

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

<p>IN THE MATTER OF:</p> <p>Hillsboro Fire and Rescue 105 East Commercial Street Hillsboro, Iowa 52630-9300</p> <p>Service: 9446700</p>	<p>Case Number: 09-11-08</p> <p style="text-align: center;">NOTICE OF PROPOSED ACTION</p> <p style="text-align: center;">CITATION AND WARNING</p>
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Pursuant to the provisions of Iowa Code Sections 17A.18, 147A.5, and Iowa Administrative Code (I.A.C.) 641--132.10(3), the Iowa Department of Public Health is proposing to issue a **Citation and Warning** to the service program identified above.

The department may issue a citation and warning when a service program has committed any of the following acts or offenses:

Delegating professional responsibility to a person when the service program knows that the person is not qualified by training, education, experience or certification to perform the required duties.

IAC 641—132.10(3)c

Failure or repeated failure of the applicant or alleged violator to meet the requirements or standards established pursuant to Iowa Code chapter 147A or the rules adopted pursuant to that chapter.

IAC 641—132.10(3)f

Specifically, Ambulance and nontransport service programs shall:

Ensure that personnel duties are consistent with the level of certification and the service program's level of authorization.

IAC 641—132.8(3)c

Maintain current personnel rosters and personnel files. The files shall include the names and addresses of all personnel and documentation that verifies EMS provider credential including, but not limited to:

(1) Current provider level certification

IAC 641—132.8(3)d

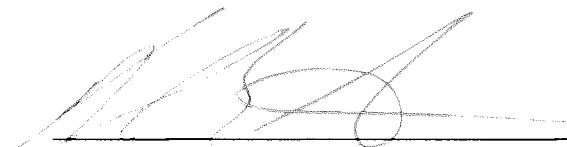
The following incident resulted in issuance of this proposed action:

Hillsboro Fire and Rescue allowed a suspended emergency medical care provider to provide emergency medical care on January 20, 2009.

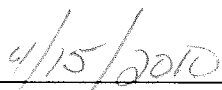
Hillsboro Fire and Rescue is hereby **CITED** for failing to ensure the current certification status of providers rendering emergency medical care. Hillsboro Fire and Rescue is **WARNED** that violating the Department's rules in the future may result in further disciplinary action, including suspension or revocation of your service program authorization.

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 East 12th St, Des Moines, Iowa 50309. 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.



Kirk E. Schmitt
EMS Bureau Chief



Date