



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

May 9, 2023

Sammy Weakland

**Re: Notice of Proposed Revocation of EMT Certification
EMS ID # 536544
Investigation Control # 22-0341**

Dear Mr. Weakland:

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 July 12, 2022, the Department's Office of Emergency Medical Services (OEMS) received notification that you may have made verbal and physical threats while acting in the capacity of an EMT and while providing patient care on June 29, 2022. 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 are currently certified by the OEMS as an EMT and have been certified as an EMT since August 28, 2007. The investigator also confirmed that you were on the BLS ambulance that responded to render aid to the patient that was the subject of the notification on June 29, 2022. As part of the investigation, incident reports, patient care reports (PCR), Law Enforcement Officer (LEO) reports, and LEO Body Worn Camera (BWC) footage were obtained and reviewed.

BWC footage revealed an uncooperative, older patient who was under your care. While the patient was under your care, you verbally threatened and physically assaulted

the patient. At one point, while caring for the patient, the hospital staff and LEO asked you to leave the patient care area.

At this point in the investigation, the OEMS determined that you were an immediate and serious risk to public health, safety, and welfare. Consequently, the OEMS summarily suspended your EMT certification on September 9, 2022.

After issuing you a summary suspension, the OEMS continued investigating this matter. From its continued investigation, the OEMS investigators obtained witness statements and medical records evidencing that you physically abused the patient by striking the patient, which caused the patient to bleed from the lip and mouth, and verbally threatened the patient with violence.

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. To effectively care for all patients, EMTs must exercise good judgment and treat patients with dignity and respect. Striking a patient is never an appropriate response to a situation and is deemed abuse of a patient, a prohibited act under N.J.A.C. 8:40A-10.2(b)(5). Additionally, making verbal threats against any person while acting in the capacity of an EMT is a prohibited act under N.J.A.C. 10.2(b)(20).

N.J.A.C. 8:40A-10.2(b), provides that “[t]he Commissioner, or his or her designee, may revoke the certification of an EMT for violation of any of the rules set forth in this chapter. This shall include, but is not limited to:

5. Abuse or abandonment of a patient;
20. Making verbal and/or physical threats against any person while acting in the capacity of an EMT;
24. Any other action deemed by the Department to pose a threat to public health, safety, or welfare.”

Based upon the foregoing, the Department has determined that your EMT certification should be **revoked**. The above actions demonstrate that you not only have poor judgment and a lack of trustworthiness but that you pose a serious threat to vulnerable patients. Indeed, patient abuse and threatening a patient are offenses that cannot be tolerated. **Therefore, as a result of this investigation, it is the intention of the Department to revoke your EMT certification.**

Pursuant to N.J.S.A. 52:14B-11, N.J.S.A. 45:1-21.5 and N.J.A.C. 8:40A-10.3(b), you may request a hearing before the Office of Administrative Law to contest this Department’s decision to revoke your EMT certification. 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. **You are also reminded that your EMT certification remains under a summary suspension and, as a result, you are PROHIBITED from**

acting in the capacity of an EMT. If you wish to request a hearing, please include the control number **22-0341** 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 a hearing within thirty (30) days from the date of this notice shall be interpreted as an acceptance of this Department's decision to revoke your EMT certification, thereby negating any further appeal rights and converting this action into a final agency decision. If you have any questions concerning this matter, please contact Daniel Kazar at (609) 633-7777 or via email at Daniel.Kazar@doh.nj.gov.

Sincerely,



Candace Gardner, Paramedic
Director
Office of Emergency Medical Services

c: Daniel Kazar, Chief, Licensing Education, Licensure, and Enforcement, OEMS
Zachary Raab, Investigator, OEMS
File

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