

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF: Donald Lucas 2410 Saylor Road Des Moines, Iowa 50313-5037 Certification: PM-18-117-08	Case Number: 13-12-08 NOTICE OF PROPOSED ACTION REVOCAION
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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 **REVOKE** your EMS certification identified above.

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

Fraud in procuring certification or renewal including, but not limited to:

- (2) *False representation of a material fact, whether by word or by conduct, by false or misleading allegations, or by concealment of that which should had been disclosed when making application for a certification in this state.*

Iowa Code Section 147A.7(1)f and IAC 641—131.7(3)d

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

The following incidents resulted in issuance of this proposed action:

You have been convicted of the following crimes:

1. Theft 5th Degree on September 27, 1999
2. Theft 5th Degree on November 2, 1999
3. Theft 5th Degree on July 5, 2000
4. Theft 5th Degree on August 11, 2000 (two counts)
5. Theft 5th Degree on March 12, 2001 (three counts)
6. Violation – Financial Liability – Accident on January 28, 2003
7. Violation – Financial Liability Coverage on January 29, 2003
8. Driving While License Denied, Suspended, Cancelled or Revoked on September 7, 2003
9. Driving While License Denied, Suspended, Cancelled or Revoked on March 31, 2004
10. Theft – Financial Instrument on June 3, 2005

11. Operation Without Registration on June 2, 2008
12. Violation – Financial Liability Coverage on June 2, 2008
13. Seatbelt Violation on September 8, 2008
14. Auto Speeding 30, 40, 50 Zones (11-15 Over) on September 8, 2008
15. Failure to Obey Traffic Control Device on March 9, 2011
16. Theft 3rd Degree on April 11, 2014
- 17.

You denied being convicted of, found guilty of or entering a plea of no contest to a misdemeanor crime on the following occasions:

1. September 4, 2001, when registering for course P-17-301.
2. January 3, 2006, when registering for course PS-17-107.
3. February 2, 2006, when completing the renewal for B-17-217-03 for the certification period of April 1, 2004 through March 31, 2006.
4. January 29, 2010 when completing the renewal for B-17-217-03 for the certification period of April 1, 2008 through March 31, 2010.
5. January 13, 2012, when completing the renewal for B-17-217-03 for the certification period of April 1, 2010, through March 31, 2012.

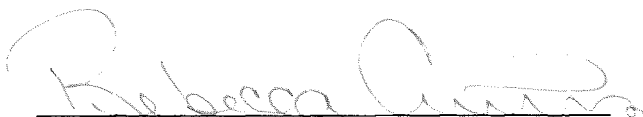
In 2009, you reported to the Department that you received a conviction for fraudulent practices in 2001. On May 29, 2009, the Department issued you a letter of warning for failing to previously report the conviction, unethical conduct and violating a statute of the State of Iowa. The letter advised you that future violations of administrative rules could result in the filing of formal charges and disciplinary action against your certification.

You are on criminal probation until April of 2015 for the Theft 3rd Degree conviction.

You may apply to the department for reinstatement after one year from the effective date of this notice. When submitting an application for reinstatement, you must allege facts which, if established, will be sufficient to enable the department to determine that the basis for the revocation of your certification no longer exists and that it will be in the public interest for the certification to be reinstated (IAC 641—131.9).

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

5/9/14
Date