



State of New Jersey

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

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

www.nj.gov/health

JUDITH M. PERSICHILLI, RN, BSN, MA
Commissioner

March 17, 2021

Mr. William Higbee
Egg Harbor Township Ambulance
3125 Fire Road
Egg Harbor Township, NJ 08234

**Re: Incomplete Patient Care Reports
Investigation Control # 2020-0246V**

Dear Mr. Higbee:

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-2b, health care services include pre-hospital basic life support ambulance services. Furthermore, N.J.S.A. 26:2H-5 grants the Commissioner of Health the power to inquire into health care services and to conduct periodic inspections and investigations with respect to the fitness and adequacy of the equipment and personnel employed by those services. In furtherance of each of the aforementioned statutory objectives, the Department adopted regulations that govern the licensure and inspection of basic life support (BLS) ambulance service providers and their vehicles. (See: N.J.A.C. 8:40-1.1 et seq.)

As you are already aware, the Department's Office of Emergency Medical Services (OEMS) issued Egg Harbor Township Ambulance (Egg Harbor) a verbal warning on September 24, 2020 for failing to complete electronic patient care reports (ePCRs), in violation of N.J.A.C. 8:40-3.6 and N.J.S.A. 26:2K-67. To ensure that Egg Harbor came into compliance with its patient care reporting responsibilities after receiving the warning, OEMS conducted an audit of Egg Harbor's ePCRs on December 21, 2020. The audit revealed 107 ePCRs that were incomplete from your agency. Specifically, the reports were in draft form, were not signed by the Emergency Medical Technicians who rendered care to the patient and were not submitted to the healthcare facility receiving the patient (when the patient was transported to the hospital) within 24 hours of completion of the call, as required by N.J.A.C. 8:40-3.6. As a result, you were informed to complete these ePCRs by December 24, 2020. As of December 28, 2020, Egg Harbor still had fifty (50) incomplete ePCRs. The following is a list of incomplete ePCRs:

PRID	Date	Time
64492538	10/8/2020	5:08
64638038	10/17/2020	2:53
64792354	10/26/2020	22:41
64814394	10/28/2020	10:32
64841700	10/29/2020	23:48
64889629	11/2/2020	8:15
64894587	11/2/2020	12:04
64935628	11/4/2020	23:14
65002360	11/8/2020	19:40
65072899	11/13/2020	8:42
65214016	11/21/2020	20:27
65223660	11/22/2020	15:22
65269470	11/25/2020	10:17
65271886	11/25/2020	12:56
65272817	11/25/2020	14:17
65352698	11/25/2020	14:32
65284577	11/26/2020	8:39
65308396	11/27/2020	21:36
65384092	12/2/2020	16:29
65394046	12/3/2020	9:42
65400239	12/3/2020	15:24
65412765	12/4/2020	8:10
65418361	12/4/2020	15:52
65419684	12/4/2020	17:25
65453838	12/6/2020	17:03
65453815	12/6/2020	17:56
65453813	12/6/2020	18:32
65454178	12/7/2020	0:23
65455240	12/7/2020	3:45
65456121	12/7/2020	5:39
65500407	12/9/2020	15:48
65532869	12/11/2020	12:38
65549151	12/11/2020	19:19
64560104	12/12/2020	13:53
65580111	12/14/2020	12:44
65611314	12/16/2020	8:54
65620298	12/16/2020	18:01
65642683	12/17/2020	23:56
65650647	12/18/2020	9:35

65647293	12/18/2020	10:01
65651744	12/18/2020	14:23
65657008	12/18/2020	19:02
65669259	12/19/2020	14:59
65672260	12/19/2020	17:25
65683808	12/19/2020	17:25
65672255	12/19/2020	18:08
65679582	12/20/2020	8:57
65680515	12/20/2020	11:00
65681166	12/20/2020	11:36
65721672	12/22/2020	18:17

Under OEMS’s rules, BLS agencies are responsible for timely completion of patient care reports. Specifically, N.J.A.C. 8:40-6.4(a) states that the duties of basic life support ambulance crewmembers include completing a patient care report for each patient. N.J.A.C. 8:40-3.6(a) further requires the BLS crewmembers to complete a PCR for each patient encounter and for each crewmember to sign the report. Moreover, N.J.A.C. 8:40-3.6(d) provides that “[a] copy of the patient care report shall be given to an authorized representative at the receiving health care facility. This shall be done no later than 24 hours after completion of the call.” OEMS’s rules require the timely completion of PCRs because they provide an accurate record of the patient complaint, presentation, assessment, treatment and outcome in the pre-hospital setting. When the patient is transported to the hospital, the record becomes part of the patient’s hospital medical record and contains valuable information to assist other practitioners within the healthcare continuum to determine the most appropriate management of the patient’s illness or injury. A BLS agency’s failure to timely complete PCRs hinders other practitioners’ ability to properly manage the patient’s care and treatment and places the patient’s health at risk.

Additionally, under N.J.S.A. 26:2K-67, BLS agencies must electronically submit PCR data to the Department. This information is critical for the monitoring of health bio surveillance and identifying risks to public health and safety. A BLS agency’s failure to timely complete their PCRs prevents the Department from receiving this necessary data and inhibits its ability to protect the public health.

Despite a previous warning issued by OEMS regarding your agency’s failure to complete ePCRs, OEMS has determined that Egg Harbor remains in violation of N.J.A.C. 8:40-3.6(d), N.J.A.C. 8:40-6.4(a) and N.J.S.A. 26:2K-67 for failing to complete patient care reports. As a result, you are hereby assessed a total monetary penalty of \$6,750 (27 days of noncompliance x \$250), pursuant to N.J.S.A. 26:2H-14 and N.J.A.C. 8:40-7.2(e)(9).

Payment of \$6,750 must be electronically submitted within 30 days from the date of this notice through the E-pay link on the OEMS website located at www.nj.gov/health/ems. Please include control number 2020-0246V. If you attempt to

pay this penalty by any method other than electronic E-pay, the paper instrument will be returned to you.

In the event of future violations, the Department may seek to impose stricter penalties and/or corrective actions, such as but not limited to, doubling the monetary penalty, and/or suspending or revoking your provider license, pursuant to N.J.A.C. 8:40-7.2(g).

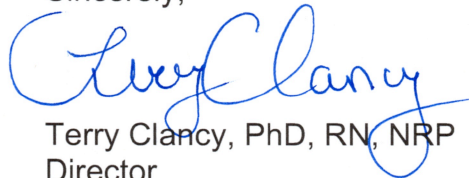
Pursuant to N.J.S.A. 26:2H-13 and N.J.A.C. 8:40-7.3(b) you may request a hearing before the Office of Administrative Law to contest this proposed penalty. Your request for a hearing on this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. In the event that you request a hearing, the penalty shall be held in abeyance until such time as the hearing has been concluded and a final decision rendered. If you wish to request a hearing, please include the control number **2020-0246V** on your correspondence, and forward your request to:

New Jersey Department of Health
Office of Legal & Regulatory Compliance
P.O. Box 360
Trenton, NJ 08625-0360

Failure to request a hearing within thirty (30) days from the date of this notice shall be interpreted as an acceptance of the Department's penalty, thereby negating any further appeal rights and converting the penalty as final and immediately due. In accordance with N.J.S.A. 26:2H-16 and N.J.A.C. 8:40-7.2(h), failure to pay this penalty may result in the delinquent account being referred for collection, pursuant to N.J.S.A. 2A:58-1 et seq., and the refusal by the OEMS to issue or renew a license.

If you have any questions concerning this matter, please contact Investigator Zak Raab, at (609) 633-7777 or via email at Zachary.Raab@doh.nj.gov.

Sincerely,



Terry Clancy, PhD, RN, NRP
Director
Office of Emergency Medical Service

c: Eric Hicken, Chief of Licensing, Inspection & Enforcement, OEMS
Zak Raab, Investigator, OEMS
Peter Miller, Township Administrator, Egg Harbor Township

SENT VIA REGULAR US MAIL AND
CERTIFIED MAIL # 7011 1570 0003 3735 1208
RETURN RECEIPT REQUESTED