



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

April 19, 2023

William Kinder

**Re: Notice of Summary Suspension
EMS ID # 622524
Investigation Control # 23-0011**

Dear Mr. Kinder:

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 January 19, 2023, the Department's Office of Emergency Medical Services (OEMS) received notification that you may have committed a crime. 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 January 6, 2016. Further, the investigator confirmed that you were charged with the following under Complaint No. S 2022 001349 in Gloucester Township, New Jersey:

1. Two counts of N.J.S.A. 2C:14-9(b)(1), Invasion of Privacy.

Specifically, it is alleged that you installed a hidden recording device and videotaped another person whose intimate parts were exposed, without that person's consent and under circumstances in which a reasonable person would not expect to be observed.

As you are aware, EMTs work in an unsupervised environment and must make important medical assessments and carry out appropriate prehospital interventions at motor vehicle accidents, in people's homes, and at other difficult field locations. The provision of emergency care requires EMTs to have close, hands-on contact with vulnerable patients who range in age from infants to senior citizens. Indeed, EMTs are oftentimes called upon to perform physical exams of patients and, depending upon the circumstances, may be required to remove the patient's clothing to properly visualize and assess the presenting condition and treat injuries. Thus, EMTs are placed in a position of authority and influence over vulnerable and frightened patients. Accordingly, to effectively care for all patients, EMTs must exercise good judgment, unconditionally trust each other, and be unquestionably trusted by patients, police officers, firefighters, doctors, and other professionals. In short, EMTs must be law-abiding and must be trusted to care for all patients in an appropriate, safe manner.

Based upon the foregoing, the Department has determined that your EMT certification must be **summarily suspended**. Pursuant to N.J.A.C. 8:40A-10.2, "[t]he Commissioner, or his or her designee, may summarily suspend a person's EMT-Basic and/or EMT-Instructor 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." OEMS's investigation to date shows that the nature of the charges lodged against you demonstrate not only poor judgment and a lack of trustworthiness, but a threat to vulnerable patients in need of emergency medical care. Indeed, ensuring that vulnerable patients in need of emergency medical care are rendered treatment in a safe manner and are protected from possible abuse or exploitation by the emergency medical providers entrusted to care for them is essential to the effective provision of emergency medical care. Because you have been charged with serious crimes, the nature of which are not only indicative of poor judgment and lack of trustworthiness but also evidence that you pose a threat to vulnerable patients, the Department finds that your continued certification as an EMT constitutes an immediate and serious threat to public health, safety, and welfare. **Therefore, your certification as an EMT is immediately suspended. You may not, under any circumstances, act in the capacity of, or perform the duties of an EMT in New Jersey during this period of suspension.**

In the interim, the OEMS will continue to investigate this matter and monitor the progression of your criminal case. After OEMS completes its investigation and the charges against you have been resolved, you will be advised of what action, if any, the OEMS will take with respect to your EMT certification.

Pursuant to N.J.A.C. 8:40A-10.3, you may appeal to the Commissioner of the Department of Health for emergency relief to contest this summary suspension. 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. Please include the control number **23-0011** 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 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 EMT certification pending completion of its investigation, thereby forfeiting all rights to emergency relief. If you have any questions concerning this matter, please contact Investigator 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, Education, Licensure, and Enforcement, OEMS
Zachary Raab, Investigator, OEMS
NREMT
File

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