

## NOTICE OF SUMMARY SUSPENSION AND PROPOSED REVOCATION

June 6, 2000

Mr. Mark S. James

Re: Notice of Summary Suspension and Proposed Revocation:  
Paramedic Certification #1625  
Investigation Control #00-C-066

Dear Mr. James:

The New Jersey Department of Health and Senior Services is vested with the responsibility of carrying out the provisions of N.J.S.A. 26:2K-7, et seq., which govern the provision of advanced life support services within the State of New Jersey. This law establishes a scheme that permits certain individuals, once certified, to perform advanced life support services. In furtherance of the objectives set forth in the statute, the Department of Health and Senior Services has adopted regulations which govern the training and certification of advanced life support personnel such as yourself. See, N.J.A.C. 8:41-1.1, et seq.

On June 1, 2000 staff of this Department's Office of Emergency Medical Services (OEMS) was made aware of a possible problem with your Advanced Cardiac Life Support (ACLS) and Pediatric Advanced Life Support (PALS) certifications. According to officials at University of Medicine and Dentistry of New Jersey - University Hospital Emergency Medical Services (UMDNJ-EMS), you have been unable to provide them with proof of valid and current certification in ACLS and PALS. Specifically, the ACLS card that you initially presented to UMDNJ officials reflected a one-year certification period (i.e., from January 1999 through January 2000). Knowing that ACLS cards are issued for two-year certification periods, UMDNJ officials became suspicious and asked for clarification. Your response was that you had lost your original ACLS card and that the card bearing the dates of January 1999 through January 2000 was a replacement card issued by St. Barnabas Medical Center. UMDNJ officials have since confirmed that St. Barnabas did not issue this card. In addition, St. Barnabas officials have confirmed that at no time have they employed an instructor by the name of "D. Altiveer, MD," which is the name indicated on the card you presented.

Subsequently, you presented two additional ACLS and PALS cards, both of which have been determined to be fraudulent. Both cards, bearing the certification dates of March 19, 1999 through March 2001, were issued on 1994 copyrighted cards which officials at St. Barnabas confirm that they have not utilized since January 1, 1998. In addition, the PALS card contains a typographical error (i.e., the letter "A" in the word "Affiliate" has been superimposed over the number "7"). This same typographical error was present in your PALS certification card issued for the period from June 5, 1997 through December 31, 1998, which further supports the fact that your current PALS card is a fraudulent copy.

As the agency responsible for certifying Paramedics, it is this Department's obligation to ensure the health and safety of the public with whom you may come into contact. If there is any justifiable reason for this Department to believe that your continued certification as a Paramedic poses a threat to the public health and safety, it is our obligation to initiate proceedings for the immediate suspension of that certification. Specifically, N.J.A.C. 8:41-4.18(d), in relevant part, states:

"A pre-hospital ALS provider may be suspended by the Department during the course of an investigation of allegations, if the department demonstrates that public safety and health require such an interim suspension."

GEMS staff has concluded that, taken in totality, we can come to no other conclusion but that the ACLS and PALS certification cards that you presented to UMDNJ-EMS officials are, in fact, fraudulent. Your failure to maintain current certification in ACLS and PALS, both of which are requirements for continued certification, is sufficient reason to warrant a summary suspension of your Paramedic certification because without such certification there is no way to verify that you possess the skills necessary to perform your duties. Therefore, please be advised that your certification as a Paramedic is immediately suspended. It is my understanding that you resigned, effective June 1, 2000, from your position as a Paramedic with UMDNJ-EMS. That said, please be advised that you may not, under any circumstances, act in the capacity of or perform the duties of a Paramedic with UMDNJ-EMS or any other Mobile Intensive Care program or provider in New Jersey during this period of suspension.

Pursuant to N.J.A.C. 8:41-2.8 and N.J.A.C. 8:41-4.18(d), 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-066) 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

Furthermore, pursuant to N.J.A.C. 8:41-4.18(a), the Department may suspend, revoke or refuse to issue or reissue the certification or cancel an endorsement of any prehospital ALS provider upon receipt of a complaint and subsequent investigation for the following:

2. Deceptive or fraudulent procurement of certification, recertification or endorsement credentials;

13. Failure to complete continuing education and performance standards as required by this chapter; and

18. Any other action deemed by the Department to pose a threat to public health and safety.

Therefore, in accordance with N.J.A.C. 8:41-4.18(a)2, 13 and 18, it is the intention of this Department to revoke your Paramedic certification, thereby rendering you ineligible to practice as a Paramedic within the State of New Jersey. Pursuant to N.J.S.A. 26:2K-9, N.J.A.C. 8:41-2.8 and N.J.A.C. 8:41-4.18(e) you are entitled to a hearing before the Office of Administrative Law to contest this proposed revocation. Your request for a hearing on this matter must be submitted in writing within 30 days from the date of this Notice, and must be accompanied by a response to the charges contained herein.

Finally, please note that failure to submit a request for a hearing by July 5, 2000 shall result in the automatic revocation of your Paramedic certification, effective 12:00 a.m. on July 6, 2000. 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: Mrs. Slimm, L&RA  
Ms. Barreto, DAG  
Ms. Halupke, OEMS  
Mr. Dinetz, OEMS  
Mr. Mondoro, OEMS  
Ms. Saunders, OEMS

CERTIFIED MAIL #  
RETURN RECEIPT REQUESTED

NOTICE OF REVOCATION

July 10, 2000

Mr. Mark S. James

Re: Notice of Revocation of Paramedic Certification  
Investigation Control #00-C-066

Dear Mr. James:

By Notice dated June 6, 2000 you were advised that this Department was proposing to revoke your certification to practice as a Paramedic within the State of New Jersey. A copy of that Notice is attached hereto.

You were also advised that if you planned to contest the proposed revocation, you were required to submit a written request for a hearing, and that failure to submit such a request by July 5, 2000 would result in the automatic revocation of your Paramedic certification, effective 12:00 a.m. on July 6, 2000.

Having not received such a request, please be advised that effective July 6, 2000, your certification to practice in New Jersey as a Paramedic was and is hereby revoked. Finally, please be advised that notice of this revocation will be sent to The National Registry of Emergency Medical Technicians.

If you have any questions, please contact Mr. James Mondoro, Supervisor of Advanced Life Support Services and Enforcement, Office of Emergency Medical Services at (609) 633-7777.

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

c: Mr. Mondoro, OEMS  
Ms. Halupke, OEMS  
Mr. Dinetz, OEMS  
Ms. Saunders, OEMS

Enclosure  
CERTIFIED MAIL #  
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