State of New Jersey
DEPARTMENT OF HEALTH
OFFICE OF EMERGENCY MEDICAL SERVICES
PO BOX 360
TRENTON, N.J. 08625-0360

www.nj.gov/health

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CATHLEEN D. BENNETT
Commissioner

July 6, 2016

Michael Minichino

Re: **Notice of Summary Suspension:**
        Emergency Medical Technician (EMT) Certification # 611248
        Investigation Control # 2016-0072V

Dear Mr. Minichino:

The New Jersey Department of Health (the Department) is vested with the responsibility of carrying out the provisions of the Health Care Facilities Planning Act, N.J.S.A. 26:2H-1 et seq., which was enacted, in part, to ensure that all hospital and related health care services rendered in the State of New Jersey are of the highest quality. As defined at N.J.S.A. 26:2H-2(b), health care services include any pre-hospital care rendered by basic life support personnel. In addition, the Emergency Medical Services Act, N.J.S.A. 26:2K-7 et seq., authorizes the Department to certify Emergency Medical Technicians (EMTs). In furtherance of the objectives set forth in the statutes, the Department has adopted regulations that govern the training, certification and professional conduct of EMTs and EMT candidates. See N.J.A.C. 8:40A, Emergency Medical Technicians: Training and Certification.

On June 14, 2016, the Department's Office of Emergency Medical Services (OEMS) received notification that you were charged with sexual contact with a minor. Consistent with regulatory authority and OEMS policy, the OEMS opened an investigation in response to this notification.

Upon opening the investigation, the OEMS investigator confirmed that you are currently certified as an EMT. In addition, the investigator confirmed that on or about June 11, 2016, you were charged with sexual assault of a minor, in violation of N.J.S.A. 2C:14-2(c)(4). Specifically, it is alleged that you committed an act of sexual penetration with an individual who is fourteen years of age while you are twenty years of age.

As you are aware, EMTs work in unsupervised, two-person teams in order to respond effectively to emergencies. You should also be aware that neither member of the team works in a supervisory capacity. Rather, one team member drives the vehicle and the other is alone in the back of the ambulance providing emergency medical care

to the patient. The provision of emergency care requires an EMT to have close, hands-on contact with vulnerable patients ranging from infants to senior citizens.   Indeed, EMTs are not afforded the option of picking and choosing their patients -- they must be ready and able to render care to all patients, regardless of age, when they respond to an emergency call. Even more, EMTs must exercise good judgment, trust each other and be trusted by the public, police officers, fire fighters, doctors and other professionals in order to be effective. In short, EMTs must be law-abiding and must be trusted to care for all patients in an appropriate, safe manner.

Based upon the foregoing, the Department has determined that your EMT certification must be **summarily suspended**. Pursuant to N.J.A.C. 8:40A-10.2(a), "the Commissioner, or his designee, may summarily suspend a person's EMT and/or EMT-Instructor certification when, in his or her opinion, the continued certification of that person poses an immediate or serious threat to the public health, safety or welfare." Because you have been charged with a serious crime, the nature of which is not only indicative of poor judgment and lack of trustworthiness but also evidences that you pose a threat to vulnerable minors, the Department finds that your continued certification as an EMT constitutes an immediate and serious threat to public health, safety, and welfare. **Therefore, your certification as an EMT is immediately suspended and shall remain suspended until such time as the Department has completed its investigation into this matter and the charges against you have been resolved. You may not, under any circumstances, act in the capacity of, or perform the duties of an EMT in New Jersey during this period of suspension.**

In accordance with N.J.A.C. 8:40A-7.1(f), certification cards are the property of the Department and shall be immediately surrendered upon demand. You are hereby directed to immediately surrender your EMT certification card(s) to the OEMS, either by sending via United States Postal Service First Class Mail, to the address on the first page of this Notice, or via physical delivery to Department of Health, OEMS, John Fitch Way, Market and Warren Streets, Trenton, NJ, O8611.

In the interim, the OEMS will continue to investigate this matter. You will be notified when the OEMS has completed its investigation, at which time you will be advised of what action(s), if any, will be taken with respect to your EMT certification.

Pursuant to N.J.A.C. 8:40A-10.3(a), you may appeal to the Commissioner of the Department Health for emergency relief to contest this summary suspension. Your request for a hearing on this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. Please include the control number **2016-0072V** on your correspondence, and forward your request to:

New Jersey Department of Health
Office of Legal & Regulatory Compliance
P.O. Box 360, Room 805
Trenton, NJ 08625-0360
Attn: Ms. Tami Roach

Failure to submit a written request for emergency relief within 30 days from the date of this Notice shall be deemed an acceptance of this Department's decision to summarily suspend your EMT certification pending completion of an investigation, thereby forfeiting all rights to emergency relief. If you have any questions concerning this matter, please contact Mr. Timothy Seplaki, at (609) 633-7777.

Sincerely,

Nancy Kelly-Goodstein, M.A.S.
Acting Director
Emergency Medical Services

c.   Christopher R. Rinn, Assistant Commissioner
Timothy Seplaki, OEMS
James Sweeney, OEMS
Tami Roach, OL&RC

SENT VIA REGULAR U.S. MAIL AND
CERTIFIED MAIL #
RETURN RECEIPT REQUESTED