

RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Before the Iowa Department of Public Health

IN THE MATTER OF:

Justin Hoffman
408 2nd Avenue SW
Cascade, Iowa 52033

Certification: B-01-343-05

Case Number: 10-04-08

NOTICE OF PROPOSED ACTION

CITATION AND WARNING

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 issue a **Citation and Warning** to the individual identified above.

The department may cite and warn an emergency medical care provider when it finds that the certificate holder has committed any of the following acts or offenses:

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(2)t

The following incidents resulted in issuance of this proposed action:

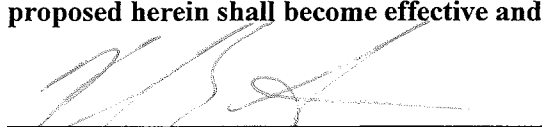
On August 21, 2008, the Department issued a Letter of Warning to you related to convictions in 2004 for possession and open container. You were warned that further violations of the Department's statutes or administrative rules could result in the filing of formal charges and disciplinary action against your certification.

In 2009, you were convicted of open container.

You are hereby **CITED** for having violating a statute of the State of Iowa related to the provision of emergency medical care. You are **WARNED** that future violations may result in further disciplinary action, including suspension or revocation of your EMS certification.

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.


Kirk E. Schmitt
EMS Bureau Chief

4/22/2010
Date