

January 3, 2012

ASHLEY MASSA

**Re: Notice of Summary Suspension:
EMT-Basic Certification # 582993
Investigation Control # 2011-574**

Dear Ms. Massa:

The New Jersey Department of Health and Senior Services (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 assure 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 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 Technician-Basics (EMT-B). In furtherance of the objectives set forth in the statutes, the Department has adopted regulations that govern the training, certification and professional conduct of EMT-B and EMT-B candidates. (See: *N.J.A.C. 8:40A-1.1 Emergency Medical Technicians-Basics: Training and Certification.*)

On November 22, 2011, the Department's Office of Emergency Medical Services (OEMS) was notified that you were arrested by the Berkeley Township Police Department (BTPD). The notification indicated you were charged with theft while acting in the capacity of an EMT-B for a New Jersey licensed EMS provider. Accordingly, the OEMS opened an investigation in response to this notification.

Further investigation revealed that you were arrested on November 21, 2011, in Berkeley Township, New Jersey by the BTPD, in connection with theft of personal property from a shopper at the Shop Rite store in Bayville, New Jersey. The complaint indicates that you stole the pocketbook of a female shopper at the Shop Rite. You then used stolen credit cards found therein to make purchases in excess of \$1,200.00 at the Wal-Mart store in Lacey, New Jersey, later the same day. All this was done while wearing the uniform of a state certified EMT-B and staffing an ambulance owned by Northeast Metro Ambulance, a

State licensed EMS provider. Accordingly, you were charged in Berkeley with *Theft by Unlawful Taking*, in violation of *N.J.S.A. 2C:20-3A*, and *Credit Card Theft*, in violation of *N.J.S.A. 2C:21-6C(1)*. Additional charges were filed in Lacey for *Use of Stolen Credit Cards* in violation of *N.J.S.A. 2C:21-6C(1)*, *Theft* in violation of *N.J.S.A. 2C:20-4A*, and *Forgery* in violation of *N.J.S.A. 2C:21-1A(3)*

You are aware that EMT-Bs work in unsupervised two person teams to respond effectively to emergencies. The nature of this work requires these individuals to 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, EMT-Bs must unconditionally trust each other and be incontestably trusted by EMT-Paramedics, police officers, fire fighters, doctors and other professionals. Because EMT-Bs 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.

You are also aware that EMT-Bs oftentimes are responsible for safeguarding the valuable possessions of patient they care for. These valuables often include cash money and credit cards. Consequently, EMT-Bs are placed in a position of authority over vulnerable individuals and their valuables. These factors implicitly demand that the EMT-B be trustworthy.

N.J.A.C. 8:40A-10.2(a) states: "The Commissioner, or his/her designee, may summarily suspend a person's EMT-Basic 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 health, safety or welfare."

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

Be advised, you may not, under any circumstances, act in the capacity of or perform the duties of an EMT-B in New Jersey during this period of suspension. Be further advised that if you act in the capacity of, or perform the duties of an EMT-B in New Jersey during this period of suspension, your actions will constitute impersonation of an EMT-B, 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-B certification card(s) to the OEMS, either by U.S. mail to the address on the first page of this Notice, or by physical delivery to the Department of Health and Senior Services, OEMS, John Fitch Way, Market and Warren Streets, Trenton, NJ, 08611.

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 what action(s), if any, will be taken with respect to your EMT-Basic certification.

Pursuant to *N.J.A.C. 8:40A-10.3(a)*, you may appeal to the Commissioner of the Department of Health and Senior Services for a hearing before the Office of Administrative Law to contest this summary suspension. If the summary suspension is upheld at the Office of Administrative Law, you may apply for injunctive relief in the Superior Court of New Jersey. Your request for a 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 **2011-574** on your correspondence, and forward your request to:

New Jersey Department of Health & Senior Services
Office of Legal & Regulatory Compliance
P.O. Box 360, Room 805
Trenton, NJ 08625-0360
Attn: Ms. Michele Stark

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
Michele Stark, OL&R Compliance

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