

**RESTRICTED DELIVERY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF:  Zachary Higgins 504 Oak Street Rolfe, Iowa 50581  Petitioner	Case Number: 12-10-16  CONSENT AGREEMENT  <b>PROBATION</b>
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COMES NOW the Iowa Department of Public Health ("Department") and Scott Schuldt ("Petitioner"), and pursuant to Iowa Code section 17A.10 and 641 Iowa Administrative Code 131.12(7) enter into the following settlement of this matter:

1. On August 8, 2011, the Department issued a Notice of Proposed Action: Revocation/Denial to the Petitioner revoking certification number B-05-361-05 and denying the Petitioner's application for certification at the Paramedic Specialist level.
2. Petitioner did not file an appeal and the action become final on September 11, 2011.
2. On September 12, 2012, Petitioner submitted an EMS Certification Reinstatement Application for B-05-361-05.
3. The previous consent agreement was related to the Petitioners falsification of clinical documentation as part of clinical requirements for a Paramedic Specialist course.
4. Petitioner agrees to enter into this Consent Agreement as a condition of obtaining certification as an emergency medical care provider. Execution of this Consent Agreement by all parties constitutes the resolution of this contested case. Petitioner waives the right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Consent Agreement.
5. This Consent Agreement is subject to approval of the Department. If the Department approves this agreement, it becomes the final disposition of this matter. If the Department fails to approve this agreement, it shall be of no force or effect to either party.
6. This Consent Agreement shall be part of the permanent record of Petitioner and shall be considered by the Department in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

7. This Consent Agreement and the Notice of Proposed Action are public records available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.
8. The Department's approval of this Consent Agreement shall constitute a FINAL ORDER of the Department and constitutes final agency action in this matter.

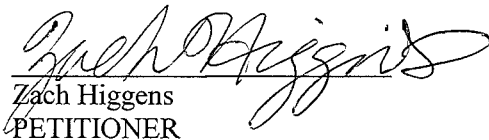
**IT IS THEREFORE ORDERED:**

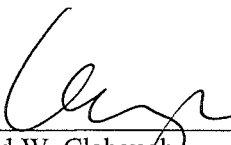
9. The Petitioner shall successfully complete a medical ethics course. Petitioner shall submit the proposed course name, course syllabus, instructor's name, instructor's credentials, and the course curriculum to the Department for approval prior to completing the course. The Department may approve the proposed course, or may designate another course for completion. Petitioner is responsible for all costs associated with this course.
10. After completing the medical ethics course, Petitioner shall submit documentation of meeting the renewal requirements at the EMT-Basic level as defined in *IAC 641—131.4(5)* during the certification period of August 9, 2009 through March 31, 2012 or complete the reinstatement requirements defined in *IAC 641—131.4(4)f*.
11. Following completion of the requirements in 9 and 10 above, the Department will place the emergency medical care provider certification (B-05-361-05) of Petitioner on probation through for a period of two years following the date of its issuance, subject to the following conditions:
  - a. Petitioner shall submit quarterly reports to the department (filed no later than January 10, April 10, July 10, and October 10) which shall include the following information:
    - i. The time period covered by the report
    - ii. Verification that Petitioner has complied with the terms of probation as specified in this Notice.
  - b. Petitioner shall make a personal appearance before the Department upon request. Petitioner shall be given reasonable notice of the date, time, and place of appearance.
  - c. Petitioner shall obey all federal, state, and local statutes and rules governing the provisions of emergency medical services.
  - d. Petitioner shall notify any current or prospective employer, to include direct supervisors, service directors and medical directors, of the terms, conditions and restrictions imposed by this notice.

Within fifteen days of this notice taking effect, or of undertaking new employment, Petitioner's direct supervisor, service director and medical director shall report to the Department, in writing, acknowledging that the employer and medical director have read this document and understands it.

- e. Petitioner shall notify any EMS training program enrolled in for courses leading to certification of the reasons for this probation. Within fifteen days of this notice taking effect, or entering an EMS training program, the training program director and medical director shall report to the Department, in writing, acknowledging that the training program and medical director have read this document and understands it.
- f. Petitioner shall notify the Department of any change in address within one week of said change.
- g. In the event Petitioner violates or fails to comply with any of the terms or provisions of probation, the Department may initiate appropriate action to revoke or suspend Petitioner's certification or to impose other appropriate discipline.
- h. This Notice shall be part of the permanent record of the Department and shall be considered by the Department in determining the nature and severity of any disciplinary action to be imposed in the event of future violations.

AGREED AND ACCEPTED:

  
Zach Higgins  
PETITIONER

  
Gerd W. Clabaugh  
DEPUTY DIRECTOR AND  
DIRECTOR, DIVISION OF ACUTE DISEASE  
PREVENTION AND EMERGENCY RESPONSE

Dated this 25 day of October, 2012.

Dated this 30 day of November, 2012.

Copies mailed to:

Heather L. Adams  
Assistant Attorney General  
Hoover State Office Building  
Des Moines, IA 50319