

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF:	Case Number: 13-11-05
Larry Whitwer 2629 South Saint Marys Street Sioux City, Iowa 51106-3424	NOTICE OF PROPOSED ACTION
Certification : EMT-08-222-26	SUSPENSION

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 **SUSPEND** your emergency medical care provider certification identified above for a period of six month from the effective date of this notice.

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

Failure to comply with the terms of a department order or the terms of a settlement agreement or consent order.

IAC 641—131.7(2)k

Violating a statute of this 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 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 has resulted in issuance of this proposed action:

On June 12, 2013, the Department placed your emergency medical care certification on probation until June 11, 2015. The department took this action due to your entering a plea of guilty to domestic assault on September 25, 2012.

As a term of the probation, you were to comply with all terms and conditions of your deferred judgment.

On November 18, 2013 you entered a plea guilty to contempt of court for violating a no contact order.

Your suspension shall be subject to the following terms and conditions:

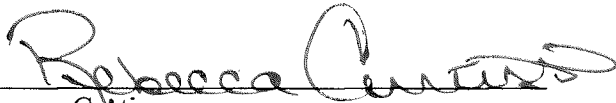
- a. You shall continue to submit the quarterly reports to the bureau (filed no later than January 10, April 10, July 10, and October 10) required by the terms of your probation. The reports shall include the following information:
 - i. The time period covered by the report
 - ii. Verification that you have complied with the terms of probation.

- b. Meet all renewal requirements for the certification period of April 1, 2012 through March 31, 2014. An affirmative renewal application must be submitted to the Department by March 21, 2014.
- c. You shall not use any words or titles which imply or represent that you are a certified emergency medical care provider, shall not otherwise hold yourself out to the public as a certified emergency medical care provider, and shall not engage in the practice of emergency medical care for which certification is required in the State of Iowa.
- d. In the event you violate or fail to comply with any of the terms or provisions of your suspension, the department may initiate appropriate action to revoke your certification or to impose other appropriate discipline.

Upon successful completion of the terms of the suspension, the terms and conditions your probation shall remain in effect until June 11, 2015.

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
Center for Disaster Operations and Response

12/23/13
Date