

Before the Iowa Department of Public Health

IN THE MATTER OF:	Case Number: 12-10-20
Michael Stanton 805 Boulder Drive Center Point, Iowa 52213-9472	CONSENT AGREEMENT
Petitioner	PROBATION

COMES NOW the Iowa Department of Public Health ("Department") and Michael Stanton ("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 22, 2012, the Petitioner completed a student registration for course number EMT-10-1020. When completing the registration the Petitioner indicated that he had been convicted of, found guilty of or entered a plea of no contest to a felony or misdemeanor crime.
2. Petitioner provided information indicating that he was convicted of criminal mischief in 1998, public intoxication in 2005 and third degree harassment in 2012.
3. Petitioner is on criminal probation until April of 2013 for the third degree harassment conviction.
4. These convictions provide the Department with grounds to deny Petitioner's application due to:

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(3)t

5. 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 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.
6. 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.
7. 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.
8. This Consent Agreement is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.
9. The Department's approval of this Consent Agreement shall constitute a FINAL ORDER of the Department and constitutes final agency action in this matter.
11. Petitioner shall provide the current EMS training program he is currently enrolled in a copy of this consent agreement within 15 days of receiving the fully executed agreement. 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 understand it.

IT IS THEREFORE ORDERED:

11. The Petitioner shall not take the NREMT cognitive exam for the EMT level until he has successfully completed all terms of his criminal probation. Once all terms of the criminal probation are complete, the Petitioner will provide documentation to the Department indicating release from probation.

12. After completing the terms of his criminal probation, and being approved by the Department, Petitioner may take the NREMT examination for the EMT level.
13. After successful completion of the NREMT exam for the EMT level, the Department will place the emergency medical care provider certification (EMT-10-1020-04) of Petitioner on probation for a period of one year 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:



Michael Stanton
PETITIONER



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

Dated this 31 day of December, 2012.

Dated this 15 day of January, 2013.

Copies mailed to:

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