Mr. Jefferson Pinos  
6120 Hudson Avenue  
West New York, New Jersey 00793  

Re: Order to Cease and Desist Impersonating a Certified New Jersey  
Emergency Medical Technician-Basic  
Investigation Control #05-C-090  

Dear Mr. Pinos:  

The New Jersey Department of Health and Senior Services 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 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  
care rendered by paramedical and ambulance services. In furtherance of the objectives  
set forth in the statute, the Department of Health and Senior Services has adopted  
regulations that govern the training and certification of the Emergency Medical  
Technician-Basics (EMT-Bs) who staff those paramedical and ambulance services.  
See N.J.A.C. 8:40A-1.1, et seq.  

It has come to the attention of this Department’s Office of Emergency Medical  
Services (OEMS) that you have impersonated an EMT-Basic (EMT-B) while working for  
Friendly Care Medical Transport. Specifically, on August 17, 2004, while conducting  
spot checks at the Trinitas Hospital in Elizabeth, New Jersey, staff from OEMS  
observed you staffing a Friendly Care Medical Transport ambulance. You represented  
yourself as an EMT-B by wearing clothing with an EMT-B patch on the left shoulder.  
When the investigator requested your credentials you were unable to produce an EMT- 
B certification card. You indicated that you had received your "diploma". You were  
advised the diploma indicated you completed the course and were eligible to test for  
your certification. An extensive review of OEMS records revealed that you are not  
certified as an EMT-B in New Jersey. In fact, you failed your EMT-B certification  
examination on July 12, 2004. You subsequently attempted and failed the certification  
examination on two other occasions. In addition, OEMS has confirmed that you are not
certified through the National Registry of EMT's or by any state or jurisdiction whose EMT-B certifications are recognized or reciprocated in the State of New Jersey.

On September 3, 2004, OEMS staff conducted a provider survey at the office of Friendly Care Medical Transport. Ms. Polina Ozeryansky admitted to employing you while believing your statement that you were awaiting your EMT-B certification card. You knowingly and willfully gained employment under fraudulent pretenses. A small sampling of patient care reports, that do not fully represent each day that you actually staffed the ambulance, were obtained. These reports show that you acted in the capacity of an EMT-B on at least 10 individual calendar days.

N.J.A.C. 8:40A-10.4(a) states, in relevant part, that, "No person shall impersonate, refer to himself or herself as, act in the capacity of or perform the duties of, an EMT-Basic or EMT-Instructor unless he or she is certified or recognized by the Department in accordance with the standards set forth in this chapter.

1. Upon notice or discovery that a person is impersonating, referring to himself or herself as, or acting in the capacity of an EMT-Basic, without having first obtained the required EMT-Basic or EMT-Instructor certification or recognition or after revocation of an EMT-Basic or EMT-Instructor certification previously issued by the Department, the Commissioner or his or her designee may issue an order directing that person to immediately cease and desist."

N.J.A.C. 8:40A-10.4(a)2 states, in relevant part, that, "In addition to the issuance of an order to cease and desist, the Commissioner or his or her designee may:

i. Impose a monetary penalty in the amount of $200 per calendar day for each day that a person is found to have impersonated, referred to him or herself as, or acted in the capacity of, an EMT-Basic or EMT-Instructor;

ii. Refuse to issue or renew any subsequent EMT-Basic and/or EMT-Instructor certifications."

Therefore, you are hereby ordered to immediately CEASE AND DESIST any further representations that you are a certified New Jersey EMT-Basic. You are also prohibited from future certification as a New Jersey EMT-Basic as well as having EMT-Basic privileges in New Jersey. In accordance with N.J.A.C. 8:40A-10.4(a)2, you are hereby assessed a monetary penalty in the amount of $200 for the days that you represented to Friendly Care that you were a certified New Jersey EMT-B. Additionally, you are hereby ordered to immediately surrender any and all invalid and/or fraudulent certification credentials to the Office of Emergency Medical Services. Failure to abide by this order to cease and desist may result in additional fines and penalties as provided for by law.
A certified check or money order in the amount of $200 made payable to
"Treasurer, State of New Jersey," must be submitted within 30 days from the date of this
Notice. In accordance with N.J.S.A. 26:2H-16 and N.J.A.C. 8:40A-10.2(f)3ii, failure to
pay this penalty may result in a summary civil proceeding in the Superior Court of New
Jersey pursuant to the Penalty Enforcement Law (N.J.S. 2A:58-1, et seq.), refusal by
the Department to issue or renew a license and/or any such other action as authorized
by law. Payment should be forwarded to:

New Jersey Department of Health & Senior Services
Office of Emergency Medical Services
P.O. Box 360
Trenton, NJ 08625-0360
Attn: Ms. Karen Halupke

This order to cease and desist shall constitute a Final Agency Decision. As
such, pursuant to New Jersey Court Rules 2:2-3 and 2:4-1, you may appeal from this
Final Agency Decision within 45 days to the following authority:

New Jersey Superior Court-Appellate Division
Richard J. Hughes Justice Complex
P.O. Box 006
Trenton, New Jersey 08625-0006

If you have any questions, please do not hesitate to contact Mr. Samuel Stewart
of my office at (609) 633-7777.

Sincerely,

Karen Halupke, R.N., M.Ed.
Director, Emergency Medical Services

c: David Gruber, Assistant Commissioner
   Michele Stark, OLRA
   Samuel Stewart, Esq., OEMS
   Charles McSweeney, OEMS
   Donald Roberts, OEMS
   Kenneth Beym, OEMS
   National Registry of EMT's

SENT VIA REGULAR U.S. MAIL AND
CERTIFIED MAIL # 70010320000611598582
RETURN RECEIPT REQUESTED