

September 25, 2012

Mr. Ronnie Gonzalez

Re: Notice of Summary Suspension:
EMT-Basic Certification # 504322
Investigation Control # 2012-525

Dear Mr. Gonzalez:

The New Jersey Department of Health (the Department) is vested with the responsibility of carrying out the provisions of *N.J.S.A. 26:2H-1 et seq., Health Care Facilities Planning Act*, 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 admission care rendered by basic life support (BLS) personnel. In addition, *N.J.S.A. 26:2K-7 et seq., Emergency Medical Services Act*, authorizes the Department to certify Emergency Medical Technicians (EMTs). In furtherance of the objectives set forth in the statutes, the Department has adopted regulations that govern the training, certification and professional conduct of EMTs and EMT candidates. (See: *N.J.A.C. 8:40A-1.1, Emergency Medical Technicians-Basics: Training and Certification.*)

On September 13, 2012, the Department's Office of Emergency Medical Services (OEMS) received notification from your employer, Jersey City Medical Center, that you had been removed from your position as an EMT with the Medical Center's EMS Department as a result of criminal charges filed against you. In addition, a news article from nj.com, dated August 9, 2012, alleges you were arrested by Jersey City Police and charged with aggravated assault, possession of a weapon for unlawful purposes and unlawful possession of a handgun, after shooting at a person whom you believed scratched your car. As a result of the information conveyed and obtained, the OEMS opened an investigation into this matter.

Further investigation revealed that you were arrested on August 9, 2012, by officers of the Jersey City Police Department and charged with one (1) count of **aggravated assault** in violation of *N.J.S.A. 2C:12-1b(1)*; one (1) count of **possession of a weapon for unlawful purposes** in violation of *N.J.S.A. 2C:39-4A*; one (1) count of **unlawful sale/transfer of firearm** in violation of *N.J.S.A. 2C:58-3a*; one (1) count of **possession hollow point bullets** in violation of *N.J.S.A. 2C:39-3(f)2*; and, one (1) count of **unlawful possession of a handgun** in violation of *N.J.S.A. 2C:39-5b*.

The complaints allege that you became embroiled in an argument and physical altercation with another person because you believed that person scratched your car with his bicycle. As the other person fled the scene, you allegedly shot off a round from your handgun in the direction of the fleeing person. Shortly thereafter, Jersey City Police were summoned to the scene whereupon they confiscated your Glock .40 caliber handgun and charged you accordingly.

During a telephone conversation with Department investigators, you stated that medication you are required to take for a medical condition causes you emotional problems that lead to inappropriate behaviors as well as interfering with your decision making process. You revealed that the physical condition necessitating these medications is ongoing, thus requiring you to continue taking these drugs into the foreseeable future. Moreover, you stated that you are under the continuing care of a mental healthcare professional in an attempt to control these behaviors. As a result of your medical condition and the behavior that resulted in criminal charges, you verbally agreed to surrender your EMT certification. However, in a later telephone discussion, you withdrew your offer to surrender your EMT certification.

As you know, EMTs work in an unsupervised environment. The nature of this work requires that these individuals make important medical assessments and carry out appropriate pre-hospital interventions at motor vehicle accidents, in people's homes and at other difficult field locations. In order to be effective, EMTs must unconditionally trust each other and be incontestably trusted by paramedics, police officers, fire fighters, physicians and other professionals. Because EMTs treat vulnerable patients of all ages, from infants to the elderly, they are required to place a high value on the health, safety and welfare of the patients they treat.

Furthermore, the nature of this work consistently subjects EMTs to stressful situations. Despite these stressful situations, this work obligates every EMT to utilize a sufficient degree of reason, which is required to discharge the duties associated with pre-hospital admission healthcare. Because of your physical condition and mental state, the Department is concerned that your continued certification as an EMT will exacerbate your biological and psychological responses to stressors and thereby compromise your ability to utilize a sufficient degree of reason during your shifts and/or render high quality patient care.

N.J.A.C. 8:40A-10.2(a) states: “The Commissioner, or his/her designee, may summarily suspend a person’s EMT and/or EMT-Instructor certification when, in his/her opinion, the continued certification of that person poses an immediate or serious threat to the public’s health, safety or welfare.”

Because of the seriousness of the crimes with which you have been charged, along with the ongoing physical condition and the mental health issues that you revealed, the Department finds that your continued certification as an EMT constitutes an immediate and serious threat to the health, safety, and welfare of the public. **Therefore, your certification as an EMT is immediately suspended and shall remain suspended indefinitely.**

Be aware that you may not under any circumstances act in the capacity of, or perform the duties of an EMT in New Jersey during this period of suspension. Also, be aware that if you act in the capacity of, or perform the duties of an EMT in New Jersey during this period of suspension, your actions will constitute impersonation of an EMT in violation of *N.J.A.C. 8:40A-10.4* and shall incur further penalties.

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 certification card(s) to the OEMS, either by United States Postal Service (USPS) to the address on the first page of this Notice, or by physical delivery to the Department of Health, Office of Emergency Medical Services, 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 certification.

Pursuant to *N.J.A.C. 8:40A-10.3(a)*, you may appeal to the Commissioner of the Department of Health for a hearing before the Office of Administrative Law to contest this summary suspension. Your request for an administrative hearing regarding this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. Please include control number **2012-400** on your correspondence, and forward your request to:

The New Jersey Department of Health
Office of Legal & Regulatory Compliance
P.O. Box 360, Room 805
Trenton, NJ 08625-0360
Attn: Ms. Tami Roach

Finally, please note that failure to submit a request for a hearing within 30 days from the date of this Notice shall be interpreted as an acceptance of this

Department's decision, thereby negating any further appeal rights. If you have any questions concerning this matter, please contact Dr. Jo-Bea Sciarrotta, OEMS Compliance Officer, at (609) 633-7777.

Sincerely,

Karen Halupke, RN, M.Ed.
Director
Emergency Medical Services

- c. Christopher Rinn, Assistant Commissioner
Michael Mooney, OEMS
Tami Roach, OL&RC
James Dywer, Director JCMC EMS

SENT VIA USPS FIRST CLASS MAIL and
CERTIFIED MAIL #
RETURN RECEIPT REQUESTED