

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF: Albert Thornton PO Box 146 Hillsboro, Iowa 52630 Certification: B-08-209-76	Case Number: 09-11-09 NOTICE OF PROPOSED ACTION REVOCATION/DENIAL
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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 and **DENY** your application at the First Responder level.

The department may revoke or deny 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.
Iowa Code Section 147A.7(1)f and IAC 641-131.7(2)f*

*Failure to comply with the terms of a department order or the terms of a settlement agreement or consent order.
IAC 641—131.7(2)i*

*Representing oneself as an EMS provider when one's certification has been suspended or revoked, or when one's certification is lapsed or has been placed on inactive status.
IAC 641—131.7(2)l*

*Fraud in representation as to skill, ability or certification.
IAC 641—131.7(2)r*

*Practicing emergency medical services or using a designation of certification or otherwise holding oneself out as practicing emergency medical services at a certain level of certification when the EMS provider is not certified at such level.
IAC 641—131.7(2)aa*

The following incidents resulted in issuance of this proposed action:

On September 16, 2008, the Department suspended your EMT-Basic certification due to failure to meet audit requirements. The notice stated your certification would remain suspended until the Department authorized its reinstatement. On January 20, 2009, you provided emergency medical care and indicated you were an EMT-Basic on a First Response Patient Report documenting the call.

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 E. Schmitt
EMS Bureau Chief

3/1/2010
Date