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Before the Iowa Department of Public Health

IN THE MATTER OF: Kevin Kielmann 2816 Cambridge Street DesMoines, Iowa 50313 Respondent. Certification : PS-17-018-15	Case Number: 11-07-12 **EMERGENCY SUSPENSION ORDER**

COMES NOW the Iowa Department of Public Health and finds, pursuant to the provisions of Iowa Code Sections 17A.18, 17A.18A, and 147A.7, and 641 Iowa Administrative Code (I.A.C.) 131.7 and 131.11, that Respondent's continued practice of emergency medical services constitutes an immediate danger to the public health, safety, and welfare. The Department is hereby immediately **SUSPENDING** Respondent's EMS certification identified above for the following reasons:

FINDINGS OF FACT

1. Kevin Kielmann (Respondent) is certified by the Iowa Department of Public Health (Department) as a Paramedic Specialist (PS).

2. The Department has received information that Respondent has been charged with

   - Attempted murder
   - Intimidation with a dangerous weapon (two counts)
   - Domestic abuse assault with intent or displays a weapon
   - Harassment first degree
   - Assault use/display of a weapon (two counts)
   - Child endangerment/no injury (three counts)
   - Obstruction of emergency communications (two counts)

3. The Respondent's trial is set for April 16, 2012.

CONCLUSIONS OF LAW

4. The Department may suspend 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 representation 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.
   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 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

5. The facts set forth above establish that Respondent appears to have violated these rules.

POLICY REASONS

6. The Department concludes that its preliminary investigation has been sufficient to ensure that the Department is proceeding on the basis of reliable information.

7. The facts as set forth above establish that Respondent's continued practice of EMS would pose an immediate danger to the public health, safety, or welfare. Respondent's continued practice of EMS would constitute an immediate danger to the public health.

8. The facts as set forth above establish that Respondent may not continue to engage in the practice of EMS without posing an immediate danger to the public health, safety, and welfare, and that the imposition of monitoring requirements or other safeguards would not be sufficient to protect the public health, safety, and welfare.

9. The immediate suspension of Respondent's EMS certification is necessary to avoid the immediate danger to the public.

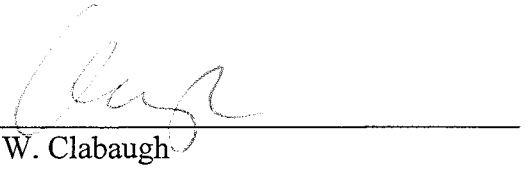
ORDER

IT IS HEREBY ORDERED that Respondent's Paramedic Specialist certification PS-17-018-15 is hereby suspended pending further order of the Department. Respondent must immediately cease and desist from the practice of EMS upon receipt of this emergency adjudicative order. Respondent shall be notified immediately of this Order pursuant to 641 IAC 131.11(2). Respondent is further ordered to immediately provide a copy of this Order to every employer or service at which Respondent practices EMS.

This Order is effective upon issuance. The suspension shall remain in effect until such time as the Department investigation and the criminal investigation are completed. The Department shall complete its investigation as quickly as is feasible, but no later than April 20, 2012. Following completion of its investigation, the Department shall issue a notice of action which shall include its proposed final action regarding Respondent's certification.

Respondent has the right to request a hearing concerning this emergency suspension order. 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 Order. The written request must be submitted to the Iowa Department of Public Health, Bureau of Emergency Medical Services, Lucas State Office Building, 321 E 12th St, Des Moines, Iowa 50319.

This Order is a public record.



2-17-2012

Gerd W. Clabaugh
Deputy Director and
Director, Division of Acute Disease Prevention and Emergency Response

Date