

**RESTRICTED DELIVERY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF:  Cory Pergande 1536 Northwest 97 <sup>th</sup> Street Clive, Iowa  Certification: PS-05-100-08	Case Number: 08-06-13  NOTICE OF PROPOSED ACTION  <b>REVOCATION</b>
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Pursuant to the provisions of Iowa Code Sections 17A.18, 147A.7, and Iowa Administrative Code (I.A.C.) 641—131.7, the Iowa Department of Public Health is proposing to **REVOKE** your EMS certification identified above.

The department may revoke an EMS certification when it finds that the applicant or certificate holder has committed any of the following acts or offenses:

*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.  
Iowa Code Section 147A.1i and IAC 641—131.7(2)f*

*Violating a statute of this state, another state, or the United States, without regard to its designation as either a felony or misdemeanor, which relates to the provision of emergency medical care, including but not limited to a crime involving dishonesty, fraud, theft, embezzlement, controlled substances, substance abuse, assault, sexual misconduct, or homicide. A copy of the record of conviction or plea of guilty is conclusive evidence of the violation.  
Iowa Code Section 147A.7(1)j and IAC 641—131.7(2)t*

The following incidents resulted in issuance of this proposed action:

In 2006, you were involved in an altercation with a visitor to the hospital where you were employed. This altercation led to your termination from the hospital. On September 30, 2006, you received a confidential letter of warning from the Department concerning this incident. This letter warned you that future violation of the Department's rules could result in the filing of disciplinary action against your certificate and that the Department reserved the right to review and reconsider the matter.

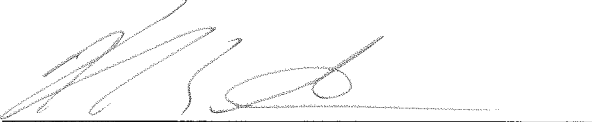
On August 19, 2008, you were convicted of the following crimes:

- Assault Use/Display of a Weapon
- Carrying weapons

**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 E 12<sup>th</sup> St, 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 E. Schmitt  
EMS Bureau Chief

11/20/2008  
Date