

April 17, 2000

Mr. Rubin R. Pyatt

Re: Notice of Summary Suspension of EMT Certification
Investigation Control #00-C-062

Dear Mr. Pyatt:

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 paramedical and ambulance services. In furtherance of the objectives set forth in the statute, the Department of Health and Senior Services has adopted regulations that govern the training and certification of the Emergency Medical Technicians (EMTs), such as yourself, who staff those paramedical and ambulance services. _See, N. J. A. C. 8:40A-1.1, et seq.

On April 4, 2000 staff of this Department's Office of Emergency Medical Services (OEMS) was notified that you had been relieved of your position as an EMT with University of Medicine and Dentistry of New Jersey (UMDNJ). According to the information provided by UMDNJ, you were terminated for falsification of your employment application (i.e., failure to disclose a 1992 criminal conviction for sexual assault). UMDNJ came to discover your 1992 conviction as the result of an investigation conducted by the Newark Police Department into allegations that you recently sexually assaulted a female patient while she was a passenger in an ambulance in which you were working. It is my understanding that, although no formal charges have yet been made, the matter is still under investigation by the Newark Police Department.

Based on the knowledge and information we have at this time, I believe that in accordance with the intent of N.J.A.C. 8:40A-9.5(c), there is sufficient cause for the safety and welfare of the public to warrant a summary suspension of your EMT certification. In the event that you are not familiar with the above-referenced regulation, N.J.A.C. 8:40A-9.5(c), in relevant part, states:

The Commissioner or his or her designee may summarily suspend an EMT certification when the continued certification of an individual poses an immediate threat to the health, safety or welfare of the public.

Therefore, in accordance with N.J.A.C. 8:40A-9.5(c), your certification as an EMT is immediately and summarily suspended pending the outcome of our investigation into this matter. Please be advised that by copy of this letter, we are also notifying University of Medicine and Dentistry (UMDNJ) of this summary suspension. You may not, under any circumstances, act in the capacity of or perform the duties of an EMT during this period of suspension with UMDNJ or any other squad that operates within the State of New Jersey.

Pursuant to N.J.A.C. 8:40A-9.5(c), you are entitled to appeal to the Commissioner of Health and Senior Services for an expedited 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 have the right to apply for injunctive relief in the Superior Court of New Jersey.

Your appeal for an expedited 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 noted above (i.e., #00-C-062) on your correspondence, and forward your request to:

New Jersey Department of Health & Senior Services
Office of Legal & Regulatory Affairs
P.O. Box 360, Room 805
Trenton, NJ 08625-0360
Attn: Mrs. Carole Slimm

If you have any questions concerning this matter, please do not hesitate to contact Mr. James Mondoro, Case Investigator, OEMS at (609) 633-7777.

Sincerely,
Gerard C. Muench, Jr., MPA, MICP
Director
Office of Emergency Medical Services

c: UMDNJ /EMS
Mrs. Slimm, L&RA
Ms. Barreto, DAG
Ms. Halupke, OEMS
Mr. Dinetz, OEMS
Mr. Mondoro, OEMS
Ms. Saunders, OEMS

CERTIFIED MAIL #Z-424-792-359
RETURN RECEIPT REQUESTED