

RESTRICTED DELIVERY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Before the Iowa Department of Public Health

IN THE MATTER OF:  Scott Burger 200 N First Street Apartment 1 Carlisle, Iowa 50047-7805  Certification: B-08-223-95	Case Number: 10-05-11  NOTICE OF PROPOSED ACTION  <b>REVOCATION</b>
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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:


*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(2)f*

The following incidents resulted in issuance of this proposed action:

On April 29, 2010, you responded with your service to a citizen's request for assistance. Law enforcement was notified that an emergency medical care provider was intoxicated on the scene. The officer on the scene noted that you were slurring your words while speaking. You admitted to consuming alcohol and consented to a preliminary breath test (PBT). The PBT indicated a blood alcohol concentration of 0.152.

**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 12<sup>th</sup> 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.**

  
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Kirk E. Schmitt  
EMS Bureau Chief

6/3/2010  
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Date