

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

<p>IN THE MATTER OF</p> <p>Jason Baker 309 W Walnut Street Sigourney, Iowa 52591-1133</p> <p>Certification: PM-99-506-11</p>	<p style="text-align: right;">Case: 16-06-08</p> <p style="text-align: center;">NOTICE OF PROPOSED ACTION</p> <p style="text-align: center;">SUSPENSION/PROBATION</p>
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Pursuant to the provisions of Iowa Code Sections 17A.18 and 147A.7, and Iowa Administrative Code (I.A.C.) 641—131.7, the Iowa Department of Public Health is proposing **SUSPEND** the EMS certification identified indefinitely and place the certification on **PROBATION** for two years from the end of the suspension.

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

*Negligence in performing emergency medical care
Iowa Code Section 147A.1a; IAC 641—131.7(3)a*

Professional incompetency. Professional incompetency includes, but is not limited to:

- (1) A substantial lack of knowledge or ability to discharge professional obligations within the scope of practice.*
- (2) A substantial deviation from the standards of learning or skill ordinarily possessed and applied by other EMS providers in the state of Iowa acting in the same or similar circumstances.*
- (3) A failure to exercise the degree of care which is ordinarily exercised by the average EMS provider acting in the same or similar circumstances.*
- (4) Failure to conform to the minimal standard of acceptable and prevailing practice of certified EMS providers in this state.*

Iowa Code Section 147A.1e; IAC 641—131.7(3)e

The following events have led to this notice:

While caring for a patient on September 14, 2014, you failed to appropriately manage the patient condition of congestive heart failure. You administered an incorrect dose of succinylcholine to the patient when performing rapid sequence induction. When intubating the patient, you failed to recognize that the endotracheal tube was placed in the esophagus. There was a period of time that the patient did not receive ventilations and subsequently went into cardiac arrest.

On May 15, 2016, you attempted to perform rapid sequence induction on a conscious pediatric patient without airway compromise. The use of rapid sequence induction is contraindicated when airway compromise is not an issue. You also established an intraosseous line when an intravenous line was appropriate.

In addition, the medical director for the services where these incidents occurred removed you from service program participation per the medical director authority under *IAC 641—132.9(2)j*.

The suspension will remain effective until you:

- a. Successfully complete two hours of training on rapid sequence induction. Prior to attending the course, you shall submit the proposed course name, date and sponsoring training program. The Department may approve the proposed course, or may designate another course for completion. These hours shall be in addition to those required for renewal of your certification. You are responsible for all costs associated with this course.
- b. Successfully complete two hours of continuing education in the area of Clinical Behavior/Judgment: Decision Making based on the National Emergency Medical Services Education Standards for the Paramedic level. Prior to attending a course, you shall submit the proposed course name and course syllabus. These hours shall be in addition to those required for renewal of your certification. You are responsible for all costs associated with this requirement.
- c. Successfully complete three hours of continuing education in the area of Airway Management, including verification of endotracheal intubation skills, based on the National Emergency Medical Services Education Standards for the Paramedic level. Prior to attending a course, you shall submit the proposed course name and course syllabus. These hours shall be in addition to those required for renewal of your certification. You are responsible for all costs associated with this requirement.


Following successful completion of these three training courses, you may apply to the Department for reinstatement of your certification, pursuant to 641 IAC 131.9. If the Department grants reinstatement, your certification shall be placed on probation for a period of two years from the date of the order granting reinstatement. Your probation shall be subject to the following terms and conditions:

- a. You shall participate in quarterly meetings with the service medical director to review treatment decisions of all calls on which you respond as an emergency medical care provider when invasive or noninvasive airway control measures are utilized.
- b. You shall submit quarterly reports to the bureau (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 you have complied with the terms of probation as specified in this Notice.
- c. You shall make a personal appearance before the bureau upon request. You shall be given reasonable notice of the date, time, and place of appearance.
- d. You shall obey all federal, state, and local statutes and rules governing the provisions of emergency medical services.
- e. You 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, your direct supervisor, service director and medical director shall report to the bureau, in writing, acknowledging that the employer and medical director have read this document and understands it.
- f. You shall notify any EMS training program you enroll in for courses leading to certification or endorsement 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 bureau, in writing, acknowledging that the training program and medical director have read this document and understands it.
- g. You shall notify the bureau of any change in address within one week of said change.
- h. In the event you violate or fail to comply with any of the terms or provisions of your probation, the department may initiate appropriate action to revoke or suspend your certification or to impose other appropriate discipline.

- i. This Notice shall be part of the permanent record of the bureau and shall be considered by the bureau in determining the nature and severity of any disciplinary action to be imposed in the event of future violations.

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 and Trauma Services, Lucas State Office Building, 321 East 12th Street, 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

11/2/2016
Date