



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

February 21, 2020

Anthony Siudut

Re: **Notice of Summary Suspension:
EMT and Paramedic Certification # 4261
(EMS ID # 506020)
Investigation Control #2020-0005V**

Dear Mr. Siudut:

The New Jersey Department of Health (Department) is vested with the responsibility of carrying out the provisions of N.J.S.A. 26:2K-7 to -69, which govern the provision of advanced life support services within the State of New Jersey, and the Health Care Facilities Planning Act, N.J.S.A. 26:2H-1 to -26, 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. These laws establish a scheme that permit certain individuals, once certified, to perform basic life support and/or advanced life support services. In furtherance of the objectives set forth in the statutes, the Department of Health has adopted regulations that govern the training, certification and professional conduct of Emergency Medical Technicians (EMT) and Mobile Intensive Care Paramedics (MICP). See N.J.A.C. 8:40A and N.J.A.C. 8:41A.

The Department's Office of Emergency Medical Services (OEMS) received a notification on January 23, 2020, that you allegedly assaulted a patient who was in your care on November 16, 2019 at Bally's Atlantic City Hotel and Casino (Bally's) in Atlantic City, New Jersey. Consistent with regulatory authority and OEMS 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 OEMS as an EMT and MICP. Specifically, you have been an EMT since 1997 and an MICP since December 2019. In addition, the investigator confirmed that you were assigned to the Basic Life Support (BLS) Unit that responded to an assignment at Bally's on November 16, 2019. As part of the investigation, incident reports, patient care reports and surveillance video from the casino were reviewed.

The security camera footage revealed an uncooperative, screaming male (herein referred to as the patient) sitting on the floor with his hands cuffed behind his back. The patient had an obvious head injury as noted by the blood stains on his shirt. While standing behind the patient, and without provocation or threat, you proceeded to step on the handcuffs between the patient's hands. This caused the patient to scream obscenities in your direction. In response, you grabbed the patient by his head and throat and forced him to the floor. During the altercation, the patient attempted to bring his knee up toward your head and you responded by striking the patient multiple times in the face with what appeared to be a closed fist. You then repositioned your knee to the upper part of the patient's chest. As preparations to place the him on the stretcher were made, you continued to antagonize and provoke the patient.

Once you and your partner placed the patient on the stretcher, with his hands still cuffed behind him, your partner struck the patient in the groin with her elbow. At no time did you attempt to stop your partner from acting in such an aggressive manner. In fact, she struck the patient multiple times in the groin as you finished securing the patient's legs. The patient was then covered with a blanket and wheeled through the casino and out to the awaiting ambulance. The patient was placed into the back and the ambulance then drove out of site of the camera.

As you are aware, EMTs and MICPs (hereby referenced as clinicians) 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, clinicians must exercise good judgment and treat patients with dignity and respect. Indeed, striking a handcuffed patient is never an appropriate response to a situation and is deemed abuse of a patient, which is a prohibited act under N.J.A.C. 8:40A-10.2(b)(5) and N.J.A.C. 8:41A-5.2(b)(5).

Based upon the foregoing, the Department has determined that your EMT and MICP certifications must be summarily suspended. Pursuant to N.J.A.C. 8:41A-5.2(a), "the Commissioner, or his designee, may summarily suspend a person's Paramedic 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." See also N.J.A.C. 8:40A-10.2 (stating that an individual's EMT certification may be summarily suspended if the person poses a serious or immediate threat to public safety, welfare or health). Because the investigation to date has revealed that you acted in an abusive manner towards a patient, which is indicative of poor judgment and a disregard for a patient's dignity and well-being, the Department finds that your continued certification as an EMT constitutes an immediate and serious threat to public health, safety, and welfare. **Therefore, your certifications as an EMT and MICP are immediately suspended and shall remain suspended until lifted by the Department or a court of competent jurisdiction. You may not, under any circumstances, act in the capacity of, or perform the duties of an EMT or MICP in New Jersey during this period of suspension.**

In accordance with N.J.A.C. 8:41A-4.1(f)(2) and 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 and Paramedic certification cards to the OEMS, either by sending via United States Postal Service First

Class Mail, to the address on the first page of this Notice, or by physical delivery to Department of Health, OEMS, John Fitch Way, Market and Warren Streets, Trenton, NJ, 08611.

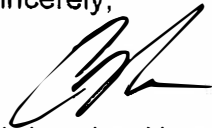
In the interim, the OEMS will continue to investigate this matter. After OEMS completes its investigation, you will be advised of what action(s), if any, OEMS will take with respect to your EMT certification and MICP certification.

Pursuant to N.J.A.C. 8:41A-5.3(a), N.J.A.C. 8:40A-10.3(a) and N.J.A.C. 1:1-12.6, you have the right to appeal 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 2020-0005V 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

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 certifications as an EMT and Paramedic pending completion of its investigation, thereby forfeiting all rights to emergency relief. If you have any questions concerning this matter, please contact Eric Hicken, at (609) 633-7777 or via email at Eric.Hicken@doh.nj.gov.

Sincerely,



Christopher Neuwirth, MA, MEP, CBCP, CEM
Assistant Commissioner
PHILEP Division

- c. Terry Clancy, Acting Director, OEMS
Eric Hicken, Chief of Licensing, Inspections and Enforcement
James Sweeney, Investigator

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