



State of New Jersey

DEPARTMENT OF HEALTH

OFFICE OF EMERGENCY MEDICAL SERVICES

PO BOX 360

TRENTON, N.J. 08625-0360

www.nj.gov/health

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

KAITLAN BASTON, MD, MSc, DFASAM
Acting Commissioner

January 3, 2024

Gene Peterson

Re: Notice of Proposed Revocation of EMT Certification

EMS ID # 603969

Investigation Control # 22-0096

Dear Mr. Peterson:

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 February 22, 2022, the Department's Office of Emergency Medical Services (OEMS) received notification that you may have committed a crime while working as an EMT. Consistent with OEMS's regulatory authority and policy, the OEMS opened an investigation in response to this notification.

Upon opening the investigation, the OEMS investigator confirmed that you have been a certified EMT since February 28, 2013. Further, the investigator confirmed that you were charged with the following under Complaint No. S 2022 002598 in the City of Newark, New Jersey:

1. Two (2) counts Criminal Sexual Contact in violation of N.J.S.A. 2C:14-3(b).

Specifically, it is alleged that on February 11, 2022, you were working for an emergency medical services (EMS) provider and wearing your EMS uniform when you transferred a patient to St. Michael's Medical Center's Emergency Department (ED). After transferring the patient to hospital staff, you entered another ED patient room where a female patient was awaiting treatment and began exposing the patient by lifting her gown and touching her breasts without consent. You then lifted the patient's pants and began touching her lower pelvis area and inner thighs without consent. A nurse working for St. Michael's Medical Center walked into the room

while you were touching the patient's pelvic area, at which point you provided the patient with a business card stating that you were a massage therapist and left the room.

At this point in the investigation, the OEMS determined that you were an immediate and serious risk to public health, safety, and welfare. Consequently, the OEMS summarily suspended your EMT certification on April 6, 2022.

After issuing you a summary suspension, the OEMS continued investigating this matter. As part of the investigation, OEMS investigators interviewed individuals involved with this incident, including yourself.

From the investigation, it was determined that you brought a patient to the ED at Saint Michael's Medical Center for medical treatment while operating as a crewmember of a licensed BLS Ambulance. While transporting this patient into the ED, you walked past an examination room where a patient was being treated. After transferring your patient's care to the in-hospital care team, you went to the EMS break room at Saint Michael's Medical Center with your partner. After leaving the EMS break room, you did not walk out of the ED with your partner. Instead, you walked into the treatment room where a patient, the victim, was by herself. While in the ED's private treatment area with the victim, you started to assess the victim without examination gloves and admitted to touching the patient's chest and pelvic area. You told the victim that she was suffering from "a tight muscle." When the victim's treating nurse entered the room, you gave the victim a business card for "The Massage Guy" with your name, phone number, and email address on it. You told the victim that she should call you if she needed a massage and you would be able to work out a price if she was unable to make a full payment for service. You then proceeded to leave the victim's patient care room and the facility. It was also determined that you did not identify yourself to the victim and that you were wearing a vest that hid your name and agency affiliation from the victim in order to make the victim believe that you were a part of the in-hospital care team.

The OEMS investigation also revealed that you were placed under Pretrial Intervention (PTI) supervision by the court under Indictment No. 22 002374-001. Under PTI, you are prohibited from having contact with the victim and are barred from Saint Michael's Medical Center. As you know, EMTs cannot pick or choose the hospital where their patients are transported for treatment. Indeed, EMTs must transport patients to the healthcare facilities of their choice or where they need to receive treatment, based upon the condition of the patient. Thus, your conditions of PTI negatively impact your ability to serve as an EMT.

As you are aware, EMTs must make important medical assessments and carry out appropriate medical interventions in difficult field locations for patients young and old, combative and docile. To effectively care for all patients, EMTs must exercise good judgment and treat patients with dignity and respect. Thus, EMTs must trust each other and be trusted by police officers, firefighters, doctors, and other professionals.

Pursuant to N.J.A.C. 8:40A-10.2(b)(24), the Commissioner, or her designee, may revoke the certification of an EMT for any "action deemed by the Department to pose a threat to public health, safety, or welfare." Based upon the foregoing, the Department has determined that your EMT certification must be **revoked**. The above actions demonstrate that you not only have poor judgment and a lack of trustworthiness but that you pose a serious threat to vulnerable patients. Indeed, entering a patient's treatment room in a hospital emergency department without authority and touching the patient's intimate areas while giving the patient the impression that you are part of the hospital's treatment team is highly inappropriate, threatens the safety and

welfare of the public and cannot be tolerated. **Therefore, it is the intention of the Department to revoke your EMT certification.**

Pursuant to N.J.S.A. 52:14B-11 and N.J.A.C. 8:40A-10.3(b), you may request a hearing before the Office of Administrative Law to contest this Department's decision to revoke your EMT certification. 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. **You are also reminded that your EMT certification remains under a summary suspension and, as a result, you are PROHIBITED from acting in the capacity of an EMT.** If you wish to request a hearing, please include the control number **22-0096** 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 thirty (30) days from the date of this notice shall be interpreted as an acceptance of this Department's decision to revoke your EMT certification, 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 Daniel Kazar at (609) 633-7777 or via email at Daniel.Kazar@doh.nj.gov.

Sincerely,



Candace Gardner, Paramedic
Director
Office of Emergency Medical Services

c: Daniel Kazar, Chief, Licensing Education, Licensure, and Enforcement, OEMS
Zachary Raab, Investigator, OEMS
Kirsten Posselt, Investigator, OEMS
Angela Krukowski, Investigator, CIU
File

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