RESTRICTED DELIVERYCERTIFIED MAIL
RETURN RECEIPT REQUESTED

Before the Iowa Department of Public Health

IN THE MATTER OF	Case: 10-10-07
Dale Larson 206 Nepton #131 Marathon, Iowa 50565	**NOTICE OF PROPOSED ACTION**
Certification: PS-19-004-06	**SUSPENSION/PROBATION**

Pursuant to the provisions of Iowa Code Sections 17A.18, 147A.7, and Iowa Administrative Code (IAC) 641—131.7, the Iowa Department of Public Health is proposing to **SUSPEND** your EMS certification identified above indefinitely and place your certification on **PROBATION** for two years from the end of the suspension.

The department may suspend or place on probation an EMS certification when it finds that the certificate holder has committed any of the following acts or offenses:

Negligence in performing emergency medical care
Iowa Code Section 147A.1.a; IAC 641—131.7(2)a

Failure to follow the directions of supervising physicians or their designees.
Iowa Code Section 147A.1.b; IAC 641—131.7(2)b

Professional incompetency. Professional incompetency includes, but is not limited to:
(1) A substantial lack of knowledge or ability to discharge professional obligations within the scope of practice.
(2) A substantial deviation from the standards of learning or skill ordinarily possessed and applied by other EMS providers in the state of Iowa acting in the same or similar circumstances.
(3) A failure to exercise the degree of care which is ordinarily exercised by the average EMS provider acting in the same or similar circumstances.
(4) Failure to conform to the minimal standard of acceptable and prevailing practice of certified EMS providers in this state.
Iowa Code Section 147A.1e; IAC 641—131.7(2)e

Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of the profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established. Acts which may constitute unethical conduct include, but are not limited to:
(5) Falsification of medical records.
Iowa Code Section 147A.1i; IAC 641—131.7(2)f

The following events have lead to this notice:

On February 2, 2010, you failed to resuscitate a patient in cardiac arrest. You also documented that no CPR was performed prior to your arrival. Documentation by the police officers on scene at your arrival indicate that you directed them to stop CPR. After review by the medical director,

the service disciplined you for failure to follow protocols and failure to properly complete the patient care record.

On September 16, 2010, you failed to resuscitate a patient in cardiac arrest. You also inaccurately documented the reason for the ambulance dispatch. After review by the medical director, the service terminated you for failure to follow protocols and failure to complete the patient care record properly.

Your suspension shall be subject to the following terms and conditions:

a. During the period of suspension, you shall successfully complete an initial Advanced Cardiac Life Support course. Prior to attending the course, you shall submit the proposed course name, date and sponsoring training program. The Department may approve the proposed course, or may designate another course for completion. You shall provide proof of successful course completion to the Department within the period of suspension. You are responsible for all costs associated with this course.
b. During the period of suspension, you shall successfully complete a medical ethics course. You shall submit the proposed course name, course syllabus, instructor's name, instructor's credentials, and the course curriculum to the Department for approval prior to completing the course. The Department may approve the proposed course, or may designate another course for completion. You shall provide proof of successful course completion to the Department within the period of suspension. You are responsible for all costs associated with this course.
c. During the period of suspension, you shall successfully complete a medical documentation course. You shall submit the proposed course name, course syllabus, instructor's name, instructor's credentials, and the course curriculum to the Department for approval prior to completing the course. The Department may approve the proposed course, or may designate another course for completion. You shall provide proof of successful course completion to the Department within the period of suspension. You are responsible for all costs associated with this course.

Upon successful completion of the terms of the suspension, your certification will be placed on probation. Your probation shall be subject to the following terms and conditions.

a. You shall submit quarterly reports to the bureau (filed no later than January 10, April 10, July 10, and October 10) which shall include the following information:
   i. Ambulance calls attended
   ii. Verification that the medical director has reviewed treatment decisions
b. You shall make a personal appearance before the bureau upon request. You shall be given reasonable notice of the date, time, and place of appearance.
c. You shall obey all federal, state, and local statutes and rules governing the provisions of emergency medical services.
d. You shall notify any current or prospective employer, to include direct supervisors, service directors and medical directors, of the terms, conditions and restrictions imposed by this notice. Within fifteen days of this notice taking effect, or of undertaking new employment, your direct supervisor, service director and medical director shall report to the bureau, in writing, acknowledging that the employer and medical director have read this document and understands it.
e. You shall notify any EMS training program you enroll in for courses leading to certification of the reasons for this probation. Within fifteen days of this notice taking effect, or entering an EMS training program, the training program director and medical director shall report to the bureau, in writing, acknowledging that the training program and medical director have read this document and understands it.

f. You shall notify the bureau of any change in address within one week of said change.
g. In the event you violate or fail to comply with any of the terms or provisions of your probation, the department may initiate appropriate action to revoke or suspend your certification or to impose other appropriate discipline.
h. This Notice shall be part of the permanent record of the bureau and shall be considered by the bureau in determining the nature and severity of any disciplinary action to be imposed in the event of future violations.

You have the right to request a hearing concerning this notice of disciplinary action. A request for a hearing must be submitted in writing to the Department by certified mail, return receipt requested, within twenty (20) days of receipt of this Notice of Proposed Action. The written request must be submitted to the Iowa Department of Public Health, Bureau of Emergency Medical Services, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319. If the request is made within the twenty (20) day time limit, the proposed action is suspended pending the outcome of the hearing. Prior to, or at the hearing, the Department may rescind the notice upon satisfaction that the reason for the action has been or will be removed.

If no request for a hearing is received within the twenty (20) day time period, the disciplinary action proposed herein shall become effective and shall be final agency action.

Kirk Schmitt, Bureau Chief
Emergency Medical Services

1/4/2011
Date