

BEFORE THE IOWA DEPARTMENT OF PUBLIC HEALTH

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IN THE MATTER OF:	)	DIA Case No. 16DPHES002
	)	DPH Case No. 15-08-06
	)	
JUSTIN PLOOG	)	<b>CONSENT AGREEMENT</b>
123 1 <sup>st</sup> Street	)	
Charlotte, IA 52731-9638	)	
	)	
Appellant.	)	

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COMES NOW the Iowa Department of Public Health ("Department") and Justin Ploog (Appellant), and pursuant to Iowa Code section 17A.10 and 641 Iowa Administrative Code 131.12 enter into the following settlement of this matter:

1. On March 2, 2016, the Department issued a Notice of Proposed Action: Probation, directed to Appellant.
2. On March 12, 2016, Appellant requested a contested case hearing regarding the proposed probation.
3. The Department of Inspections and Appeals initially scheduled the matter for hearing on May 10, 2016, and rescheduled the hearing to June 8, 2016. This hearing date was continued upon request of the parties.
4. Appellant hereby withdraws his request for appeal in the above-captioned matter. Execution of this Consent Agreement by all parties constitutes the resolution of this contested case. Appellant waives the right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Consent Agreement. This Consent Agreement is entered into by the parties to resolve disputed

claims and does not constitute an admission on the part of Appellant.

5. 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.

6. This Consent Agreement shall be part of the permanent record of Appellant 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.

7. This Consent Agreement and the Notice of Proposed Action are public records available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

8. The Department's approval of this Consent Agreement shall constitute a FINAL ORDER of the Department and constitutes final agency action in this matter.

9. The Department rescinds the disciplinary action contained in the Notice of Proposed Action issued March 2, 2016.

IT IS THEREFORE ORDERED:

10. Appellant is hereby **CITED** for deviating from the standard of care and for failure to conform to the minimal standard of acceptable and prevailing practice of certified EMS providers in this state and **WARNED** that any future violation of the Department's rules may result in further disciplinary action against Appellant's certification.

11. Appellant shall 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, within sixty (60) days of the execution of this Agreement. The parties acknowledge that Appellant successfully completed one hour in the area of Decision Making on May 3, 2016. Prior to attending the remaining course, Appellant shall submit the proposed course name and course syllabus. These hours shall be in addition to those required for the renewal of Appellant's certification. Appellant is responsible for all costs associated with this requirement.

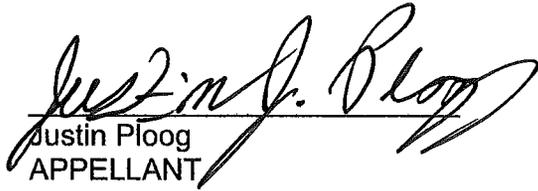
12. Appellant shall successfully complete two hours of continuing education in the area of Clinical Behavior/Judgment: *Assessment*, based on the National Emergency Medical Services Education Standards for the Paramedic level. The parties acknowledge that Appellant successfully completed two hours in the area of Assessment on June 27, 2016. These hours shall be in addition to those required for the renewal of Appellant's certification. Appellant is responsible for all costs associated with this requirement.

13. Appellant shall notify his current service director and medical director of the terms and conditions of this Agreement. Within fifteen (15) days of the execution of this Agreement, Appellant shall ensure that Appellant's service director and medical director report to the Department, in writing, acknowledging they have obtained a copy of this Agreement.

14. Appellant shall obey all federal, state, and local statutes and rules governing the provision of emergency medical services.

15. In the event Appellant violates or fail to comply with any of the terms or provisions of this Agreement, the Department may initiate appropriate action to revoke or suspend Appellant=s certification or to impose other appropriate discipline.

AGREED AND ACCEPTED:

  
Justin Ploog  
APPELLANT

  
Rebecca Curtiss  
BUREAU CHIEF  
IOWA DEPARTMENT OF PUBLIC HEALTH

Dated this 1 day of  
July, 2016.

Dated this 11 day of  
July, 2016.

Copies mailed to:

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