

RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Before the Iowa Department of Public Health

IN THE MATTER OF:

Case Number: 14-05-06

Brandon Hinesly
112 Main
Truesdale, Iowa 50592

NOTICE OF PROPOSED ACTION

SUSPENSION

Certification: EMT-05-366-14

COPY

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 indefinitely **SUSPEND** your EMS certification identified above.

The department may suspend an EMS certification when it finds that the certificate holder has committed any of the following acts or offenses:

Fraud in procuring certification or renewal including:

(2) False representations of a material fact, whether by word or by conduct, by false or misleading allegation, or by concealment of that which should have been disclosed when making application for a certification in this state.

Iowa Code Section 147A.7(1)d and IAC 641—131.7(3)d

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. Proof of actual injury need not be established.

Iowa Code Section 147A.7(1)f and IAC 641—131.7(3)f

Violating a statute of this state, another state, or the United States, without regard to its designation as either a felony or misdemeanor, which relates to the provision of emergency medical care, including but not limited to a crime involving dishonesty, fraud, theft, embezzlement, controlled substances, substance abuse, assault, sexual abuse, sexual misconduct, or homicide. A copy of the record of conviction or plea of guilty is conclusive evidence of the violation.

Iowa Code Section 147A.7(1)j and IAC 641—131.7(2)t

The following incidents resulted in issuance of this proposed action:

You were convicted of Conspiracy to Obstruct Justice, a felony, on July 9, 2014. You are currently on criminal probation through November of 2015 for this.

In addition, you have failed to report the following convictions on multiple occasions:

- 1) Fail to have valid driver's license/permit in August of 1998
- 2) Fifth degree theft in November of 1998
- 3) Fifth degree theft in September of 2004
- 4) Fail to have valid driver's license/permit in August of 2007
- 5) Failed to obey stop sign and yield right-of-way in September of 2012

You have denied being convicted of, found guilty of or entering a plea of no contest when you have submitted the following information to the Department:

- 1) Student registration for course F-05-303 on January 30, 2012
- 2) Certification application for F-05-303-07 in April of 2002
- 3) Student registration for course B-05-366 on November 17, 2009
- 4) Certification application for B-05-366-14 on March 31, 2010

Your certification shall be suspended until the Department receives, reviews and approves documentation indicating you have successfully completed t your criminal probation.

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.



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

9/2/15
Date

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