



State of New Jersey

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

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

www.nj.gov/health

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

January 24, 2022

Tyquan McIntosh

[REDACTED]
[REDACTED]

**Re: Notice of Summary Suspension
EMS ID # 592830
Investigation Control # 21-0391**

Dear Mr. McIntosh:

The New Jersey Department of Health (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 to -27, 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 (BLS) personnel. In addition, the Emergency Medical Services Act, N.J.S.A. 26:2K-7 to -69, 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 et seq.)

On September 24, 2021, the Department's Office of Emergency Medical Services (OEMS) received notification that you allegedly committed a crime. Consistent with OEMS regulatory authority and policy, the OEMS opened an investigation in response to this notification.

Upon opening the investigation, the OEMS investigator confirmed that you have been certified as an EMT since June 17, 2015. Further, the investigator confirmed that you were indicted with the following under Indictment Number 21-09-000132-S:

1. Official Misconduct in violation of N.J.S.A. 2C:30-2(a);
2. Aggravated Assault in violation of N.J.S.A. 2C:12-1(b)(7);
3. Tampering with Public Records or Information in violation of N.J.S.A. 2C:28-7(a)(2); and
4. Falsifying Records in violation of N.J.S.A. 2C:21-4(a).

In the indictment, it is alleged that while you were performing your duties as a law enforcement officer, you used excessive force during an arrest and caused critical

injuries to the arrestee. Specifically, it is alleged that you deployed your department-issued taser-like device on the victim while the victim was operating an All-Terrain Vehicle (ATV). Your actions caused the victim to fall from the ATV and sustain significant injuries, including a fractured vertebra. Furthermore, it is alleged that you made false statements to your supervisor and falsified records regarding your use of the device.

As you are aware, EMTs must make important medical assessments and carry out appropriate medical interventions in difficult field locations for patients young and old, combative, and docile. In order to effectively care for all patients, EMTs must exercise good judgment and be trusted to render appropriate care to all patients. Moreover, EMTs must be trusted to accurately document all patient care and assessments on patient care reports. Patient care reports provide an accurate record of the patient complaint, presentation, assessment, treatment, and outcome in the pre-hospital setting. If the patient is transported to the hospital, then the record becomes part of the patient's hospital medical record and contains valuable information to assist other practitioners within the healthcare continuum to determine the most appropriate management of the patient's illness or injury. An EMT's failure to truthfully and accurately complete a patient care report hinders other practitioners' ability to properly manage the patient's care and treatment and places the patient's health at risk. Thus, EMTs must trust each other and be trusted by police officers, fire fighters, doctors, and other professionals. In sum, EMTs must be law-abiding and must be trusted to care for all patients in an appropriate, safe manner.

Based upon the foregoing, the Department has determined that your EMT certification must be **summarily suspended**. Pursuant to N.J.A.C. 8:40A-10.2, "[t]he Commissioner, or his or her 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." The above actions demonstrate that you not only have poor judgment and lack trustworthiness, but that you pose a threat to vulnerable patients. These behaviors and actions are incompatible with the duties of an EMT, and the Department finds that your continued certification as an EMT constitutes an immediate and serious threat to public health, safety, and welfare. **Therefore, your certification as an EMT is immediately suspended. 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.**

In the interim, the OEMS will continue to investigate this matter and monitor the progression of your criminal case. After OEMS completes its investigation and the charges against you have been resolved, you will be advised of what action, if any, the OEMS will take with respect to your EMT certification.

Pursuant to N.J.A.C. 8:40A-10.3, you may appeal to the Commissioner of the Department of 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 **21-0391** on your correspondence, and forward your request to:

New Jersey Department of Health
Office of Legal & Regulatory Compliance
P.O. Box 360
Trenton, NJ 08625-0360

Failure to submit a written request for emergency relief within 30 days from the date of this Notice shall be interpreted as an acceptance of this Department's decision to summarily suspend your EMT certification pending completion of its investigation, thereby forfeiting all rights to emergency relief. If you have any questions concerning this matter, please contact Zachary Raab at (609) 633-7777 or via email at Zachary.Raab@doh.nj.gov.

Sincerely,

Terry Clancy, PhD, RN, NRP
Director
Office of Emergency Medical Services

c: Candace Gardner, Program Manager, OEMS
Daniel Kazar, Acting Chief, Education, Licensing, and Enforcement, OEMS
Zachary Raab, Investigator, OEMS
NREMT
File

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