

BEFORE THE IOWA DEPARTMENT OF PUBLIC HEALTH

IN THE MATTER OF:	)	DIA Case No. 13DPHES005
	)	DPH Case No. 13-07-08
	)	
Jonathan Taylor	)	CONSENT AGREEMENT
2404 Walnut Street	)	
West Des Moines, IA 50265-6235	)	
	)	
Appellant.	)	

COMES NOW the Iowa Department of Public Health ("Department") and Jonathan Taylor ("Appellant"), and pursuant to Iowa Code section 17A.10 and 641 Iowa Administrative Code 131.12(7) enter into the following settlement of this matter:

1. On July 18, 2013, the Department issued a Notice of Proposed Action: Probation, directed to Appellant.
2. On August 6, 2013, Appellant requested a hearing regarding the proposed probation.
3. The Department of Inspections and Appeals scheduled a contested case hearing which was continued upon request of the parties.
4. Appellant hereby withdraws the 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.

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.

IT IS THEREFORE ORDERED:

9. The Department rescinds the Notice of Proposed Action: Probation, issued July 18, 2013.

10. The Department may place an EMS provider on probation when it finds that the certificate holder has violated a statute of this state which relates to the provision of emergency medical care, including but not limited to a crime involving substance abuse. Iowa Code § 147A.7(1)(j); 641 IAC 131.7(3)(t). On June 19, 2013, Appellant received a deferred conviction for operating while intoxicated.

11. Appellant's certification PM-17-107-12 shall be placed on **PROBATION** for a period of two years, subject to the following terms and conditions:

a. Appellant shall not consume alcohol or any mood altering chemicals or drugs and shall not use any prescription medication unless prescribed or dispensed by a physician in an appropriate manner.

b. Appellant received a substance abuse evaluation on April 15, 2013, one day following his OWI arrest on April 14, 2013. Appellant contacted the Bureau to inform the Bureau of his OWI conviction on July 2, 2013. Appellant completed Level I Extended Outpatient Substance Abuse treatment on July 24, 2013. Appellant completed a 48 hour OWI program on September 20 – 22, 2013. Appellant was discharged from criminal probation on November 15, 2013.

c. Appellant received a second substance abuse evaluation on October 16, 2013, in an effort to facilitate a settlement agreement with the Bureau. Appellant has provided a copy of that evaluation to the Bureau. Appellant shall follow all treatment and aftercare recommendations made by the facilities at which he received his substance abuse evaluations.

d. Appellant shall immediately provide a specimen of blood or urine when requested to do so by a Bureau investigator or designee. Appellant shall sign all necessary release of information forms to ensure the Bureau office receives results from the testing as soon as the results are available. The cost of all such tests shall be assessed to Appellant.

e. Appellant 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 Appellant has complied with the terms of probation as specified in this Notice.

f. Appellant shall make a personal appearance before the Bureau upon request. Appellant shall be given reasonable notice of the date, time, and place for appearance.

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

h. Appellant shall notify any current or prospective employer, to include direct supervisors, service directors and medical directors, of the terms and conditions of this agreement. Within fifteen days of execution of this agreement, or of undertaking new employment, Appellant's 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 understand it.

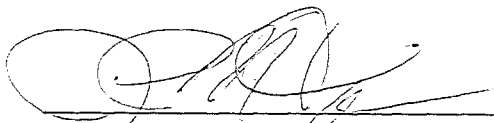
i. Appellant shall notify any EMS training program he enrolls in for courses leading to certification of this agreement.

j. Appellant shall notify the Bureau of any change in address within one week of said change.

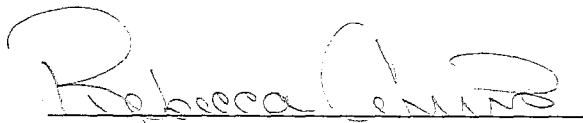
k. In the event Appellant violates or fail to comply with any of the terms or provisions of probation, the Department may initiate appropriate action to revoke or suspend Appellant's certification or to impose other appropriate discipline.

l. Appellant may request termination of probation one year from the date of the execution of this Agreement, provided that he has complied with the terms and conditions of this Agreement.

AGREED AND ACCEPTED:



Jonathan Taylor
APPELLANT



Rebecca Curtiss
CHIEF, BUREAU OF EMS
IOWA DEPARTMENT OF PUBLIC HEALTH

Dated this 6 day of
February, 2014.

Dated this 11 day of
February, 2014.

Copies mailed to:

Jonathan Taylor
2404 Walnut Street
West Des Moines, IA 50265

Heather L. Adams
Assistant Attorney General
Hoover State Office Building
Des Moines, IA 50319

Iowa Department of Inspections and Appeals
Administrative Law Judge Margaret LaMarche
Division of Administrative Hearings
Wallace State Office Building
LOCAL

Joe Ferrell, Regulation Manager
Bureau of Emergency Medical Services
Iowa Department of Public Health
LOCAL