

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF: Anisa Smith 1310 23 rd St Eldora, IA 50627-1525 Certification: F-06-326-10	Case Number: 06-04-04 NOTICE OF PROPOSED ACTION REVOCATION
---	---

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 **REVOKE** your EMS certification identified above.

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

Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of the profession or engaging in unethical conduct or practice harmful to the public. Proof of actual injury need not be established.
(IAC 641—131.7(2)f)

Improper sexual contact with or making suggestive, lewd, lascivious or improper remarks or advances to a patient or coworker.
(IAC 641—131.7(2)f(2))

An EMS provider shall not sexually harass a patient, student, or supervisee. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
(IAC 641—131.7(2)p)

Having certification to practice emergency medical care suspended or revoked, or having other disciplinary action taken by a licensing or certifying authority of another state, territory or country. A certified copy of the record or order of suspension, revocation or disciplinary action is conclusive or prima facie evidence.
(IAC 641—131.7(2)u)

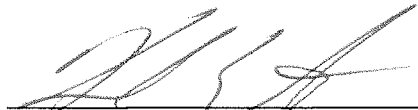
The following incidents resulted in issuance of this proposed action:

On February 3, 2006 the Department of Inspection and Appeals issued a letter informing you that your Nurse Aide/Direct Care Worker Registry card was no longer valid. This letter was the result of a founded complaint against you regarding the sexual exploitation of a resident in your care. This case had an administrative hearing date of November 10, 2005 and Department Director Review on February 1, 2006.

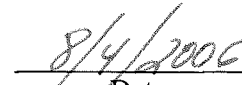
You have the right to request a hearing concerning this notice of disciplinary action. A request for a hearing must be submitted in writing to the Department by certified mail, return receipt requested, within twenty (20) days of receipt of this Notice of Proposed Action. The written request must be 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.

If no request for a hearing is received within the twenty (20) day time period, this Notice of Proposed Action becomes a public record available for inspection and copying in accordance with the requirements of Iowa Code Chapters 22 and 272C upon expiration of the twenty (20) day time period. If you request a hearing, this Notice of Proposed Action and the final action of the agency become public records available for inspection and copying in accordance with the requirements of Iowa Code Chapters 22 and 272C upon issuance of the final agency action. If you request a hearing, the Notice of Hearing issued by the Iowa Department of Inspections and Appeals is a public record available for inspection and copying as of the date it was issued in accordance with the requirements of Chapters 17A, 22, and 272C.



Kirk E. Schmitt, Bureau Chief
Emergency Medical Services



Date