

**RESTRICTED DELIVERY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Before the Iowa Department of Public Health

IN THE MATTER OF: Justin Hovey 216 South Kellogg Avenue Unit 5 Ames, Iowa 50010-6754 Certification: B-11-338-18	Case Number: 09-06-06 NOTICE OF PROPOSED ACTION Citation and Warning
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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 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:

*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.
147A.1i; IAC 641—131.7(2)f*

*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 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 deferred criminal conviction resulted in issuance of this proposed action:

- Possession of Alcohol Under Legal Age in 2004
- Unauthorized Use of Emergency Lighting in 2008
- Failure to Respond to Steady Red Signal in 2008

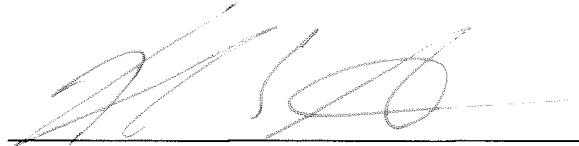
In addition, you reported you were responding to an emergency medical call with a flashing blue light when you received the unauthorized use of emergency lighting and failure to respond to steady red signal. You reported that you proceeded through a controlled intersection against a red light and that you did not have a blue-light permit for the vehicle you were operating.

You are hereby **CITED** for violating a statute of this state. You are **WARNED** that violating the Department's rules in the future 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

6/23/2009
Date