



State of New Jersey

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

CHRIS CHRISTIE
Governor

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Lt. Governor

www.nj.gov/health

CATHLEEN D. BENNETT
Commissioner

October 31, 2016

Abdurrahman Abdulhakeem
Standard Care Medical Transportation
81 Hoffman Blvd, 2nd Floor
East Orange, NJ 07017

Re: **Notice of Summary Suspension:
Basic Life Support Service Provider
Investigation Control # 2016-0121V**

Dear Mr. Abdulhakeem:

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 hospital and related health care services rendered in New Jersey are of the highest quality. As defined at N.J.S.A. 26:2H-2b, health care services include pre-hospital basic life support (BLS) ambulance services. Furthermore, N.J.S.A. 26:2H-5 grants the Commissioner of Health the power to inquire into health care services and to conduct periodic inspections with respect to the fitness and adequacy of the equipment and personnel employed by those services. As such, in furtherance of each of the aforementioned statutory objectives, the Department adopted regulations that govern the licensure and inspection of ambulance service providers and their vehicles. Those regulations are set forth in their entirety at N.J.A.C. 8:40-1.1 et seq.

On September 27, 2016, the Department's Office of Emergency Medical Services (OEMS) received notification that Standard Care Medical Transportation (Standard Care) was using unlicensed vehicles to transport patients. Consistent with regulatory authority and OEMS policy, OEMS opened an investigation in response to this notification.

Upon opening the investigation, the OEMS investigator confirmed that Standard Care is currently licensed to provide BLS services in the State of New Jersey. The OEMS investigator also examined the pictures supplied to OEMS by the complainant, which showed Standard Care vehicle #55 operating on a roadway. The OEMS investigator then reviewed Standard Care's EMS Licensing profile, which revealed that Standard Care only has one OEMS licensed vehicle, which is vehicle #53. This finding prompted the OEMS investigators to visit your place of business to further investigate the matter.

Prior to visiting your place of business, OEMS investigators encountered Standard Care Vehicle #55 (License Plate # J63-GPX) on September 29, 2016, which was parked outside the ambulance entrance of St. Michael's Hospital, and initiated an unannounced inspection of the vehicle at that time. Investigators approached the vehicle and were met by two individuals; one who introduced themselves as a volunteer working with your agency and the other being you. You stated that you had been out making repairs with the vehicle and stopped at the emergency room for food. Upon questioning the volunteer, however, it was discovered that you had just dropped off a patient at the hospital. It was also discovered that the volunteer possessed no credentials and was not certified as an EMT. He reported that he regularly staffs the vehicle and has done so for the past month.

Besides being unlicensed, investigators found a number of violations during the inspection which caused the vehicle to be placed on a Department Initiated Out of Service (DIOOS). These violations included:

1. No Motor Vehicle Commission inspection sticker;
2. Missing multiple pieces of equipment as evidenced by bare cabinets including obstetric kits, blood pressure cuffs, bag valve masks, and airway supplies;
3. Leather restraints, i.e. hard restraints, present on the vehicle;
4. Unsanitary conditions in the patient compartment area creating a health hazard;
5. Multiple uncrashworthy items strewn about the back of the vehicle;
6. Improperly secured main oxygen cylinder; and
7. Wheelchair being stored in the rear of the vehicle.

In addition, all of your patient care reports were found in the cabinet behind the driver's seat. They were unsecured and in varying levels of completion. When asked about this, you stated that you used vehicle #55 as a pseudo office and that is where all of the charts were kept.

You also admitted to investigators that you had been using vehicle #55 since May but were only transporting patients without insurance. You were advised that, without the vehicle being licensed with the Department, you were not permitted to transport any patients, regardless of their method of payment. When questioned as to why your partner was not certified, you stated that he was just observing the operations and helps out. You stated that you placed the patient in the front seat as you drove to the hospital while the wheelchair and volunteer were placed in the back of the truck.

On October 3, 2016, OEMS conducted an unannounced audit of Standard Care. Upon arrival at the Hoffman Boulevard address listed as your primary place of business in the OEMS Licensing System, investigators found a residence with no markings that indicated that Standard Care was there. After multiple phone calls, and help from a neighbor, contact was made with you, and you advised investigators that your vehicles

were stored at 307 North Walnut Street in East Orange. You were told by the investigators that they were conducting an audit of your provider agency and would need to review your standard operating procedures manual, staff roster, personnel files, proof of insurance and patient care reports. You responded that all of this documentation was at the North Walnut Street location. You also stated that you were working on vehicle # 53, but would head right over to meet investigators. While en route to the new location, investigators witnessed vehicle # 53 going in the opposite direction of North Walnut Street. You were contacted again and advised that it was imperative the audit be completed.

Upon your arrival on North Walnut Street, vehicle # 53 was inspected with the following deficiencies found:

1. Inoperable portable suction;
2. Inoperable on-board suction;
3. Inoperable portable oxygen;
4. Inoperable on-board oxygen;
5. Bench seat not crashworthy;
6. Stretcher mount broken causing the stretcher to be unable to be secured;
7. Expired burn sheet;
8. Unsecured fire extinguisher;
9. Forward cabinet door broken and unable to be secured;
10. Multiple expired nasopharyngeal airways with varying dates of 11/15, 1/16, and 9/15;
11. Expired rigid suction catheters as of 9/16; and
12. No linen or blankets on the vehicle.

Investigators also reviewed the patient care reports found in the back of vehicle #55. They were only partly completed and missing narratives, vital signs, crew member names, and a number of other pertinent data points important to ensure proper patient care is being rendered. When questioned about this, you had no answer. When asked for the patient care reports for the patients who were transported in vehicle #55, you stated there were not any. At first, you stated the vehicle was not used to transport patients. However, when you were reminded that OEMS investigators found you using the vehicle at St. Michael's Hospital, you admitted it had been used but you failed to create any patient care records for those patients. In addition, you were unable to produce a staff roster, personnel files, certificate of liability insurance, or standard operating procedure manual, stating that this documentation was at the original location on Hoffman Boulevard, which was contrary to what you told the investigators early.

On October 11, 2016, you presented vehicle #53 for re-inspection in Trenton at OEMS. Investigators were not able to return the vehicle back to service because of the following violations:

1. The rear locking mechanism to the door was secured with tape;

2. Tape was covering a large hole on the rear door where the speaker should be;
3. Expired equipment including two obstetric kits and a bulb syringe;
4. Inoperable pen light;
5. The fire extinguisher was blocking the side entrance;
6. Multiple holes in the floor making it pervious to blood borne pathogens.

From the vehicle inspections and audit, OEMS investigators found the following regulatory violations regarding Standard Care:

1. Failure to produce documentation requested by OEMS investigators for inspection, in violation of N.J.A.C. 8:40-2.6(c);
2. Hindering an OEMS investigation, in violation of N.J.A.C. 8:40-2.6(c);
3. Failure to safeguard and properly store patient care reports, in violation of N.J.A.C. 8:40-3.9.
4. Failure to maintain proper patient care reports, in violation of N.J.A.C. 8:40-3.6(b);
5. Failure to notify OEMS of a vehicle storage site, in violation of N.J.A.C. 8:40-3.2;
6. Failure to maintain full, complete and accurate records, as required by N.J.A.C. 8:40-3.9;
7. Maintaining hard restraints on a vehicle, in violation of N.J.A.C. 8:40-4.10.
8. Failure to maintain vehicles in a safe, clean and properly functioning manner, as required by N.J.A.C. 8:40A-4.4, 4.5 and 4.6;
9. Utilizing unlicensed vehicles to transport patients, in violation of N.J.A.C. 8:40-6.1(b); and
10. Failure to provide an adequate number of crewmembers, in violation of N.J.A.C. 8:40-6.3.

Based upon the foregoing, the Department has determined that Standard Care's license as a BLS agency must be summarily suspended. Pursuant to N.J.A.C. 8:40-7.2(b), "[t]he Commissioner or his or her designee may summarily suspend the license of any provider when, in his or her opinion, the continued licensure of that provider poses an immediate or serious threat to the public health, safety or welfare." In the present matter, the above cited deficiencies demonstrate a serious and gross disregard for the Department's regulations, which places the public's health, safety and welfare in jeopardy. As such, the Department finds that Standard Care's continued licensure as a

BLS service provider constitutes an immediate and serious threat to the health, safety and welfare of the public. **Therefore, Standard Care's license as a Basic Life Support Agency is immediately suspended.** Standard Care's BLS licenses shall remain suspended until such time that it provides OEMS with an acceptable corrective action plan (CAP), which addresses the above listed deficiencies and is approved by OEMS, and implements the accepted CAP so that all deficiencies are corrected to the satisfaction of OEMS. If you fail to provide OEMS with an acceptable CAP, then OEMS may seek to impose monetary penalties and/or propose revocation of your license.

Please be advised that you may not, under any circumstances, operate as a BLS service provider anywhere within the State of New Jersey during this period of suspension. You have the right to apply to the Commissioner of the Department of Health for emergency relief to contest this summary suspension. A request for emergency relief shall be submitted in writing and shall be accompanied by a response to the charges contained in this notice. Please include the control number **2016-0121V** 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. Tamara Roach

Finally, please note that failure to submit a request for a hearing within 30 days from the date of this Notice shall result in the continued summary suspension of your BLS provider license, therefore forfeiting all rights to emergency relief. If you have any questions concerning this matter, please contact Mr. Timothy Seplaki, Chief, Licensing and Operations at (609) 633-7777.

Sincerely,

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

c: Eric Hicken, OEMS
Timothy Seplaki, OEMS
James Sweeney, OEMS
Christopher Tams, OEMS
Dr. Jo-Bea Sciarrotta, Compliance Officer
Tamara Roach, Office of Legal & Regulatory Compliance