RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Before the Iowa Department of Public Health

IN THE MATTER OF:	Case Number: 10-02-17
Jennifer Vasquez 1326 Harriet Avenue Carroll, Iowa 51401-1318	NOTICE OF PROPOSED ACTION
Certification: PS-05-103-11	**SUSPENSION**

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 **SUSPEND** your certification indefinitely.

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 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*
>
> *Failure to comply with a subpoena issued by the department or failure to cooperate with an investigation of the department.*
> *IAC 641—131.7(2)h*
>
> *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 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 641—131.7(2)t*

The following events have lead to this notice:

> You were convicted of operating while intoxicated on July 1, 2010.
>
> On August 6, 2010, the Department sent you a certified letter requesting a copy of the charging orders and court disposition for the charge. On August 11, 2010, the Post Office returned the letter as, "moved left no address unable to forward." On September 9, 2010, you were contacted by phone. You agreed to provide a copy of your substance abuse evaluation within 30 days. As of the date of this notice, you have failed to provide a copy of your substance abuse evaluation.

Your certification shall be suspended until the Department receives, reviews and approves a copy of your substance abuse evaluation.

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 12th 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 Schmitt
EMS Bureau Chief

Date 11/17/2010