

## NOTICE OF SUMMARY SUSPENSION

Mr. David Z. Strous

### Notice of Summary of Paramedic Certification

Dear Mr. Strous:

The New Jersey Department of Health and Senior Services carries out the provisions of N.J.S.A. 26:2K-7, et a concerning the provision of advanced life support services. This law establishes a statutory scheme which permits certain individuals, once certified, to perform advanced life support services authorized by the Commissioner of Health and Senior Services in accordance and with the limits established by law and regulations.

On November 25, 1998, the Office of Emergency Medical Services was notified of a potential narcotics loss from the medication stock of the Underwood-Memorial Hospital's Mobile Intensive Care program. Subsequent investigation by the Department revealed that you obtained Morphine and Valium from the Underwood-Memorial Hospital Pharmacy during, at least, the month of December, 1997. A review of the administration records submitted to the Underwood-Memorial Hospital Pharmacy indicates that you submitted falsified and fraudulent records to obtain this pharmacy stock.

The investigation into this matter is continuing. However, the Department has established probable cause to believe that you have violated N.J.A.C. 8:41-18(x)15, "misuse or misappropriation of drugs, medications or controlled equipment." Due to the serious nature of these allegations, and the potential threat to the patients which you may be called to assist, the Department finds that it is necessary to suspend your certification as a paramedic during the course of this investigation to adequately protect public health and safety. At the conclusion of the investigation you will be formally notified of the final charges which the Department will bring against you in this matter. This action takes effect immediately.

You have the right to an immediate hearing to contest this action, in accordance with the provisions of N.J.A.C. 8:41-4.18 (d). Should you wish a hearing, you must request one in writing within thirty (30) days of the receipt of this notice. In the event you request a hearing on this matter, you are required to submit a written response to the above allegation(s). This response must accompany your request for a hearing, and include the control number listed below. Forward any request for a hearing to:

Ms. Carole Slim.  
Office of Legal Affairs  
New Jersey Department of Health and Senior Services  
PO Box 360  
Trenton, NJ 08625-0360

Although representation by counsel may not be mandatory at such hearings, it has been the Department's experience that representation by counsel is advisable. Please direct questions on this matter to Mr. James A. Mondoro, Case Investigator at (609) 633-7777.

For: Len Fishman, Commissioner  
By: Gerard C. Muench, Jr., MPA, MICP  
Director  
Office of Emergency Medical Service

Date: December 9, 1998  
Certified Mail: Z-754-300-909  
Control Number. 98-C-018  
RETURN RECEIPT REQUESTED

c. Karen Halupke, Chief OEMS  
James A. Mondoro, OEMS  
Paul Lambrecht, Underwood-Memorial Hospital

#### NOTICE OF PROPOSED REVOCATION

September 19, 2000

Mr. David Z. Strous  
101 Colesbury Drive  
New Castle, DE 19720

Re: Notice of Proposed Revocation of EMT-Paramedic Certification  
Investigation Control #98-C-018

Dear Mr. Strous:

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, including EMT-Paramedics. See, N.J.A.C. 8:41-1.1, et seq.

On November 23, 1998 staff of this Department's Office of Emergency Medical Services (OEMS) received a call from the Director of Underwood Memorial Hospital's Mobile

Intensive Care Unit (UMH-MICU) concerning the loss and/or possible theft of Morphine Sulfate and Diazepam from UMH-MICU's medication stock. A preliminary investigation conducted by OEMS staff revealed that there was sufficient evidence to indicate that you may have been involved in the narcotics loss from UMH-MICU and, as such, on December 9, 1998 this Department served you with a Notice of Summary Suspension, advising you that your certification to act as an EMT-Paramedic within the State of New Jersey had been suspended pending the outcome of a full investigation into the matter. A copy of that Notice is attached hereto.

This is to advise you that OEMS staff has completed its investigation and has concluded that, during the time period from approximately July 1996 through December 1998, you misappropriated at least 10,521 milligrams of Morphine Sulfate and 500 milligrams of Diazepam from the UMH-MICU. It has been determined that you accomplished this misappropriation when on several occasions, acting in your capacity as Operations Coordinator for UMH-MICU, you obtained Morphine Sulfate from the pharmacy of Underwood Memorial Hospital by submitting fictitious Controlled Substance Dispensing Orders and then failed to place the Morphine Sulfate and/or Diazepam into the UMH-MICU stock.

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 pre-hospital ALS provider upon receipt of a complaint and subsequent investigation for the following: (b)

8. Willful preparation or filing of false medical reports, or the inducement of others to do so; and/or 9.

15. Misuse or misappropriation of drugs, medications or controlled equipment.

Therefore, in accordance with N.J.A.C. 8:41-4.18(a)8 and 15, it is the intention of this Department to revoke your EMT-Paramedic certification, thereby rendering you ineligible to practice as an EMT-Paramedic within the State of New Jersey. In addition, this matter will be referred to the New Jersey Department of Law and Public Safety, Division of Criminal Justice, Drug Diversion Unit for review and possible legal action.

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 and must be accompanied by a response to the charges contained herein. In the event that you request a hearing, you shall retain your EMT-Paramedic certification until such time as the hearing has been concluded and a final decision has been rendered. The summary

suspension which was imposed on December 9, 1998, however, currently remains in effect and shall continue to remain in effect until a final decision has been rendered with respect to this proposed revocation.

Your request for a hearing must be submitted within 30 days from the date of this Notice (i.e., by October 18, 2000) and should be forwarded 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

Please include the control number noted above (i.e., #98-C-018) on all of your correspondence. Finally, please note that failure to submit a request for a hearing by October 18, 2000 shall result in the automatic revocation of your EMT-Paramedic certification, effective at 12:00 a.m. on October 19, 2000. If you have any questions concerning this matter, please do not hesitate to contact Mr. James Mondoro of my staff at (609) 633-7777.

Sincerely,

Gerard C. Muench, Jr., MPA, MICP  
Director  
Office of Emergency Medical Services  
c: Mrs. Slimm, L&RA  
Ms. Halupke, OEMS  
Mr. Mondoro, OEMS  
Mr. Dinetz, OEMS  
Ms. Saunders, OEMS

CERTIFIED MAIL #Z-424-792-495  
RETURN RECEIPT REQUESTED

NOTICE OF REVOCATION

October 26, 2000

Mr. David Z. Strous  
101 Colesbury Drive  
New Castle, DE 19720

Re: Notice of Revocation of EMT-Paramedic Certification  
Investigation Control #98-C-018

Dear Mr. Strous:

By Notice dated September 19, 2000 you were advised that this Department was proposing to revoke your certification to practice as an EMT-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 October 18, 2000 would result in the automatic revocation of your EMT-Paramedic certification, effective 12:00 a.m. on October 19, 2000.

Having not received such a request, please be advised that effective October 19, 2000, your certification to practice in New Jersey as an EMT-Paramedic was, and hereby is, revoked. Please be advised that notice of this revocation is also being 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, OEMS at (609) 633-7777.

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

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

Enclosure

REGULAR U.S. MAIL AND  
CERTIFIED MAIL #Z-424-815-161  
RETURN RECEIPT REQUESTED