



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)

CATHLEEN D. BENNETT  
Commissioner

June 20, 2016

Michael Fazio

Re: **Notice of Summary Suspension:  
Emergency Medical Technician (EMT-Basic) Certification # 513679  
Investigation Control # 2016-0041V**

Dear Mr. Fazio:

The New Jersey Department of Health (the 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 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-2(b), health care services include any pre-hospital care rendered by basic life support personnel. In addition, the Emergency Medical Services Act, N.J.S.A. 26:2K-7 et seq., authorizes the Department to certify Emergency Medical Technicians - Basics (EMT - Basics). 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-Basics and EMT-Basic candidates. See N.J.A.C. 8:40A, Emergency Medical Technicians: Training and Certification.

On April 15, 2016, the Department's Office of Emergency Medical Services (OEMS) received notification that you were charged with arson. Consistent with regulatory authority and OEMS policy, the OEMS opened an investigation in response to this notification.

Upon opening the investigation, the OEMS investigator confirmed that you are currently certified as an EMT-Basic. In addition, the investigator confirmed that on or about April 2, 2016, you were arrested and charged under warrant number W2016-000416 with arson in the third degree, pursuant to N.J.S.A. 2C:17-1(b)(1). Specifically, the police criminal complaint obtained by investigators alleges that you purposely started a fire by lighting a road flare and throwing it into the trash can at the soccer fields at Heavenly Farms thereby placing another in danger of death or bodily injury.

As you are aware, EMT-Basics are placed in a position of trust by the general public. They must work in two person teams to respond effectively to emergencies and

must make important medical assessments and carry out appropriate medical interventions at motor vehicle accidents, in people's homes, and at other difficult field locations. In order to be effective, EMT-Basics must exercise good judgment, trust each other and be trusted by police officers, fire fighters, doctors and other professionals. In short, EMT-Basics must be law-abiding and trustworthy.

Based upon the foregoing, the Department has determined that your EMT-Basic certification must be **summarily suspended**. Pursuant to N.J.A.C. 8:40A-10.2(a), "the Commissioner, or his 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." Because you have been charged with several serious and violent crimes, the nature of which are indicative of poor judgment and lack of trustworthiness, the Department finds that your continued certification as an EMT-Basic constitutes an immediate and serious threat to public health, safety, and welfare. **Therefore, your certification as an EMT-Basic is immediately suspended and shall remain suspended until such time as the Department has completed its investigation into this matter and the charges against you have been resolved. 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.**

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 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-Basic certification.

Pursuant to N.J.A.C. 8:40A-10.3(a), you may appeal to the Commissioner of the Department Health for emergency relief to contest this summary suspension. 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 **2016-0041V** 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

Failure to submit a written request for emergency relief within 30 days from the date of this Notice shall be deemed an acceptance of this Department's decision to summarily suspend your EMT-Basic certification pending completion of an investigation, thereby forfeiting all rights to emergency relief. If you have any questions concerning this matter, please contact Dr. Terry Clancy, at (609) 633-7777.

Sincerely,

Nancy Kelly-Goodstein, M.A.S.  
Acting Director  
Emergency Medical Services

- c. Christopher R. Rinn, Assistant Commissioner  
Terry Clancy, OEMS  
Timothy Seplaki, OEMS  
James Sweeney, OEMS  
Tami Roach, OL&RC

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