKER

**Re: Notice of Summary Suspension:
EMT-Basic Certification # 518592
Investigation Control # 2011-222**

Dear Mr. Becker:

The New Jersey Department of Health and Senior Services (the Department) is vested with the responsibility of carrying out the provisions of *N.J.S.A. 26:2H-1 et seq., Health Care Facilities Planning Act*, which was enacted, in part, to assure 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 basic life support (BLS) personnel. In addition, *N.J.S.A. 26:2K-7 et seq., Emergency Medical Services Act* authorizes the Department to certify Emergency Medical Technician-Basics (EMT-B). In furtherance of the objectives set forth in the statutes, the Department has adopted regulations that govern the training, certification and professional conduct of EMT-B and EMT-B candidates. (See: *N.J.A.C. 8:40A-1.1 Emergency Medical Technicians-Basics: Training and Certification.*)

On May 23, 2011, the Department's Office of Emergency Medical Services (OEMS) received a news article from www.NJ.com, dated May 20, 2011. The article alleged that you were arrested for endangering the welfare of a child and other related charges. Accordingly, the OEMS opened an investigation in response to the information contained in the news article.

Further investigation revealed that on May 19, 2011, an arrest warrant was executed by the Passaic County Prosecutor's Office, in cooperation with the Passaic County Sheriff's Department, resulting in your arrest. The complaint alleges that you exposed yourself to, and attempted to solicit sex from, what you believed to be a child under thirteen (13) year of age. As a result of these allegations, you were charged with *Criminal Attempt*, in violation of N.J.S.A. 2C:5-1a(1), *Sexual Assault of a Person Under 13* in violation of N.J.S.A. 2C:14-2a(1); and *Sexual Contact Where the Victim is Less Than 13 and Actor is More Than Four Years Older Than Victim*, in violation of N.J.S.A. 2C:14-2b; and *Lewdness Where the Victim is Less Than 13 and Actor is More Than Four Years Older Than Victim*, in violation of N.J.S.A. 2C:14-4b(1); and *Endangering the Welfare of a Child*, in violation of N.J.S.A. 2C:24-4a.

You are aware that EMT-Basics work in unsupervised two person teams to respond effectively to emergencies. The nature of this work requires these individuals to make important medical assessments and carry out appropriate pre-hospital interventions at motor vehicle accidents, in people's homes and at other difficult field locations. In order to be effective, EMT-Basics must unconditionally trust each other and be incontestably trusted by EMT-Paramedics, police officers, fire fighters, doctors and other professionals. Because EMT-Basics treat vulnerable patients of all ages, from infants to the elderly, they are required to place a high value on the health, safety and welfare of the patients they treat.

You are also aware that EMT-Basics oftentimes are called upon to perform physical exams and depending upon the circumstances, may be required to remove the patient's clothing in order to properly visualize and assess the presenting condition and treat the injuries. However, patients presenting with traumatic injury must always be properly exposed to assure that all injuries are clearly identified and treated accordingly. Consequently, EMT-Basics are placed in a position of authority and influence over vulnerable and/or frightened individuals, which means these factors implicitly demand that the EMT-Basic be trustworthy.

N.J.A.C. 8:40A-10.2(a) states: "The Commissioner, or his/her designee, may summarily suspend a person's EMT-Basic and/or EMT-Instructor certification when, in his/her opinion, the continued certification of that person poses an immediate or serious threat to the public health, safety or welfare."

Because of the seriousness of the crimes with which you have been charged, the Department finds that your continued certification as an EMT-Basic constitutes an immediate and serious threat to the health, safety, and welfare of the public. **Therefore, your certification as an EMT-Basic is immediately suspended and shall remain suspended indefinitely.**

Be advised, you may not, under any circumstances, act in the capacity of or perform the duties of an EMT-Basic in New Jersey during this period of suspension. Be further advised that if you act in the capacity of, or perform the duties of an EMT-Basic in New Jersey during this period of suspension, your actions will constitute impersonation of an EMT-Basic, in violation of N.J.A.C. 8:40A-10.4 and shall incur further penalties.

In accordance with *N.J.A.C. 8:40A-7.1(f)*, certification cards are the property of the Department and shall be immediately surrendered upon demand. You are hereby directed to immediately surrender your EMT-Basic certification card(s) to the OEMS, either by U.S. mail to the address on the first page of this Notice, or by physical delivery to the Department of Health and Senior Services, OEMS, John Fitch Way, Market and Warren Streets, Trenton, NJ, 08611.

The OEMS will continue to investigate this matter. You will be notified when the OEMS has completed its investigation, at which time you will be advised what action(s), if any, will be taken with respect to your EMT-Basic certification.

Pursuant to *N.J.A.C. 8:40A-10.3(a)*, you may appeal to the Commissioner of the Department of Health and Senior Services for a hearing before the Office of Administrative Law to contest this summary suspension. If the summary suspension is upheld at the Office of Administrative Law, you may apply for injunctive relief in the Superior Court of New Jersey. Your request for a hearing regarding this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. Please include control number **2011-222** on your correspondence, and forward your request to:

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

Finally, please note that failure to submit a 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. If you have any questions concerning this matter, please contact Dr. Jo-Bea Sciarrotta, OEMS Compliance Officer, at (609) 633-7777.

Sincerely,

Karen Halupke, RN, M.Ed.
Director
Emergency Medical Services

c. Christopher Rinn, Assistant Commissioner
Michael Mooney, OEMS
Michele Stark, OL&R Compliance

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