

**RESTRICTED DELIVERY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF:  Scott Parks 203 4 <sup>th</sup> street Neola, Iowa 51559  Certification: B-13-205-11	Case Number: 09-07-07  <b>NOTICE OF PROPOSED ACTION</b>  <b>CITATION AND WARNING</b>
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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 individual identified above.

The department may cite and warn an emergency medical care provider when it finds that the certificate holder has committed any of the following acts or offenses:

*Failure to comply with a subpoena issued by the department or failure to cooperate with an investigation of the department.*

*IAC 641—131.7(2)h*

*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*

*Failure to respond within 30 days of receipt, unless otherwise specified, of communication from the department which was sent by registered or certified mail.*

*IAC 641—131.7(2)ab*

The following incidents resulted in issuance of this proposed action:

On March 30, 2009, you indicated on your affirmative renewal application that you had, during the April 1, 2007- March 31, 2009 certification period, been convicted of a misdemeanor or felony crime and had a license disciplined.

On May 15, 2009, a certified letter from the Department requesting a description of your convictions and license discipline was received by you. You were directed to provide this information within 30 days of your receipt of the letter. On July 14, 2009, the Department attempted to contact you via phone without success. The information was received November 5, 2009.

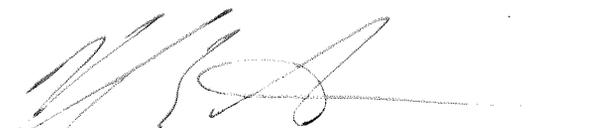
You were convicted of the following crimes:

1. Operating while intoxicated on June 12, 2007
2. Open container – Driver on September 21, 2007

You are hereby **CITED** for failing to respond to the Department's request for information and for violating a statute of the State of Iowa. You are **WARNED** that violating the Department's rules in the future may result in further disciplinary action, including suspension or revocation of your EMS 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 Medical Services, Lucas State Office Building, 321 E 12<sup>th</sup> 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.**



Kirk E. Schmitt  
EMS Bureau Chief

11/24/2009  
Date