

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

<p>IN THE MATTER OF</p> <p>Thomas Milewski 2707 Maple Grove #3 Chillicothe, OH 45601</p> <p>Certification: B-08-252-70</p>	<p>Case Number: 07-07-06</p> <p style="text-align: center;">NOTICE OF PROPOSED ACTION</p> <p style="text-align: center;">SUSPENSION</p>
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Pursuant to the provisions of Iowa Code Sections 17A.18 and 147A.7, and Iowa Administrative Code (IAC) 641—131.7, the Iowa Department of Public Health is proposing to indefinitely **SUSPEND** your certification identified above.

The department may suspend a certification when it finds that the applicant 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.7(1)f and IAC 641—131.7(2)f

Violating a statute of this 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 abuse, 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 64—131.7(2)t

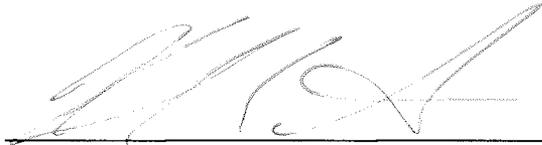
The following has led to this notice:

On November 28, 2007, you received a deferred judgment for third degree harassment. This conviction was the result of you making harassing and threatening statements to individuals on June 18, 2007. At the time of this incident, you were the Windsor Heights Fire Chief. You confronted a member of the Clive Fire Department and, according to the police report, “began to make threats and harassing statements to him.” The harassed individual states that you, “told him he would never work as a firefighter in the area again,” while calling him a “narc,” and making foul and belligerent statements to and about him.” You abused your position of authority and attempted to intimidate and harass members of Clive Fire Department.

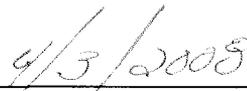
Your certification shall remain suspended until you meet all terms of the court ordered twelve month informal probation, submit a comprehensive mental health evaluation indicating that you are safe to practice as an emergency medical care provider, and the Department authorizes your return to practice. You must continue to comply with all recertification requirements during your suspension.

You have the right to request a hearing concerning this notice of denial. 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 E Schmitt
Bureau of Emergency Medical Services



Date