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Before the Iowa Department of Public Health

IN THE MATTER OF: Michael E. Gainer 306 North Richland Street Richland, Iowa 52585-9510 Provider: EMT-10-1033-04	Case Number: 15-02-05 NOTICE OF PROPOSED ACTION CITATION AND WARNING
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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 issue a **Citation and Warning** to the emergency medical care provider identified above.

The department may issue a citation and warning when an emergency medical care provider 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.
Iowa Code 147A.7(1)f and IAC 641—131.7(3)f*

*Willful or repeated violations of Iowa Code 147A or these rules.
Iowa Code 147A.7(1)i and IAC 641-131.7(3)s*

The following events have lead to this notice:

In January 2015 you submitted EMS continuing education forms to Keokuk County Hospital as a member of Richland First Responders. The submitted continuing education forms were from Indian Hills Community College and indicated you completed a total of 8 hours of formal continuing education for two classes conducted on January 17, 2015. Documentation provided by Indian Hills Community College and by the program instructors establish that you did not attend either program but were in fact at an outing with your family as supported by your posting on social media.

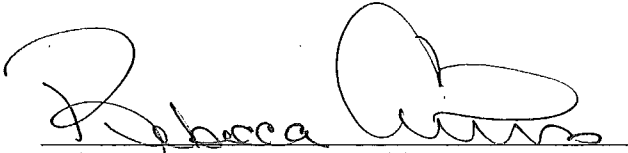
On February 7, 2014 you were issued a confidential Letter of Warning by the Department for concealment of prior criminal convictions on your certification application for certification EMT-10-1033-04. The letter of warning warned that if you should violate the Bureau's statutes or administrative rules in the future, such conduct could result in the filing of formal charges and disciplinary action against your certification.

You are hereby **CITED** for unethical conduct, failure to cooperate with a Department investigation, and repeated violations of Department rules. You are **WARNED** that violating the Department's rules in the future may result in further disciplinary action, including suspension or revocation of your emergency medical care provider certification.

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 and Trauma Services, Lucas

State Office Building, 321 East 12th Street, 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.



Rebecca Curtiss, Bureau Chief
Iowa Department of Public Health
Bureau of Emergency and Trauma Services

3/5/15
Date

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