



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

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

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

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

September 4, 2013

Dennis Brandt

Re: **Notice of Summary Suspension:  
EMT Certification # 563507  
Investigation Control # 2013-395**

Dear Mr. Brandt:

The New Jersey Department of Health (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.*)

The Department's Office of Emergency Medical Services (OEMS) received notification that you were charged with stealing over \$7300 from the Firemen's Mutual Benevolent Association (FMBA). In addition, allegations were made that you were working at Bellmawr Fire Department, Emergency Medical Services (EMS) Unit while under the influence of alcohol.

As a matter of policy, the OEMS opened an investigation in response to the notification. Thereafter, OEMS investigators contacted the Camden County Prosecutor's Office. A representative from the Prosecutor's Office confirmed that on February 21, 2013 you were charged with the following under complaint number S2013-000113-0414:

1. Theft of movable property by unlawful taking or disposition which is in violation of 2C:20-3(A).

Specifically, the complaint states that you made 103 unauthorized automatic teller machine (ATM) withdrawals from the general fund bank account belonging to the FMBA Local #51 between August 15, 2011 and January 7, 2013. The total amount withdrawn is \$7330.

Upon further investigation, it was found that on January 2, 2013, you arrived to work a night shift with Bellmawr Fire Department, EMS Unit. You arrived early and took an assignment

in Runnemede. While en route to the assignment, your partner asked if you were intoxicated, to which you said no. Instead, you stated you weren't feeling well and had the flu. Your partner offered to treat the patient on the way to the hospital, but you stated that you didn't think you could drive due to your illness. Upon arriving at the hospital, you were met by Bellmawr Fire Department administration who felt you weren't acting appropriately. When asked, again, if you were working under the influence, you advised administration that you were drinking throughout the day. Your blood alcohol concentration was tested via breathalyzer and found to be 0.262%. In New Jersey, a person is legally intoxicated if their blood alcohol concentration is 0.08% or greater.

N.J.A.C. 8:40A-10.2(a) states:

The Commissioner, or his or her designee, may summarily suspend a person's EMT-Basic and/or EMT-Instructor certification when, in his or her opinion, the continued certification of that person poses an immediate or serious threat to the public health, safety or welfare.

N.J.A.C. 8:40-4.4(d) states:

- d) No person shall staff or operate, or be allowed to staff or operate an MAV or BLS ambulance:
1. After consuming or while under the influence of alcohol, narcotics or any substance that substantially compromises a person's decision-making abilities;

N.J.A.C. 8:40A-10.2(b) states:

The Commissioner, or his or her designee, may issue a formal written warning, impose a monetary penalty, place on probation, suspend, revoke and/or refuse to issue or renew the certification of any EMT-Basic or EMT-Instructor for violation of any of the rules set forth in this chapter. This includes, but is not limited to:

6. Rendering of services while under the influence of any substance that substantially compromises a person's decision-making abilities (including, but not limited to, alcohol or narcotics);

Because of the seriousness of the crimes with which you have been charged, the Department finds that your continued certification as an EMT constitutes an immediate and serious threat to public health, safety, and welfare. **Therefore, your certification as an EMT is immediately suspended and shall remain suspended indefinitely. You may not, under any circumstances, act in the capacity of or perform the duties of an EMT in New Jersey during this period of suspension.**

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 certification card(s) to the OEMS, either by sending via United States Postal Service First Class Mail, to the address on the first page of this Notice, or via physical delivery to Department of Health, OEMS, John Fitch Way, Market and Warren Streets, Trenton, NJ, 08611.

In the interim, 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 of what action(s), if any, will be taken with respect to your EMT certification.

Pursuant to N.J.A.C. 8:40A-10.3(a), you may appeal to the Commissioner of the Department Health 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 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 **2013-395** on your correspondence, and forward your request to:

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

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 Mr. Donald Roberts, at (609) 633-7777.

Sincerely,

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

c. Christopher R. Rinn, Assistant Commissioner  
Donald Roberts, OEMS  
James Sweeney, OEMS  
Tami Roach, OL&RA

SENT VIA REGULAR U.S. MAIL AND  
CERTIFIED MAIL # 7011 1570 0003 3723 8271  
RETURN RECEIPT REQUESTED