



State of New Jersey

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

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

www.nj.gov/health

CATHLEEN D. BENNETT
Acting Commissioner

August 25, 2015

Awad Bashir
Royal Care Ambulance
32 Gifford Ave. Apt. #2B
Jersey City, NJ 07304

Re: **Notice of Summary Suspension:
Mobility Assistance Vehicle / Basic Life Support Service Provider
Investigation Control # 2015-0007P**

Dear Mr. Bashir:

The New Jersey Department of Health (the 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 et seq., which was enacted, in part, to ensure that hospital and related health care services rendered in New Jersey are of the highest quality. As defined at N.J.S.A. 26:2H-2b, health care services include pre-hospital basic life support (BLS) ambulance services.

Furthermore, N.J.S.A. 26:2H-5 grants the Commissioner of Health the power to inquire into health care services and to conduct periodic inspections with respect to the fitness and adequacy of the equipment and personnel employed by those services. As such, in furtherance of each of the aforementioned statutory objectives, the Department adopted regulations that govern the licensure and inspection of ambulance and mobility assistance vehicle (MAV) service providers and their vehicles. Those regulations are set forth in their entirety at N.J.A.C. 8:40-1.1 et seq.

On June 9, 2015, the Department's Office of Emergency Medical Services (OEMS) received notification of an ambulance being used with no markings and the words "Paramedic Service" on the side. The vehicle was seen delivering patients to Newark Beth Israel Hospital (NBI) in Newark, New Jersey on two separate occasions. Consistent with regulatory authority and OEMS policy, OEMS opened an investigation in response to this notification.

The OEMS investigators contacted the security department of NBI and requested copies of the surveillance video of the ambulance bay on the dates in question. The video depicted the driver of the ambulance walking to the back of the truck. He enters the vehicle and exits carrying a small child. The only other person in the vehicle was a woman in plain clothes. No other personnel were on the ambulance.

In addition, NBI's security department was able to identify the license plate of the vehicle as belonging to your company. The address was cross-referenced to the OEMS licensing database and it was confirmed the vehicle belongs to you. At this point, an audit was scheduled to be conducted on your company.

On June 12, 2015, OEMS investigators arrived at your business address on Griffith Avenue in Jersey City, New Jersey, which is the business address that OEMS has on file for Royal Ambulance. Upon arrival it was revealed that the business address was your residence. Investigators were met by a woman who identified herself as your wife. She stated she had not seen you in days but would try to contact you. After making multiple phone calls, she was unable to locate you. She stated she would continue trying to reach you and have you contact the investigators.

Investigators then called the main and cell phone numbers listed for your agency and spoke to someone who identified themselves as the office manager. They stated your new office was located at 880 Bergen Street in Jersey City, New Jersey. You never notified OEMS of the address change, as required by N.J.A.C. 8:40-3.2(a). Investigators arrived at the Bergen Street address to find a large apartment complex. When investigators attempted to confirm the apartment number, no one would answer either phone number and the calls were sent to voicemail multiple times. Investigators then asked the security guard at the front desk for Royal Ambulance's apartment number. The security guard advised that the only transportation company in the building was that of Access Care Transportation, located on the fifth floor.

Upon arriving at Access Care Transportation, investigators were met by a woman named Eunice who stated she had never heard of you or your company. Investigators tried to call the main number of your company one more time before leaving. A gentleman by the name of Mohammed answered and stated he worked for Access Care Transportation. When investigators asked him why an employee of Access Care Transportation was answering the main phone line for Royal Care Ambulance, he stated it was because he knew you. Investigators stated it was urgent for you to contact them as soon as possible. Mohammed stated he would contact you and deliver the message.

Investigators went back to the address on Griffith Avenue in Jersey City and noticed a Royal Care Ambulance minivan double parked outside of the building. Investigators received a call from you shortly after they arrived at Griffith Avenue. You stated you would not be able to meet investigators because you were in New York City, but you would be able to email or fax the information the investigators needed. Shortly after concluding the phone call, you exited the Griffith Avenue address and approached the Royal Care Ambulance minivan. Investigators introduced themselves and advised that an audit needed to be conducted. When asked why you had lied and stated you were in New York City, you became very anxious and reported you were heading to New York City and never said you were actually there. Investigators then stated they needed to review your patient care reports, employee roster, employee certifications,

certificate of insurance and standard operating procedure manual in order to conduct the audit. You stated they were upstairs in your apartment.

When you and the OEMS investigators arrived in your apartment, you began rifling through a box. You stated some of the requested documentation might be in the box, but most of it was at the 880 Bergen Street address. The investigators told you they needed to see the documents prior to them leaving. You contacted Eunice from Access Care Transportation, who originally stated she had never heard of you or your company, and asked her to arrange for the documents to be brought to Griffith Avenue. Investigators also requested all of your vehicles be brought in for inspection.

In the OEMS licensing system, you have two vehicles (MAV #03, BLS# 11) licensed with the Department. However, when investigators asked to see all the vehicles you used for ambulance or MAV transports, you recounted at least four vehicles. Investigators also asked about the original ambulance seen at NBI. You admitted you owned the vehicle and had been using it to transport patients, but it was mostly used as a school vehicle. Even though the investigators asked to inspect all of the vehicles, you arranged to bring only one vehicle (BLS #11) to Griffith Avenue. You stated you were unable to bring the others over because they were tied up on transports and would not be available until late in the evening. Overall, investigators waited over two hours for the requested information and vehicles to arrive.

While waiting for the vehicles to arrive, someone from Access Care Transportation arrived with a box of patient care reports and your certificate of liability insurance. Investigators began reviewing the contents of the box and asked if copies could be made. You stated you did not have a copier, but investigators could take the box and its contents, for which you were given a receipt. You stated all of the requested documents were in the box. Upon reviewing the contents, investigators found your certificate of liability insurance and some patient care reports from 2014. To date, OEMS has still not received a staff roster, staff certifications or a standard operations manual despite leaving multiple phone messages and requests.

During the audit, you mentioned you have not done any business with Medicare since the middle of December 2014, and that the ambulances are being used as school vehicles. You stated you have instructed your employees to place the person on the stretcher and take them to their destination. No patient care reports or other documentation has been kept for these transports.

Based upon the investigators' site visit and audit, OEMS found the following violations:

1. Utilization of at least two vehicles for BLS and/or MAV services that were not inspected and licensed by OEMS, in violation of N.J.A.C. 8:40-2.5 and 2.6;

2. Failure to notify OEMS of the change in location of Royal Ambulance's principal place of business, in violation of N.J.A.C. 8:40-3.2;
3. Failure to produce documentation requested by OEMS investigators for inspection, which is in violation of N.J.A.C. 8:40-2.6(c);
4. Failure to maintain full, complete and accurate records, as required by N.J.A.C. 8:40-3.9;
5. Failure to staff BLS ambulances with at least two EMT-Basics, as required by N.J.A.C. 8:40-6.3;
6. Failure to maintain patient care reports, in violation of N.J.A.C. 8:40-3.6;
7. Failure to maintain and produce personnel files, in violation of N.J.A.C. 8:40-3.8;
8. Failure to maintain and produce Royal Ambulance's standard operating manual, as required by N.J.A.C. 8:40-3.5; and
9. Hindering an OEMS investigation, in violation of N.J.A.C. 8:40-2.6(c).

Based upon the foregoing, the Department has determined that Royal Ambulance's license as a Mobility Assistance Vehicle Service and Basic Life Support Agency must be summarily suspended. Pursuant to N.J.A.C. 8:40-7.2(b), "[t]he Commissioner or his or her designee may summarily suspend the license of any provider when, in his or her opinion, the continued licensure of that provider poses an immediate or serious threat to the public health, safety or welfare." In the present matter, the above cited deficiencies demonstrate a serious disregard for and a consistent failure to comply with the Department's regulations. As such, the Department finds that Royal Ambulance's continued licensure as a BLS/MAV service provider constitutes an immediate and serious threat to the health, safety and welfare of the public. **Therefore, Royal Care Ambulance's license as a Mobility Assistance Vehicle Service and Basic Life Support Agency is immediately suspended.** During this period of suspension, OEMS will continue to investigate this matter and will advise you as to what action(s), if any, will be taken with respect to your BLS/MAV license. Such action may include the imposition of monetary penalties and/or revocation of your license.

Please be advised that you may not, under any circumstances, operate as a BLS or MAV service provider anywhere within the State of New Jersey during this period of suspension. You have the right to apply to the Commissioner of the Department of Health for emergency relief to contest this summary suspension. A request for emergency relief shall be submitted in writing and shall be accompanied by

a response to the charges contained in this notice. Please include the control number **2015-0007P** on your correspondence and forward your request to:

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 result in the continued summary suspension of your MAV/BLS provider license, therefore forfeiting all rights to emergency relief. If you have any questions concerning this matter, please contact Mr. Donald Roberts, Chief, Licensing and Operations at (609) 633-7777.

Sincerely,



Nancy Kelly-Goodstein, M.A.S.
Acting Director, Emergency Medical Services

c: Donald Roberts, OEMS
James Sweeney, OEMS
Christopher Tams, OEMS
Jo-Bea Sciarrotta, Compliance Officer
Tamara Roach, Office of Legal & Regulatory Compliance
Center for Medicare Services
Logisticare

SENT VIA REGULAR U.S. MAIL AND
CERTIFIED MAIL # 7008 1140 0001 5589 3743
RETURN RECEIPT REQUESTED